

tragedy in order to justify this unconstitutional attempt to deny American citizens their core constitutional rights without any proof and without any evidence.

I would just add that if our friends across the aisle think this watch list is so perfect and so infallible, they ought to read an editorial that was produced by the New York Times in 2014 where the American Civil Liberties Union and others objected to the watch list as being a secret government list without any evidence or any proof. They cited a 2007 audit of the 71,000 people on the government watch list and noted that half of those 71,000 were erroneously included in the watch list.

So we all understand what is going on here. This isn't about finding solutions to real problems; this is about trying to change the subject and to distract the American people from the fact that the President and this administration have absolutely no strategy to deal with the threat of ISIS and the President tells us merely to stay the course. So I understand what is going on.

I also would say that the other main purpose of our friends across the aisle, other than to defeat our ability to repeal ObamaCare, which we successfully did in the Senate last week, is to create a "gotcha" moment for Senators and candidates who are running in 2016. Already, the Senator from Connecticut has appeared on national news shows, the President of the United States in his weekly speech to the Nation, and the Senate Democratic leader have already misrepresented what was in the Cornyn substitute to the Feinstein amendment last week to suggest that people who voted against the Feinstein amendment really, really wanted to make sure that terrorists got guns. That is an outrageous accusation, and it is as false as it is outrageous.

So I think it is pretty obvious what is going on here. This is an effort to undermine our ability to repeal ObamaCare. It is an effort to distract from the fact that the President of the United States, the Commander in Chief, has no strategy to defeat ISIS. In fact, the Democratic leader said yesterday that really what we need is an ISIS czar. An ISIS czar? I thought that is the job of the Commander in Chief, the President of the United States, to fight and win the Nation's wars and to keep us safe here at home. Give me a break. Then this foolish idea that we ought to simply take the Federal Government's word without any proof or any necessity of producing evidence in a court of law and meeting some basic minimal legal standard before we deny American citizens their core constitutional rights is just outrageous.

So, Mr. President, I think it is pretty obvious what is going on here, and I am happy to have the American people render their judgment. For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Connecticut.

Mr. MURPHY. Mr. President, I ask unanimous consent to speak for 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MURPHY. Thank you, Mr. President.

The Senator is correct that last week Senate Democrats thought that it was more important to talk about terrorism than it was to talk about the repeal of the Affordable Care Act for the 16th time in the U.S. Senate, 55, 60 times in the House of Representatives. We did think it was more important last week to talk about stopping terrorists from getting weapons. I am sorry we didn't find that bipartisan consensus last week.

What we are talking about here today is a different threat than we have ever seen before, and what we want to do is to stop terrorism before it happens.

The Senator from Texas is right that many of the individuals on the terrorist watch list have not committed a crime, but in order to get on the terrorist watch list, you have to have been in communication with those who are trying to create radical jihad here in the United States. By denying those individuals from getting a weapon, you are serving to prevent a terrorist attack from happening.

Why would we wait until after the terrorist attack has occurred in order to stop that individual from buying a gun? It is too late at that point.

This bill includes provisions to get off that list if you are not on it, so it is perfectly observant of our tradition of supporting the rights of law-abiding citizens to buy and purchase a weapon. But to suggest that the only pathway to stopping an individual from buying a weapon is a criminal prosecution when we know there are people right now in the United States who are in contact with radical ideologies and may be contemplating attacks against the United States misunderstands the way in which we are going to prevent future terrorist attacks from happening in this country.

This notion that those of us who want to change the law in order to better protect Americans are capitalizing on a tragedy is ridiculous and it is insulting, frankly. There are a lot of people who say: Well, when it comes to guns, you can't talk about policy changes right after a mass shooting.

On average, there has been a mass shooting every single day in this country. If you had to wait 24 hours or 48 hours to talk about strategies—such as preventing terrorists from buying guns—that would keep this country safe after a mass shooting, then you would never talk about ways to keep this country safe because every day there are mass shootings separate and aside from the 80 people who die each day from the drip, drip, drip of gun violence all across this country.

I don't think any of us mean to suggest, as the Senator from Texas said, that those who oppose this bill, which is supported by three-quarters of American gun owners and 90 percent of Americans, are rooting for terrorists to get guns. That is not what I am saying. What I am saying is that those who oppose this are more concerned with protecting the rights of potential terrorists than they are with protecting this country. That is what we are talking about.

We are worried about the rights of people on the terrorist watch list more than we are about taking steps to protect this country. What we are talking about is a temporary inconvenience. If somebody is on this watch list who shouldn't be—and it is a very small number—then through this legislation they have a means to get off that list. They have to wait a couple of days, maybe a couple of weeks, in order to buy a weapon. A tiny number of people who are inconvenienced is the cost; protecting the country from a potential terrorist attack is the benefit. That is a trade that my constituents would take in a heartbeat.

I am sorry that we aren't able to proceed with debate on this bill, but I think I can speak for my colleagues that we will be back on the floor in the days, the weeks, and the months to come to continue to ask for a vote on simple legislation to make sure that potential terrorists cannot get their hands on dangerous life-ending weapons.

I yield the floor.

#### RECESS

The PRESIDING OFFICER. The Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:48 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

#### STUDENT SUCCESS ACT— CONFERENCE REPORT—Continued

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise to support the passage of the bipartisan Every Student Succeeds Act. I commend Chairman ALEXANDER, Ranking Member MURRAY, and their counterparts in the House, Chairman KLINE and Ranking Member SCOTT, for their commitment to finding common ground and a path forward on this critical legislation.

When President Johnson signed the Elementary and Secondary Education Act into law 50 years ago, he noted that "from our very beginnings as a nation, we have felt a fierce commitment to the ideal of education for everyone. It fixed itself into our democratic creed."

Yet many communities today across the Nation, including my home State of Rhode Island, are still wrestling with how to address large achievement

gaps based on wealth, race, ethnicity, and disability status. Underlying the achievement gaps we see are gaps in opportunity. We need to ensure our students have access to critical resources for learning, strong teachers, counselors, and principals, a well-balanced program of study that includes arts, humanities, and environmental education, and safe, healthy schools equipped with libraries, technology, and science labs. We also need to support and promote greater parental engagement. These are the issues I have focused on for many years, and I am very pleased that the Every Student Succeeds Act makes important improvements in all of these areas.

This legislation will replace the badly flawed and increasingly unworkable No Child Left Behind Act with a new framework—one that stays true to the transparency and focus on closing achievement gaps that were the hallmarks of No Child Left Behind while eliminating the one-size-fits-all approach to school improvement and allowing States to develop more holistic and robust accountability systems that move beyond test scores as the sole measure of school success.

Increasing accountability for resource equity was the goal of the first bill I introduced this Congress—the Core Opportunity Resources for Equity and Excellence Act. I worked with Senators BALDWIN, BROWN, and KIRK to push for its provisions on the Senate floor, and I am pleased the conference report includes stronger measures to require that school districts address resource inequities in schools identified for comprehensive support and improvement than were even in the bill we passed initially in the Senate.

The original Elementary and Secondary Education Act recognized the vital role school libraries play in supporting student success, and this is an area I have worked on during several of the past reauthorizations of this law. Senator COCHRAN and I introduced the Strengthening Kids' Interest in Learning and Libraries—or SKILLS—Act to ensure that Federal resources continue to support student access to effective school library programs. The Every Student Succeeds Act includes key provisions from our legislation, including authorizing grants for high-need school districts to support effective school library programs and including support for such programs in school district level title I and professional development plans.

In addition to school libraries, children need to have access to books in their homes from a very early age. Senator GRASSLEY and I introduced the Prescribe A Book Act to help address this issue, and I am glad key provisions of that legislation are included here.

We know teachers and principals are two of the most important in-school factors related to student achievement. It is essential that teachers, principals, and other educators have a comprehensive system that supports their profes-

sional growth and development, starting on day one and continuing throughout their careers. Senator CASEY and I introduced the Better Education Support and Training Act to create such a system. Again, I am pleased that the Every Student Succeeds Act includes many of the provisions of our legislation, particularly the focus on equitable access to experienced and effective educators.

However, I remain concerned that the failure in this legislation to define “inexperienced teacher” could mask inequities and limit the usefulness of the reporting and that some of the provisions related to educator preparation could lower standards in our highest need schools. Soon I will be introducing legislation to strengthen educator preparation and ensure that teachers in our high-need schools are profession-ready.

The Every Student Succeeds Act also supports access for all children to a well-rounded education, including environmental literacy, as I proposed in the No Child Left Inside Act. Family engagement is another critical area this bill addresses. This legislation will support more meaningful, evidence-based family engagement, encourage school districts to dedicate more resources to these activities, and provide a statewide system of technical assistance for family engagement—similar to the Family Engagement in Education Act I introduced with Senators COONS and WHITEHOUSE.

Chairman ALEXANDER and Senator MURRAY have demonstrated extraordinary leadership in crafting this legislation and steering it through an open and inclusive process. This bill is an important step forward, and I encourage all my colleagues to support it. Moreover, I hope this spirit of bipartisanship and compromise will also translate to the appropriations process and result in robust resources to implement the new and vastly improved law.

Mr. President, I also thank Senator COLLINS for graciously letting me go ahead.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise in support of the bipartisan Every Student Succeeds Act. This is landmark legislation that would reform and reauthorize the Elementary and Secondary Education Act, also known as No Child Left Behind. As a member of the Health, Education, Labor, and Pensions Committee, and as a member of the conference committee that resolved the differences between the two bodies' versions of their education reform bills, I want to particularly applaud the leadership of Chairman ALEXANDER and Ranking Member MURRAY for doing a truly extraordinary job in putting together the bipartisan, bicameral reform bill that is before us today.

Congressional action to fix the serious flaws with No Child Left Behind,

while preserving the valuable parts of the law, is long overdue, but that day has finally arrived. NCLB was well-intentioned, and its focus on the education of every child and greater transparency in the performance of our schools were welcomed reforms, but some of the law's provisions were simply unachievable and thus discouraging to teachers, parents, administrators, and students alike.

The current system of unattainable standards and a patchwork of State waivers has led to confusion about Federal requirements. High-stakes testing and unrealistic 100 percent proficiency goals do not raise aspirations; instead, they dispirit those who are committed to a high-quality education for our students.

The Every Student Succeeds Act returns much needed flexibility to the State departments of education and to local school districts. The bill would remove the high-stakes accountability system that was simply proven to be unworkable under No Child Left Behind. Instead, the bill would empower States to set the goals for their schools and students and design ways to improve student achievement. The bill would also eliminate the burdensome, overly prescriptive parts of No Child Left Behind, such as the definition of a “highly qualified teacher,” which is a perfect example of something that sounds great but in fact proved unworkable in many of the small and rural schools in my State where teachers are called upon to teach a wide range of subjects.

The Every Student Succeeds Act would also reauthorize the Rural Education Achievement Program, known as REAP. I coauthored this law with former Senator Kent Conrad back in 2002. Students in rural America should have the same access to Federal grant dollars as those who attend schools in larger urban and suburban communities. Most Federal competitive grant programs, however, favor larger school districts because they are the ones that have the ability to hire grant writers to apply for those grants, even though that extra money may be needed more by a small rural school. As a result, rural school districts often had to forgo funding because they simply lacked the capacity to apply for the grants. That is the problem the Rural Education Achievement Program Act was intended to solve, and it has provided financial assistance to both schools and districts to help them address their unique local needs.

This program has helped to support new technology in classrooms, distance learning opportunities, and professional development programs, as well as an array of other activities that benefit students and teachers in rural schools. Since the law was enacted in 2002, at least 120 Maine school districts have collectively received more than \$42 million from the REAP program. When I talk to those small Maine school districts, they have been enormously creative in using REAP money

to improve the education of their students. They have told me that without the law that Senator Kent Conrad and I authored back in 2002, in many cases they would not have been able to introduce technology into the classroom, to further professional development for their teachers or to provide special enrichment activities for their students. That law has been a real success, and I am delighted that this bill reauthorizes it.

I also want to highlight that the final version retains a Senate provision authorizing a pilot program that I worked on with several of my colleagues to require the Secretary of Education to allow seven States to designate alternative assessment systems based on student proficiency and not just on traditional tests. Such systems can give teachers, parents, and students a much fuller understanding of each student's abilities and better prepares them for the college or career path of their choice. The Federal Government should cooperate with States and school districts that are designing brand new assessment systems, and this pilot program is an important step in that direction.

Providing a good education for every child must remain a national priority so each child fulfills his or her full potential, has a wide range of opportunities, and can succeed in an increasingly competitive economy.

From having visited more than 200 schools in my State, I know this legislation will be welcomed indeed. The Every Student Succeeds Act honors these guiding principles while returning greater control and flexibility to States and local school districts, where it belongs. I urge all of my colleagues to support this landmark legislation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### WASTEFUL SPENDING

Mr. FLAKE. Mr. President in the opening scene of "Star Wars: Return of the Jedi," Darth Vader pays an unexpected visit to the construction site of the new Death Star. Of course it was behind schedule and probably over-budget. The commander in charge first claimed that there was no delay, and then he said to Darth Vader that it would be impossible to meet the schedule without more resources. Darth Vader warned the commander that the emperor was "much displeased" with the apparent lack of progress, noting that "the emperor is not as forgiving as I am."

Government projects being over-budget and behind schedule or just out of this world are not just a problem for the emperor in that galaxy far, far

away; they are a problem right here on Earth.

Our own space agency, NASA, can no longer even launch astronauts into orbit, yet NASA is spending \$1.2 million to study the impact of micro-gravity on sheep. NASA is also spending \$280,000 to develop plans to build a cloud city on Venus. It is strikingly similar to the cloud city that was featured in "Star Wars: The Emperor Strikes Back" where Han Solo was captured in carbonite.

The National Science Foundation is spending \$2.6 million in part to design sculptures that would raise awareness of drought and harvest dew, much like the moisture vaporizers on Luke Skywalker's home planet of Tatooine.

The Pentagon is spending \$2 million to teach robots how to play jazz and \$2.5 million in part to create a robot lobby greeter. These are not the droids taxpayers were looking for.

These are just a few of the examples of projects featured in "Wastebook: The Farce Awakens," which I will release today. This is a spoiler alert, so if you don't want the plot to be ruined, you may want to tune out right now.

Let's walk through some of these other "Wastebook" entries. They include \$1 million to put monkeys in hamster balls on a treadmill. A couple of years ago, Senator Tom Coburn famously found the example of the study of shrimp on treadmills underwater, but I think this outdoes it. Now we have monkeys not only on a treadmill but monkeys in a hamster ball on a treadmill—\$1 million for that study.

We are spending \$5 million to throw parties for hipsters. These parties for hipsters are an attempt—and how we define a hipster is quite a work of art as well—to try to keep them from smoking. They admit that it didn't succeed very well, so they ended up just giving out cash to try to induce hipsters to stop smoking. Good work if you can get it, I guess.

Another \$43 million went to build a single gas station in Afghanistan that dispenses a type of fuel—natural gas in this case—that very few automobiles in the country can even run on.

Despite all of the public ballyhooing over budget austerity, Washington didn't come up short on outlandish ways to spend and waste money in 2015. All of the examples in the "Wastebook" we have here had to have money spent during 2015.

Unfortunately, there is a lot of talk about the gridlock in Washington, but no matter how bad the gridlock gets or how bad it appears, there is always one area of agreement here between the parties, and that is to spend more money. For example, at the end of October Congress passed a budget deal that cut \$3 billion in taxpayer-funded subsidies that service Federal crop insurance policies. That deal was sold, in part, on the savings generated through the spending cut. Last week, this body voted overwhelmingly to restore all \$3

billion of those crop insurance subsidies, which, again, only go to private insurance companies. This was part of the highway bill that came to the floor. So spending that we had cut just a month ago in the budget deal was reversed 36 days later in an agreement that passed even before we passed the original bill to obliterate these savings. So it took Congress only 36 days to go back on these cuts. I am not sure that the Millennium Falcon can pull a 360 with that kind of ease.

Washington equates caring with the amount of dollars spent, but no amount of dollars and cents can make up for the lack of common sense in how millions of dollars of taxpayer money is being spent.

Consider this: We outline in the "Wastebook" more than \$2 million spent this year by the Agency for International Development, USAID, to promote tourism in Lebanon. Lebanon is the same country that our State Department has warned American tourists not to go to. We are spending \$2 million in one agency to promote tourism to a country that another agency, the State Department, says: Please don't go there for tourism. What kind of sense does that make? Suicide bombers have killed more than 60 people and injured hundreds more in the last 2 years there. It is no wonder the State Department is saying don't go, but the Agency for International Development is spending \$2 million to say: Please go there for tourism.

The Department of Homeland Security spent \$3 million on party buses and luxury coaches to go to the playground of the rich and famous. Taxpayer money is being spent on buses and luxury coaches to go to the playground of the rich and famous by the Department of Homeland Security. How does that make sense?

This one puzzles me. The Department of Housing and Urban Development is spending more than \$104 million a year subsidizing the rent of the well-off, including those who make better than six-figure incomes and have millions of dollars in assets, while 300,000 low-income families are on waiting lists for housing assistance. So we are spending \$104 million to subsidize those with six-figure incomes to live in public housing while 300,000 people who are truly low income wait on a waiting list. Somebody at one of the local housing authorities was asked why we don't just kick out the people who have incomes far too high to qualify. The answer was revealing. He said: We can't do that because they serve as role models for those who are truly low income in those facilities. Think about that. Those who are fleecing the taxpayers are role models for those in public housing who actually have low income.

As I mentioned before, the Pentagon is spending \$2 million to teach robots how to play jazz music. The Department of Agriculture spent \$68,000 in foreign food aid to send a group to the Great American Beer Festival to promote beer in Vietnam. So we spent

\$68,000 in foreign food aid to have a bunch of people go to the Great American Beer Festival.

The National Institutes of Health spent about \$1 million, as I mentioned, on the monkey-on-a-treadmill study. The purpose of this research was to determine if other studies could be conducted of monkeys on treadmills. I think everybody will have to agree that this is totally bananas. I mean, we can't continue to spend money like this.

Many other taxpayer-funded science projects sounded like they were concocted in a frat house rather than a government research agency, like the next example. The National Science Foundation spent \$103 million to study if koozies really keep a cool drink in a can cool or if it is just wishful thinking. I think we have had plenty of studies on evaporation and condensation to know what really happens, but these studies were conducted with a koozie in somebody's bathroom or laundry room somewhere. It doesn't really qualify as serious science. Yet we spent \$1.3 million on a grant to do just that. You have to watch the video. You have to see it.

The National Institute for Drug Abuse spent nearly \$1 million to prove that pizza is as addictive as crack. The result of the study will be a surprise to no one.

The NSF is spending over \$1 million on dating studies, including why attractive people date those who are not attractive and what makes those looking for love online "swipe right" and pursue a romantic relationship. Why in the world we are allowing the NSF to spend money on dating studies in order to find out why people, like my wife, would date somebody less attractive, like me—I mean, some of these things we will just have to let go and not spend taxpayer money on them.

These price tags are pocket change to the big spenders in Washington who collectively burn through \$7 million a minute, as we all know. Nobody can really keep track of how or why some of this money is spent. The purpose for "Wastebook" this year—it was created to do our best to hold those accountable who are spending this money.

In his farewell address a year ago, Senator Tom Coburn, who created "Wastebook," challenged every Member of Congress to produce their own "Wastebook" and start a real debate about national spending and budget priorities. While it is impossible to emulate or replace Dr. Coburn, he has given us a great example to follow.

As a longtime admirer, former colleague, and friend of Dr. Coburn, I feel it is a great and heavy responsibility to join others, like Senator JAMES LANKFORD and JOHN MCCAIN, in carrying forward the Coburn legacy of stopping wasteful Washington spending and bringing some kind of oversight to this. Colleagues can find the full list of 100 "Wastebook" entries on my Web site as well.

As you glance through it, ask yourself if the Federal Government is really being as frugal and as underfunded as it claims to be. Ask yourself: Are we really cutting to the bone? Is there no more fat left to cut? We hear that continually. Sequester-level spending has brought us to the brink so there is just nowhere else to cut.

It is my hope—my only hope—that this report gives Congress something to Chewie on—and the end of bad puns, too, I hope—before debt- and deficit-saddled taxpayers finally strike back at this lunacy.

I commend this "Wastebook" to all who will read it. As I mentioned, you can reach it on our Web site as well.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. Kaine. Mr. President, I rise in support of the Every Student Succeeds Act. I know we have had one vote on this today already, and we will have another vote tomorrow.

I will begin by applauding Senators MURRAY and ALEXANDER and Congressmen KLEIN and SCOTT for reaching across the aisle and working with their committee colleagues and the Members of both bodies to fixing a long expired and broken law. I think we all understand that education is key to both individual success and to our economic success.

ESSA gives parents, school districts, and States flexibility to close the achievement gaps that the No Child Left Behind helped us explore. ESSA maintains critical assessment requirements, but it also requires schools to track the progress of every child while also allowing States and school districts to set their own goals for improvement and determine what interventions are best when these achievement gaps persist. It invests in early childhood education, it permanently authorizes the Preschool Development Grant Program, and Virginia was one of the first States to receive a challenge grant. The bill recognizes there are factors other than test scores that describe students' success, and that is a significant advance past No Child Left Behind.

I rise particularly because I am proud that a number of provisions that I worked on and that the Presiding Officer worked on were included in the final bill. Let me talk about two of them: Teach safe relationships and career and technical education.

Senator MCCASKILL and I introduced a bill called the Teach Safe Relationships Act that came out of a conversation that I had with students a year ago at the University of Virginia. These students were members of a student organization called One Less, which advocates for survivors of campus rape and sexual assault.

There had been a story in the Rolling Stone magazine about the scourge of campus sexual assault. Many of the statistics were correct, but the story

was controversial because it focused on a particular allegation of sexual assault that was later discredited, and Rolling Stone retracted the article.

I sat down with a group of about 30 students—no press, no faculty, no administrators—to talk about the problem of campus sexual assault. It has been a long time since I was a college student, and I wanted to hear them talk about the challenges they face. It was a robust discussion. These students didn't all agree with each other about various points. But the goal was to get a sense from them about what we in Congress could do that would be helpful and what were things that we might want to do that would make us feel good but that wouldn't be helpful.

Many great ideas came out of that discussion, but there was one in particular that grabbed my attention. Students talked about the fact that they wished when they came to college, living away from home for the first time in their lives, that they knew more about issues such as coercion or consent to intimate behavior or especially where to go for help or what to do if you felt like somebody was pressuring you. I kind of naively said to the students: Well, don't you have an orientation about sexual assault? And they said: We do. Here is what it is. It is 15 minutes about campus sexual assault, and it is 15 minutes about not getting too many credit cards, and it is 15 minutes about not drinking too much. Basically, we are new on campus, and it is just not enough.

Then I asked a follow up question: Don't you learn about this in sex ed classes in high school? One of the young ladies in the room said: We get a sex ed curriculum in high school, but it is about reproductive biology, not about behaviors and relationships and strategies and sort of the right and wrong issues. I thought that was really interesting.

So I came back after hearing from them—and, again, I honor these students, because from the idea to the passage, hopefully tomorrow, it has been a year from hearing from them, and now, because of them, there is going to be an important advance in public safety.

What the students basically forced me to do was to come back and analyze the problem of sexual assault. We have been dealing with it in the military. We deal with it on college campuses. We deal with it in the society at large. We can either have strategies that are specific to the military or college campuses or the workplace or society, or we can actually acknowledge campus sexual assault.

Instead of focusing on where it happens, let's focus on when it happens. If you are a young person—let me put it differently. The most likely time in your life when you will be a victim of a sexual assault is age 16 to 24. It doesn't make a difference whether you are in the military or on a college campus or anywhere else. It is at a time in your life when you are kind of new to

adult sexuality issues and kind of grappling with it that you are most likely to be a victim of sexual assaults, and also many perpetrators of sexual assaults are in the same age range.

The students said: What if we had better education in the K–12 space. In February, Senator McCASKILL and I introduced a bill taking the campus sexual assault problem and trying to do something about it during the K–12 educational timeframe, and we called it the Teach Safe Relationships Act. The bill was rolled into the Senate version of the rewrite of the Elementary and Secondary Education Act, and the final compromise conference report includes it. Provisions are included so that title IV Federal educational funding can now be used specifically for instruction and training on safe relationship behavior among students, and this should help us deal with the issue of sexual assault.

I want to thank the conference committee for including it in the bill. It is my hope that school systems will now take advantage of this title IV funding—most school systems receive it—to prevent sexual assault not just on college campuses but for anybody in that age 16 to 24 age range that is vulnerable.

Second, the Presiding Officer, Senator BALDWIN, and I introduced a number of pieces of legislation dealing with career and technical education that have been included in the bill. The provisions include encouragement to States to use more career readiness indicators in their accountability systems to define what educational success is. This gives the States the opportunity to recognize schools that are successfully preparing students for postsecondary education and workforce tools such as technical skills and college credits. It shouldn't be just about performance on multiple choice tests. If you are getting a validated industry certificate or other measure of success, that should count.

We encourage States and school districts to support the development of a specialized teacher core to help teachers integrate career and technical education into their normal academic subjects. We allow schools to use title IV funds for career counseling, programming, and training on local workforce needs, and for options for postsecondary and career pathways.

Finally, we include CTE in the definition of a well-rounded education. Traditionally, under No Child Left Behind, it was just math, English, social studies, and science. Career and technical education and some other subjects ought to be included in the definition of a well-rounded education.

CTE is an important pathway for students to prepare for the workforce by integrating practical, applied purposes with work-based knowledge and hands-on learning experiences. I am the son of an iron worker and welder. I ran a school in Honduras that taught kids to be carpenters and welders. I believe

deeply in the power of CTE. In fact, I see it every day across the Commonwealth of Virginia, just as I know the Presiding Officer sees it every day in the State of Ohio. Carroll County in rural, southern Virginia, right on the border with North Carolina, has a state-of-the-art agriculture CTE program, which I visited this summer, set up with Virginia Tech, as good as any college campus. It not only helps students who want to be farmers, but those students who want to be farmers suddenly find that when they are studying soil chemistry in a CTE lab, their chemistry grades go up as well.

In Ashburn I saw a robotics program in Loudoun County that was successful. In Virginia Beach a CTE program helps students learn how to build houses, training them for construction careers, and the houses they build are pretty impressive.

In closing, this year marks the 50th anniversary that President Johnson signed the Elementary and Secondary Education Act into law. Our Nation's prosperity is dependent upon students' educational success, and this rewrite is incredibly important. I am excited about the reauthorization and these provisions.

Again, I thank Senators MURRAY and ALEXANDER and their staffs, and let me extend thanks to my staff, two of whom are here. Let me extend thanks to my wife, who is the Secretary of Education in Virginia. She sat down with the committee staffs in the Senate to share some Virginia experiences that then factored into the rewrite of the ultimate bill.

It is my hope that this is going to pass with a big bipartisan margin tomorrow. This is a tough, complicated area that was 8 years overdue to be reauthorized because it is so controversial. Yet we found a path forward that is bipartisan, and that tells me we can do it not only on this issue but on other issues as well.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### SENATE ACCOMPLISHMENTS

Mr. CORNYN. Mr. President, yesterday I spent a few minutes talking about the accomplishments of the 114th Congress, and what I have discovered is that if we don't talk about them, nobody else does. People have become so cynical about Washington and very distressed in so many ways—and I can certainly understand why—that it is important for us to point out a few of the simple facts. It is not that we have completely turned this battleship around, but we have made this incremental progress under the leadership the American people put in charge last

November—the Republican leadership in the House and in the Senate, obviously, with a President of the opposite party.

Under the Constitution, the President still has a veto, he has a veto pen, and he is not irrelevant. But notwithstanding the fact that we have some well-publicized differences with the President, and even among Republicans and Democrats, I think in fairness we have to acknowledge that we have had a pretty good run in the last 11 months or so. I don't want to make this a partisan issue because frankly you can't get anything done in the U.S. Senate or in the U.S. Congress or in the U.S. Government without bipartisan cooperation.

So on the bill we are working on today, the fix for No Child Left Behind, there is the ranking member of the Senate Health, Education, Labor, and Pensions Committee, Senator MURRAY, who has worked hand-in-glove with the chairman, Senator ALEXANDER. We also had the pleasure of working with Senator MURRAY on trade promotion authority and on the first human trafficking reform we have seen in about a quarter of a century. Those are all important pieces of legislation.

I think about the Intelligence Committee and the work that has been done in this Congress on cyber attacks and cyber protection by Senator FEINSTEIN from California, the ranking member, working hand-in-glove with the chairman, Senator BURR from North Carolina.

On the first multiyear highway bill we have had in 10 years, that would not have happened without the leadership of Chairman INHOFE and Chairman HATCH on the Finance Committee but also, I would say, BARBARA BOXER, the Senator from California, and RON WYDEN, the ranking member on the Finance Committee.

We worked together on a number of other things that have not yet gone to the President's desk, such as criminal justice reform. I was invited to come to the White House, along with an ideological spectrum of Senators from the right to the left, to talk about criminal justice reform and how we can find consensus to deal with our criminal justice system and make our prison system no longer just a warehouse for human beings but, rather, a place where, if people want the chance, want the opportunity to turn their lives around, they can begin that by participating in programs that will help them learn a skill, perhaps deal with their drug or alcohol addiction or otherwise prepare them for reentry into civilized society.

So while leadership is important, and this agenda of trade promotion authority, anti-human trafficking, cyber security, the highway bill, criminal justice reform, and now education reform—none of this would have necessarily been on the agenda if our friends across the aisle had been in charge. The fact is, leadership is important, and thanks to the majority

leader and the leadership he has provided, he has set the agenda. But, again, nothing happens here in Washington on cyber security, on human trafficking, on trade promotion authority, on education, on highways or criminal justice reform without working together to find bipartisan consensus.

So it is important that we acknowledge—and in fairness—what has been accomplished. That is not to say we are breaking our arm by patting ourselves on the back or that we think we have solved all the problems. Certainly many of the major differences that existed last year still exist, and we, frankly, have big disagreements with some of our friends across the aisle and with this President on things such as national security, on the effectiveness—or I should say ineffectiveness of the war to destroy ISIS and to deal with the terror threat both abroad and back home. But we also ought to pause and say that where we can find common ground, we are trying to do this on behalf of the American people.

So tomorrow at about 10:45 a.m. we will be voting on an impressive piece of legislation that will bring effective education reform to help our Nation's children, their parents, and teachers. But it is not just about education; as we frequently like to say, it is about an investment in the future of our country because we are talking about equipping the next generation with what they need to succeed in an ever-changing and ever-challenging world.

Back home in Texas, I have repeatedly seen how schools have created groundbreaking, innovative programs for their students to thrive and benefit everyone involved. I know I mentioned some of these programs before, like a camp for middle school students that focuses on science, technology, engineering, and math—what we frequently refer to as the STEM fields—and it included building robots. In other words, learning science can be fun too. I actually think that is what the best teachers do—they make learning fun.

I saw a cutting-edge program at the United High School in Laredo, TX, which took advantage of the proximity of Laredo to the shale gas plays in South Texas. Actually, ninth grade students who were taking science courses were learning the basics of petroleum geology so they would be equipped after they graduated from high school to get jobs in that field, jobs that pay far more than minimum wage. They do that by starting their education and by exposing them to this field in high school and through internships and other training programs.

These programs are good examples of how the local community and some of the differences in the local economy—for example, the proximity of Laredo to the Eagle Ford Shale—can shape education in a way that benefits students and the community, our States, and our country. The important thing to realize is that not all good ideas em-

anate from Washington, DC. In fact, the contrary is true.

Louis Brandeis, in an often-quoted statement, once called the States the “laboratories of democracy.” The fact is, that is true. The States are the place where innovation can occur. You can succeed or fail, as the case may be, and from that we can learn as a nation what the best practices are in education and a whole raft of subjects.

Actually, the work we are doing in criminal justice reform is based on successful reform done in places such as Texas and other States around the country. To my mind, that is the way we ought to legislate in Washington. We ought to try people's ideas out at the State and local level, and if they work, great. Then we may decide they may need to be scaled up and applied more broadly.

What we have seen and the mistake we have seen in the current administration is to make experiments nationwide with a one-size-fits-all. We have seen that in ObamaCare, for example, where all of a sudden the majority and the administration decided to transform one-sixth of the American economy, of course making extravagant promises on what would work, only to find that it couldn't work and didn't work, and thus those promises and selling points ended up not being true.

Again, on the topic of education, many of the things we realize do work have been created with the help of local teachers, leaders, and parents. These communities were able to create programs that flourished because they weren't operating under a Federal Government mandate. In fact, they were freed of Federal interference in developing that curriculum and coming up with something that works.

The bottom line is that this local ingenuity and response to educational needs can often trump ideas coming out of Washington, DC. Frankly, the ideas emanating from here prove to be impractical or ideological in nature. The bureaucracy in Washington, despite even their best intentions, cannot meet the local educational needs of millions of children across a vast and diverse country such as ours.

Our country is simply too big and too diverse to have a one-size-fits-all approach to anything, including education. That is why I am grateful to Chairman ALEXANDER, Ranking Member MURRAY, and everybody who has participated in producing this conference report to a bill that passed the Senate this summer with more than 80 votes. It is called the Every Student Succeeds Act and returns control of education decisions to States and local communities and to parents and to teachers. It does a pretty good job—not a perfect job but a pretty good job—of keeping the Federal Government out of the way.

I would add parenthetically that I think it is important to make the points I am trying to make in these remarks today because I happen to have

a social media habit on Twitter and elsewhere, and I see a lot of information being spread that simply is not true about this legislation and other things. That is why I think it is important to stick with the facts and explain to the American people and my constituents back home why I intend to enthusiastically support this legislation.

First of all, this bill allows States to decide the academic standards and curriculum for their own children. This bill ends Federal test-based accountability. It kills the national school board. It keeps the opinions of the bureaucrats—even the well-meaning opinions that are misguided—out of our children's classrooms. Common core has proved to be a very controversial topic. This legislation ends common core and affirms that the States have the responsibility to decide what academic standards they want to adopt and how to measure success.

By giving responsibility back to local communities and the States and parents and teachers, the Every Student Succeeds Act will allow each State and their school districts the flexibility they need to design and implement their own programs and systems according to the needs of their students and to innovate and to help us and the rest of the country learn from their experience.

States such as Texas can decide how to use federally mandated test results to understand how a student performs. This not only relieves the phenomenon known as teaching to the test, but it gives States the added freedom to provide their students with the well-rounded education they need to compete in an increasingly competitive and globalized world.

Put simply, with this legislation, States can decide for themselves what standards, what curriculum, and what accountability measures they want to adopt. I think we will see, as Justice Brandeis said, how those laboratories of democracy work. I daresay those States, school districts, and students who prosper and do well will raise the bar for everyone else because they will have demonstrated what is possible given the freedom and the flexibility to innovate.

Another important element of this bill is that it rightfully limits the power of the Secretary of Education. With this legislation, a Secretary of Education cannot mandate, cannot direct, and cannot control a State or local education agency or require them to change what they teach in the classroom. That is up to the States and up to local school districts, parents, and teachers.

This bill will replace a law in need of reform, it will stop Washington from imposing common core on our classrooms, and it will let those closest to our country's greatest asset—our children—decide how best to provide for their education.



This bill passed the House of Representatives last week with a tremendous bipartisan vote. I hope to see a similar level of bipartisan enthusiasm here in the Senate as well when we vote to pass this conference report tomorrow morning, and I suspect we will.

As I said, this is the product of a lot of hard work by the chairman of the Health, Education, Labor and Pensions Committee—better known as the HELP Committee—here in the Senate. Senator ALEXANDER, the senior Senator from Tennessee, has been the navigator and leader in this legislation, working closely, as I said earlier, with Senator MURRAY from Washington in a bipartisan way to find consensus on an often contentious subject. I know he looks forward to passage of this legislation tomorrow, as I do too, and to having the President sign it shortly thereafter.

As I said at the beginning, you can't do anything here in Congress or in Washington without bipartisan cooperation, but leadership does matter because leaders set the agenda, they set the tone, and they hold people accountable. I would say that under the leadership of Senator MCCONNELL, the senior Senator from Kentucky, the Senate has been able to begin the process once again of solving real problems for the American people, from dealing with human trafficking, to our children's education. I look forward to continuing this progress for the rest of the week and for the rest of the year as well.

I yield the floor.

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

The PRESIDING OFFICER (Mr. LANKFORD). The clerk will call the roll. The legislative clerk proceeded to call the roll.

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

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

Mr. HATCH. Mr. President, I am grateful for this opportunity to offer a few remarks on the Every Student Succeeds Act.

To be honest, I wasn't sure we would ever reach this point, given the often contentious and sensitive nature of the educational debate, but it is only fitting that we have spent so much time and energy trying to get the best bill we can. After all, the future of our Nation depends on it, our States depend on it, our schools depend on it, and our families and children depend on it.

I credit the success of this bill to the diligent work of the chairman and ranking member of the Senate HELP Committee, as well as the chairman and ranking member of the House Education and the Workforce Committee. As a former chairman of this committee myself, I know how difficult it can be to strike a deal that is agreeable to both sides, but our committee leaders have done an outstanding job. I wish to thank them for helping us to

reach out and reach a compromise. That is exactly what this bill is, a compromise. While neither side considers it perfect, both parties can agree that this bipartisan legislation will significantly improve the quality of education in our country.

I have met with a wide variety of local education leaders in Utah, and each one I have spoken to supports this bill. This legislation helps fix a broken system that is failing our students. Once we have passed this reauthorization, our work will be far from over, but we will once again be moving in the right direction.

For the past several years, my home State of Utah has sought relief from unworkable provisions in No Child Left Behind through the waiver process, but the waiver process is dysfunctional. It forces States to appeal to the Federal Government to fix a problem created by the Federal Government. As our State superintendent in Utah said, "Results of the waiver process have not been salutary for education, for developments in administrative law, or for the health of our republic. Reforming and revising this deeply flawed statute has and must be the primary work of our federal delegates with respect to education." Today we are answering his plea and the plea of many State and local leaders throughout the country.

I am grateful for the opportunity I have had to work on this bill. I am also grateful for the opportunity I have had to help write many of its provisions, including the Education Innovation and Research Program, which will allow schools, districts, nonprofits, and small businesses to develop proposals based on specific local needs. Funding for this program will be awarded based on demonstrated, successful outcomes flowing from the project. This initiative will help us find other incubators of success. It will also remove limitations on flexibility in exchange for demonstrated outcomes. Money should not be tied to what the Senate or the Federal Department of Energy thinks are good, prescriptive ideas. It should be tied to local innovation and tangible results.

Through this bill, I have also worked to expand technology usage in the classrooms and to equip our teachers with the professional development they need to use technology successfully. Too many of our schools are using outdated or ineffective technological methods and models that are missing critical components of teacher participation and support. Educational technology allows us to personalize learning for students, target where students are struggling, and provide real-time, valuable feedback to teachers so they may adapt their instruction most effectively. I hope we can provide every child access to the same tools and resources and create the individualized learning experiences that we know are critical to success. This bill equips both educators and students with resources they need to succeed.

As the president and CEO of the Salt Lake Chamber of Commerce said, "This bill empowers willing states to achieve [through] improved early learning and high quality preschool experiences. It also invests in our hard-working teachers with more preparation programs, including those designed to improve literacy, civics education, and STEM education."

This legislation is a victory both for Utah and for our Nation. The sooner we send this bill to the President and the sooner we can empower our States to help our students achieve their full potential, the better off we are all going to be. I have to say that I think this would be a major watershed bill. Hopefully, we will pass it tomorrow and our elementary and secondary education will greatly benefit from it.

Again, I particularly compliment the distinguished chairman and ranking member for the work they have done on this bill—the hard and effective work they have done on this bill. I am grateful to have the privilege of working with them on the Health, Education, Labor, and Pensions Committee.

I wish to thank everybody who has played a role on this difficult bill. It is difficult for me to see why anybody would vote against this bill because it repairs what has been a very pitiful system under No Child Left Behind.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LEE. Mr. President, tomorrow the Senate will vote on the Every Student Succeeds Act—a bill that reauthorizes the Elementary and Secondary Education Act, or ESEA, which is the legislation governing Federal K–12 education policy.

By all accounts, the Senate is expected to pass this bill with a bipartisan majority, and President Obama is of course expected to sign it into law. This would be a serious setback for America's schools, teachers, and students, one that will have sweeping consequences for decades to come, because when we get educational policy wrong, as this bill does and as we have done at the Federal level for so many years, it affects not just the quality of education students receive as children but the quality of life that will be available to them as adults down the road.

The problem is not just the particular provisions of this particular bill but the dysfunctional and outdated model of education on which it is built—a model that concentrates authority over education decisions in the hands of politicians and bureaucrats, instead of in the hands of parents, teachers, principals, local school boards, and State officials.

For the past 50 years, this model has defined and guided the reauthorization of the Elementary and Secondary Education Act, and the bill before us today is unfortunately no exception. Not coincidentally, this central planning model has also failed to produce any meaningful improvements in academic achievement, especially for students from low-income communities. In fact, since 1969, test scores in reading and math have hardly budged for public school students of all ages, even while per-pupil spending has nearly doubled and school staff has increased by more than 80 percent. Yet here we are once again on the verge of passing another ESEA reauthorization bill built on the same K-12 education model that has trapped so many kids across America in failing schools and confined America's education system to a state of stagnant mediocrity for half a century. This is not simply a failure of policy, it is a failure of imagination.

Our 1960s-era, top-down model of elementary and secondary schooling has endured, essentially unchanged and unchallenged, for so many decades that the education establishment has come to take it for granted. For many policymakers and education officials in Washington and in State capitals around this great country, the status quo isn't just seen as the best way but is seen as the only way to design a K-12 education policy today. Even the most creative policy thinking is confined within the narrow boundaries of the centrally planned status quo. The only reform proposals that are given the time of day are those that seek to standardize America's classrooms, enforce uniformity across school districts, and systematize the way teachers teach and the way their students learn in the classroom at every step along the way. So we insist that the most important teaching decisions—about what to teach, when to teach it, and how to assess learning—are made by individuals outside of the classroom and are uniformly applied and re-applied regardless of the particular character and composition of a class in question.

We expect students of the same age to progress through their curriculum and master each subject at exactly the same pace. We assign students to their school according to their ZIP Codes. We allocate public education funds to education agencies and schools—never directly to parents—and manage their use through bureaucratic restrictions and mandates. We evaluate teachers and determine their compensation not on the basis of job performance in the classroom but according to standards that can be quantified, such as the number of years on the job. Student learning is assessed in much the same way, using standardized tests and age-based benchmarks. We never let stagnant educational outcomes or a persistent achievement gap shake our faith in the ability of central planners to engineer and superintend the edu-

cation of tens of millions of students in America.

These are the fundamental pillars of the status quo model for elementary and secondary education, and the Every Student Succeeds Act leaves them wholly, entirely intact, but schools are not factories, education can't be systematized, and learning can't be centrally planned. Good teachers are successful not because they are following some magic formula concocted by experts in Washington, DC, but because they do what good teachers everywhere have always done in order to advance the learning of their students: They work harder than just about anyone, and they know their class material—the material they teach their students—inside and out. They communicate early and often with each student's parents so they and their students can be held accountable. They observe and they listen to their students in order to understand their unique learning needs and goals and tailor each day's lesson plans accordingly. They evaluate students honestly and comprehensively, assessing whether they have mastered the material, not just figured out how to take a test.

So instead of imposing an obsolete conformity on an invariably varied environment, we should be empowering teachers and parents with the tools they need to meet the unique educational needs of their students and children. Instead of continuing to standardize and systematize education across the entire country, we should be trying to customize and personalize education for every single student.

The good news is, we don't need to start from scratch. We know local control over K-12 and even pre-K education is more effective than the prescriptive, heavy-handed approach of Washington, DC, because we have seen it work in communities all over the country.

For years education entrepreneurs in the States—including my home State of Utah—have been implementing and refining policies that put parents, teachers, principals, and school boards back in charge of education policy, back in charge of curriculum, and back in charge of teaching and testing standards. Perhaps the most popular State-initiated reform is the movement toward school choice, which overturns the embarrassingly outdated and manifestly unfair practice of assigning schools rigidly based on ZIP Codes.

We know a good education starting at a young age is an essential ingredient for economic opportunity and democratic citizenship later in life for each child. We also know America has always aspired to be a place to where the condition of your birth doesn't determine your path in life. So why on Earth would we want to prohibit parents from choosing the school that is best for their children, especially if, as is far too common, their local school is underperforming at the moment.

School choice is one of the most important, locally driven reforms aimed

at resolving this fundamental injustice that our current assignment by ZIP Code system has attached to it, but it is not the only one. There are also education savings accounts—or ESAs—which give parents control over the per-pupil education dollars that would have been spent on their child by the school system. There is the recent innovation of course choice, pioneered within my home State of Utah, which brings the same kind of education customization and a la carte choice that have spread on college campuses to elementary and secondary schools. Of course, there is the distinctively American notion that parents, principals, school districts, and State officials have the right and should have the ability to opt out of the most onerous, restrictive, and misguided Federal commands. Whether it is parents who don't want their children wasting dozens of hours each year taking standardized tests or State policymakers who develop local education reforms that are more effective and less expensive than the Federal one-size-fits-all policies, we should support the rights of all Americans to have a say in the education of their children.

The point isn't that there is a better way to improve America's schools, but it is rather that there are 50 better ways or even thousands of better ways. In our increasingly decentralized world, in our increasingly decentralized and complex American economy, there are as many ideal education policies as there are children and teachers, communities and schools. But Washington is standing in the way, inherently, if irrationally, distrustful of any alternative to the top-down education status quo. Under the Every Student Succeeds Act, Washington's outdated, conformist policies will continue to be in the way, which is why I urge all of my colleagues to join me in voting against this bill.

Even if most Senators vote in favor of the failed status quo, I am confident I have the majority of moms and dads in America on my side. I often hear from Utah parents, calling or writing my office to express their support for local control over education. I recently received an email from Kierston, a proud mother of four and the PTA president at her local school, who urged me to vote against this ESEA reauthorization. I thought I would let her have the last word today.

Based on years of experience with the public schools in her community, Kierston warns that maintaining Washington, DC's, monopoly over America's public schools will "force my three incredibly different children who learn in very different ways into a box where my daughter will be forced to learn things she isn't ready to learn . . . my oldest who is ahead of his peers will be forced to slow down or help teach his peers in a way they don't understand . . . and my third will constantly be in trouble for not sitting still and pestering his peers because he understands quickly and is bored."



“We need standards, we need benchmarks,” Kierston wrote, “but we also need to allow children to learn at their own pace. . . . We need child centered education where children have the ability to go as fast or as slow as they need. . . . Please think about the children of Utah. Vote against [the ESEA reauthorization]. Allow our kids the freedom to learn.”

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, we have been living under No Child Left Behind, or NCLB, for 13 years, and during that time we have learned what about NCLB works and a lot more about what doesn't work. Students, teachers, and parents across the country have been waiting for a long time for us to fix this law. As a member of the ESEA conference committee, I am proud to work on the legislation before us today, the Every Student Succeeds Act, and to have helped to get it this far. I thank Representatives JOHN KLINE and BOBBY SCOTT and Senators LAMAR ALEXANDER and PATTY MURRAY for building the bipartisan foundation that got this bill done and will help to reform our national education system.

The bill, of course, is not perfect, but it is a huge improvement over NCLB. Over the last 13 years, we learned that the one-size-fits-all approach to fixing failing schools just wasn't working. That is why this bill is designed to find a balance between giving States more flexibility while at the same time still making sure States intervene and fix schools where students are not learning.

Over the last several years, starting when I got here, I have met with principals, teachers, students, parents, school superintendents, and other school administrators in Minnesota. These conversations have helped me to develop my education priorities to help improve our schools, our communities, and our Nation's future because that is what this is about. I worked with colleagues on both sides of the aisle to find common ground.

I am pleased that many of my priorities to improve student outcomes and close the achievement gap are reflected in the legislation that is before us today. These priorities include things such as strengthening STEM education, expanding student mental health services, increasing access to courses that help high school students earn college credit, and improving the preparation and recruitment of principals for high-need schools.

I also successfully fought to renew the 21st Century Community Learning Centers Program, which provides critical afterschool learning activities for students.

Another one of my priorities helps increase the number of counselors and social workers in our schools.

My provision to allow States to use computer adaptive tests will go a long way toward improving the quality of

assessments used in our schools, will give teachers and parents more accurate and timely information on their students' progress, and will measure their growth instead of what NCLB did. In the beginning, NCLB just measured the percentage of kids who exceeded a certain arbitrary line of proficiency. This will measure every kid and how far they have come because I always thought that a sixth grade teacher who takes a kid from a third grade level of reading to a fifth grade level of reading is a hero and not a goat, as that teacher was in No Child Left Behind.

I was also able to include a new Native language immersion program because I believe language is critical to maintaining cultural heritage and helping Native American students succeed.

In addition, I wrote a provision to provide foster children who get new foster parents to stay in their same school district, when that is in their best interest, and not have to move to another school because very often the one essential and stable thing in their lives as foster children is their friends and teachers at school.

I am very pleased that these priorities have been included in the legislation we are considering today, and I thank my colleagues for working with me on them. These provisions will help hundreds of thousands of students in Minnesota and millions of students across the country reach their full potential.

At the same time, I do have to express my deep disappointment that my measure to help protect LGBT students from bullying and discrimination was not included in the final bill. I will keep fighting to get this critical measure passed into law because I think it is our responsibility here in the Senate, as adults, to protect children.

Finally, I want to note that the Every Student Succeeds Act makes critical investments in early childhood education, which has been a priority of mine for a long time. A quality early childhood education doesn't just start kids off on the right foot, it is also good for our budget. Study after study has shown that for every \$1 we spend, we get up to \$16 back in the long run. A kid who has had a quality early childhood education is less likely to be in special education, less likely to be left back a grade, and has better health outcomes. The girls are less likely to get pregnant and more likely to graduate from high school, go to college, and get a good job so they can pay taxes, and are much less likely to go to prison. That is why it is such a great investment. It is also a great investment because a 3-year-old child is a beautiful thing.

After working on a bill to replace NCLB for years, I am very pleased that we have gotten this reform effort finished. I thank my dedicated staff, both present and past, who has worked hard to move education priorities forward—Sherry Lachman, Amanda Beaumont, Gohar Sedighi.

Thanks, Gohar.

Once the President signs the Every Student Succeeds Act into law, I look forward to making sure the new law is implemented in a way that will benefit students, teachers, and parents in Minnesota.

I thank the Presiding Officer.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. ENZI. Mr. President, I rise today to express my strong support for S. 1177, the Every Student Succeeds Act. This legislation sends the responsibility of educating our Nation's students back to where it belongs—with States and local communities.

I wish to commend Chairman ALEXANDER and Ranking Member MURRAY for their work to advance this legislation through a very ideologically diverse HELP Committee, which they did with a unanimous vote. The full Senate then had a vote. That vote was 81 to 17. Then we had a conference committee. We haven't had many conference committees. It was there that we met with the House of Representatives to iron out differences between the two bills, and that passed by a vote of 38 to 1.

It has been a long time since we have had numbers like that record. In fact, it has been a long time since bills went to committee and had the opportunity to be amended in committee, and then went to the floor of the Senate and had the opportunity to be amended on the floor. Of course, it is even more unusual to have a conference committee—because it passed both Chambers—and come up with a 38-to-1 approval of the conference report, which is what is now before us. This is one of those instances where we get to vote for it or we get to vote against it. I am hoping that almost everybody votes for it, just as in these previous votes.

We in Wyoming are very proud of our school system. We are proud of the way we support our students. We are proud of the way we support our educators. We are proud of the way we support our staff. In fact, the Constitution of Wyoming says there will be equal education for every child. We carry that to an extreme. In Wyoming, that means there has to be equal buildings, as well as opportunities, facilities, and teachers. That is run through the courts every once in a while just to make sure it is observed, and it is, and we are proud of our students, our buildings, and the education we provide. We are very proud of the way it helps to prepare our students for what is next and ensures they have the tools necessary to succeed in a rapidly evolving society.

This bill, the Every Student Succeeds Act, ensures that Wyoming teachers and school leaders have the power to

tailor education to meet the needs of all students, even in the most rural and remote communities. Wyoming is the least populated State in the Nation, and we have probably some of the smallest schools. We believe kids shouldn't have to ride a bus to or from school for more than an hour, and as a result, we have some schools that have one student or two students or three students. That is a little different kind of school than most of the Nation has.

For too long now, I have heard stories from teachers, from students, and from parents across Wyoming about the harm inflicted by the prep-for-the-test system that has been in place. That ends with the signing of this bill.

Our Nation's students deserve the opportunity to learn in innovative and creative ways that will stimulate their minds and open their eyes to the countless opportunities we have in this great country. Our Nation's teachers and school leaders deserve the highest levels of support and training to help our students recognize those opportunities and help prepare the next generation. Our Nation's parents deserve the option to choose what educational opportunities are best for their child. This act ensures that all of that can occur by empowering States and local communities to make the decisions they think are best. This is a diverse country. There are a lot of differences among our States. We have some common policies, we have some common laws, but there are still differences.

I am always a little riled when we are compared with some of the other countries around the world on how our students are doing. I have been the Chairman of the Health, Education, Labor, and Pensions Committee before and I did some research into that; I visited some countries to see what their education was like. One of the ways they get better scores on their tests is they kick kids out of school. In India, they guarantee a sixth grade education. They say they guarantee a sixth grade education. They do a cleansing of the schools in fourth grade. They say "These kids are not participating in their education enough," and they kick them out of school. Those kids will make brooms by day and sweep streets at night, and they will earn \$1 a day for the rest of their lives. That is it—no opportunity for any advancement. That is in fourth grade, even though they are guaranteed a sixth grade education.

In sixth grade, they have another purge. In fact, those kids will wind up in jobs where they make \$2 a day for the rest of their lives, with no opportunity for change. They allow only 7 percent of the kids to go to college. There is tremendous competition that probably makes some difference in their scores. But weeding out kids makes a difference. Thank goodness in this country we don't believe in that. We believe every kid should have an opportunity, and we give them an opportunity as long as we can.

Local school boards are a terrific example of democracy at its finest. In those meetings, individuals in the community can come together to discuss and debate issues related to the education of their youth. It is in those meetings that students can voice their opinions and have a say in their own educational experiences. It is in those meetings that teachers and student leaders can put forth what they think is the best course of action to teach the content in a way that best meets the needs of that community. It is in those meetings that all of those parties can decide how they want to spend educational funds within the budget that the members of that community voted on.

The Every Student Succeeds Act that we will vote on tomorrow gives that power back to the local school boards. It allows issues to be debated and decisions to be made in a room of parents, students, teachers, school leaders, and community members who know best what works for the students. It is one of the purest forms of democracy I can think of, and certainly it is something I think our Founders had in mind in their idea of America and, in particular, their idea of educating our students.

I know there are some people who are going to vote against this bill, and I have asked why. The most common answer is it doesn't go far enough. It goes further than anything that has been done in this Chamber since the Department of Education was founded. This reverses things back to States' rights.

I work around here under the 80-percent rule. I have found that we can talk civilly about 80 percent of the issues. If we stick to that 80 percent, we can be productive. If we go to the other 20 percent—it is 10 percent on each side, Republicans and Democrats—we both have certain things that we would like to see and that we think are right, and we have been fighting over them for decades. But if we stick to that 80 percent, we can be productive. We can find something that we can have some common ground on. I have found that we usually only have 80 percent common ground on any of the issues because, again, there is that 10 percent that each side feels is right and that we would like to do. So the best way to get some legislation done is to leave out some of those things and go ahead and get what we can. This bill does that.

I think it goes beyond 80 percent, incidentally, but we can get the whole 100 percent. The way to do it is to get both sides together and keep them out of the weeds long enough—the old rhetoric they have been arguing about, where they hear a key word and know the answer to it immediately and don't have to listen. If you can get them to sit down and listen and think of a new way to do it, we would get 100 percent because when we come up with that new idea that both sides can grab on to, they both claim it is their idea, and

we move on. We are not at that point yet on education.

I commend the Chairman of the committee, Senator ALEXANDER, and the Ranking Member, Senator MURRAY, for coming together on 80 percent of what can get done and working to get it done. The alternative is to get nothing done. We need to get something done. People have been complaining that this law has been unauthorized for years. This is the first chance we have had to actually move forward with education, to move it back to the States where it will be most effective, where those diverse States can make up their minds on what will work best with their students.

Incidentally, most of our States are as big as any of those countries we compete with, with the exception of China, Russia, and India. They are making decisions for their State when they are making their education decisions. That is what this bill will do.

There aren't any perfect bills. I particularly don't like comprehensive bills. ObamaCare was a comprehensive bill. But my idea of a comprehensive bill is that it is so big that people can't understand it, and it is so big that stuff can get shoved in there that nobody will even notice when it is being done. This is one of those bills that has been worked on for a long time. It has been taken carefully in steps and put together so that we can move forward with it.

The question is, Will it work? Yes, it will work. Will it do everything that everybody wants? Hardly anything ever does. This bill will come as close to doing something—as I said, I believe it is the most progress we have had since we got a Department of Education, which is a whole other debate.

I have been proud to support this legislation from its very early stages, and I will continue to support it tomorrow. The responsibility of the education of our Nation's students belongs to States and local communities. The Every Student Succeeds Act ensures that responsibility is given to those entities.

I urge my colleagues to support this legislation, an improvement in education.

Mr. President, I yield the floor.

Mr. ALEXANDER. Mr. President, the conference agreement to replace No Child Left Behind, the Every Student Succeeds Act, takes unprecedented steps to rein in the Secretary of Education and put the power for education decisions back in the hands of parents and State and local officials. By passing this legislation, it clearly becomes Congress' intent that States be solely responsible for the development and implementation of, and decisions regarding, all aspects of their State accountability systems. This is an intentional and deliberate act to eliminate the ability of the Secretary of Education to use regulatory power or guidance to add new requirements or conditions to State systems that are outside of the specific language in statute.

The legislation prevents the Secretary from influencing, forcing, or coercing a State to adopt specific standards in many ways, including the following:

First, officers and employees of the Federal Government—including the Secretary of Education—are prohibited from conditioning the receipt of any funds, through grants, contracts, or agreements on the adoption of any academic standards, including Common Core.

Second, States do not have to submit their standards to the Secretary for review or approval.

Third, the Secretary is prohibited from exercising any direction or supervision over a State's academic standards.

The Secretary is also prevented from using executive authority to create terms and conditions that should be done through the legislative process, including the following:

First, the Secretary is prohibited from adding new requirements through regulations.

Second, the Secretary is prohibited from adding new requirements as a condition of approval of a State plan.

Third, the Secretary is prohibited from dictating what should happen in early education.

Fourth, the Secretary is prohibited from creating new policies through redefining terms or phrases in the law.

Furthermore, the legislation protects States' rights to control their education system by ensuring the Secretary is prohibited from: coercing a State to adopt any particular curriculum or program of instruction; prescribing the long-term goals or measurements of interim progress, or the weights of State-determined indicators, or the methodology for identifying low-performing schools, in the State's accountability system; requiring any specific assessments be used by a State; dictating any particular school support or improvement strategies or interventions; or requiring any measures of teacher, principal, or other school leader effectiveness.

Section 1111(e) clearly states the Secretary may not add any requirements or criteria outside the scope of this act and further says the Secretary may not take any action that would "be in excess of statutory authority given to the Secretary." This section goes on to lay out specific terms the Secretary cannot prescribe, sets clear limits on the guidance the Secretary may offer, and also clearly states that the Secretary is prohibited from defining terms that are inconsistent with or outside the scope of this Act.

There are also provisions in titles I and VIII that ensure standards and curriculum are left to the discretion of States without Federal control or mandates, and the same is true for assessments.

The legislation also clearly lays out congressional intent by including a sense of Congress that States and local

educational agencies retain the right and responsibility of determining educational curriculum, programs of instruction, and assessments.

The legislation makes it clear the Secretary is not to put any undue limits on the ability of States to determine their accountability systems, their standards, or what tests they give their students. The clear intent of this legislation restores responsibility for the authority over education decisions back to the States and severely limits the Secretary's ability to interfere in any way.

Ensuring a limited role for the U.S. Secretary of Education was a critically important priority throughout the reauthorization process and this legislation meets that priority. For example, the Secretary may not limit the ability of States to determine how the measures of student performance are weighted within State accountability systems. The legislation does not authorize the Secretary to issue regulations that specify a specific weight or a range of weights that any indicator must fall within when States setting up their system. Any weights or ranges of weight of each indicator will be determined by the State. The Secretary also cannot prescribe school support or improvement strategies, any aspect of a State's teacher evaluation system, or the methodology used to differentiate schools in a State.

Also, the Secretary may not create new policy and requirements by creatively defining terms in the law. Definitively, this new law reins in the Secretary and ensures it is State and local education officials making decisions about their schools.

Under current law, the current Secretary and previous Education officials have exceeded their authority by placing conditions on waivers to States and local educational agencies outside the scope of the legislative language or congressional intent. This legislation prevents the Secretary from applying any new conditions on waivers or the State plans required in the law. The language clearly states the Secretary may not add any new conditions for the approval of waivers or State plans that are outside the scope of the law. This means if the law does not give the Secretary the authority to require something, then the Secretary may not unilaterally create an ability to do that through regulation, approval or disapproval of State plans, binding guidance, or any other means of enforcement.

Finally, this legislation sets up a more inclusive and transparent negotiated rulemaking process, particularly for any regulations related to standards, assessments, or supplement, not supplant requirements in the law. All regulations, if any, issued on these items must adhere to agreements reached by negotiators in negotiated rulemaking. The Secretary may not ignore agreements reached. The legislation also requires an alternative proc-

ess for regulations if consensus is not reached through negotiated rulemaking, including a review of the time, costs, and paperwork burden of any proposed regulations. Congress will also be given an opportunity to review any proposed regulations for 15 days prior to submission to the Federal Register. Additionally, the public will have 60 days to comment on any proposed regulations. The purpose of these new requirements is for the Department of Education to be more transparent in what burden new regulations will place on States, school districts, and schools. Additionally, by giving Congress and the public the opportunity to explicitly weigh in on proposed regulations, the intent is that the Department will listen to thoughts from people on the ground regarding how they will be impacted.

Mr. LEAHY. Mr. President, tomorrow the Senate will approve landmark legislation to reauthorize the Elementary and Secondary Education Act of 1965.

Since 2001, the failed policies of No Child Left Behind have unfairly burdened students, families, educators, and administrators by holding students accountable for snap-shot academic progress. The overwhelming support in Congress for these reforms will reverse the one-size-fits-all approach to education that did not work for Vermont and so many schools across the Nation. This bill gives States more flexibility to ensure that schools are supporting every student, while maintaining the Federal Government's responsibility to ensure that students everywhere have access to the resources they need for lasting academic success.

Since 2001, I have heard from parents, teachers, students, policymakers, and administrators about the negative impacts of No Child Left Behind. I voted against the legislation as I did not agree—and still do not agree—with a one-size-fits-all approach to education. I was also disappointed with the bill's rigid Federal accountability measures, as I truly believe States and local education agencies deserve flexibility when it comes to how schools operate.

The conference report we will consider today reflects the positive changes to the law that the Senate overwhelmingly supported in July. The agreement restores educational flexibility to the States, while safeguarding student access to resources, regardless of race, gender, financial status, and learning level. I am pleased that the bill takes into account the greater needs of students in rural areas, increases funding for early childhood education programs, and improves school safety measures.

I am especially pleased with the bill's innovative assessment and accountability demonstration authority provision, which will allow Vermont to adopt competency and performance-based assessments that prove far more than how well a student can perform on a test on one given day. And while

States will design their own system to improve struggling schools, the conference agreement also includes Federal safeguards to protect civil rights and to provide resources for students at the greatest risk.

We are 8 years overdue for a rewrite of No Child Left Behind. I am pleased that we have come together, Members on both sides of the aisle, to support the Every Student Succeeds Act. This bill truly reflects the needs of all students, educators, parents, and administrators; and I urge all Senators to support its passage.

Mr. MCCAIN. Mr. President, today I come to the floor to express my strong support for the Every Student Succeeds Act. This legislation is a major step forward in taking the responsibility of educating our children back from Washington and giving it to the States. Senator ALEXANDER and the Republican majorities in Congress have been successful working in with parents, teachers, and school districts in putting together a bipartisan elementary education reform bill that would restore the role of States in creating accountability standards, testing requirements, and other education policies that best fit the needs of students in local public and charter schools.

One of the most important pieces of this bill is that it would effectively end Common Core once and for all by allowing States to develop their own education standards. For far too long, Federal bureaucrats in Washington have tied the hands of States and parents by mandating one-size-fits-all education policies such as Common Core that have failed America's students. Let me be clear: I strongly support education standards that make Arizona students prepared to compete in this global economy. But these standards should be developed by Arizona's State and local education officials in consultation with parents of Arizona schoolchildren. This bill would do just that.

The Every Student Succeeds Act would also end the Federal test-based accountability system that was established by the No Child Left Behind Act. No longer would these required Federal tests be the sole measure of educational success. States will now be allowed to use testing along with other measures of accountability such as attendance, teacher performance, and other student achievement and school performance metrics when developing accountability systems.

In addition to helping take control of elementary education back from Washington, this bill includes provisions that would strengthen charter schools. I am proud of the fact that Arizona is home to some of the best charter schools in the Nation. According to the Arizona Charter School Association, over 190,000 Arizona students have access to more than 600 charter schools, giving Arizona parents more educational choices for their children. I am also proud of the fact that BASIS Charter Schools in Scottsdale and Tuc-

son are the first and third-ranked charter schools in America, according to U.S. News & World Report.

I am also pleased that the Every Student Succeeds Act includes language I offered on the Senate floor in July that would enhance educational choice and expand access to high-performing schools for student in Arizona and across the nation.

Specifically, this provision would let Arizona and other States propose how they could use limited Federal education funds to replicate and expand access to high-performing charter, magnet, and traditional public schools for low-income students—in other words, education options that are proven to provide the best-quality learning environments for Arizona children.

Right now, public funds meant to help low-income students are largely reserved for poor-performing schools, failing the children who are most in need. We must give Arizona and other States the ability to direct these funds to develop high-performing charter, magnet and traditional public schools which have been proven to be successful.

The provisions I offered give Arizona the ability to show how they can do just that, while paving the way to give parents the freedom to choose which schools are best for their kids.

The Every Student Succeeds Act also includes measures that would offer additional support for rural schools in Arizona by providing more flexible use of Federal funding and maintaining the authorization of the Small, Rural School Achievement Program, SRSA, and the Rural and Low Income School, RLIS, program. The bill also helps States support English learners by providing resources to establish strong English proficiency programs to enable these students to meet high education standards.

I am proud of the strong progress that Arizona students are making in the classroom. According to the most recent National Assessment of Educational Progress, NAEP, Arizona students are making significant progress compared to students in other States. In a recent op-ed in the Arizona Republic, former Arizona Superintendent Lisa Graham Keegan and the Foundation for Excellence in Education's Matthew Lander wrote, "[w]hile the national NAEP news this week was grim, with flat scores in fourth grade reading and declining scores in all three subjects, Arizona students bucked that trend by notching gains in three of the four tests." They went on to highlight Arizona's success, stating "Arizona's charter-school students . . . matched the scores for the highest-scoring states on the 2015 NAEP. On eighth grade mathematics, for instance, Arizona charter students scored in a statistical dead heat with Massachusetts, the highest scoring of the 50 states."

I am extremely proud of the success we are seeing in Arizona elementary education, but more needs to be done

to ensure our students have the best opportunities by increasing educational choice and enabling States and school districts to expand and replicate high-performing schools. Every American has an obligation to help prepare the next generation for the future, and this bill is a step in the right direction. I encourage all of my colleagues to support this bill.

Ms. MIKULSKI. Mr. President, today I wish to talk about the Every Student Succeeds Act.

I want to thank Chairmen KLINE and ALEXANDER and Ranking Members SCOTT and MURRAY for their work in putting together a bipartisan, bicameral framework to reauthorize the Elementary and Secondary Education Act, ESEA. I know that it was not easy, especially in this political climate, but politics were put aside; and children, teachers, and schools were put first.

I am really pleased how this process played out—it was truly a bipartisan effort. I have always believed that one of the pathways to success is restoring regular order, and they did just that. While this bill is not perfect—it is not one that Democrats nor Republicans would have written—it is a step in the right direction towards overhauling and improving the failed tenets of No Child Left Behind.

ESEA was passed 50 years ago to ensure that kids living in poverty would receive the extra help they needed in order to succeed. It was a part of President Lyndon B. Johnson's War on Poverty. It was the first time that the Federal Government really got involved in education. Before then, education was considered a local responsibility, not something for the Feds to meddle in; but President Johnson's vision changed that. He wanted to lift kids out of poverty and give them their fair shot to excel.

Since then, we passed the bipartisan No Child Left Behind Act of 2001, NCLB. While done with the best of intentions, it was deeply flawed. With NCLB, instead of us "racing to the top," we ended up with "racing to the test" and excessive testing. NCLB is also bad because it gave us a one-size-fits-all approach out of Washington, despite whether you lived in a big city like Baltimore or in a rural county like Somerset County on the Eastern Shore.

We wanted to get rid of "race to the test," understanding that one size does not fit all, and implement a system that understands we must have Federal guidelines with local solutions and initiatives; then we needed to back up our guidelines with money because school districts were struggling to meet their bottom line.

So I went to work on a bipartisan basis to try and deal with that. My first rule was: do no harm. That is why I beat back the Southern strategy that was going to change the title I formula for funding. Maryland would have lost \$40 million—that means every single

school district in Maryland would have lost money. I couldn't let that happen, so I put together a coalition of other Senators to beat that back, and we did just that. Maryland will keep its \$40 million. For Baltimore City, they won't lose \$6 million. For Baltimore County, they won't lose \$6 million. For places like Prince George's County, they won't lose \$7 million.

The bill before us—the Every Student Succeeds Act—is good for all of Maryland's 874,514 students. It supports at-risk populations; empowers high quality choice for parents; and strengthens critical programs such as science, technology, engineering, and mathematics, STEM, education, accelerated learning, and afterschool programming.

The Every Student Succeeds Act is good for all of Maryland's 59,315 teachers. Our teachers have to deal with children who have so many problems—whether suffering from a peanut allergy or asthma—and need so much help. That is why I fought to make sure that Federal funds can be used to provide for the coordination of integrated services like vision and hearing screenings and other support services to help improve student academic achievement.

The Every Student Succeeds Act helps all of 1,446 Maryland public schools. While we maintain annual statewide assessments in reading and math, we allow States to develop and implement other mechanisms that reduces overtesting and “racing to the test.”

In addition to supporting the large-scale changes in the Every Student Succeeds Act, I am especially proud to see that this compromise includes other provisions I fought for. This bill ensures that States continue to measure how students are performing at each level of achievement. This bill will make sure that States find ways to assist school districts in addressing the needs of gifted and talented students. It will also make sure that teachers get the professional development they need and deserve in order to better identify gifted kids.

I am pleased that the bill before us also recognizes the vital role that school nurses play. They truly are a valuable member of a school's education team and should be recognized as such. Because of this bill, schools nurses will now be eligible to receive ESEA professional development funds.

This bill, the Every Student Succeeds Act, ensures that at-risk kids get the support they need in order to succeed. It supports teachers and principals in providing high quality instruction. It supports States and school districts in turning around low-performing schools and closing achievement gaps. This bill is a down payment on our children's future and on our Nation's future.

I urge my colleagues to support the bipartisan progress that has been made here and vote to send a strong bill to the President's desk that will improve our schools and put all of our children on a path to success.

## ASSESSMENT SECURITY

Mr. HATCH. Mr. President, I wish to engage in a colloquy with the chairman of the Health, Education, Labor, and Pensions Committee, Senator ALEXANDER, to clarify questions that have arisen since S. 1177 was introduced.

Under the Every Student Succeeds Act, pursuant to section 1201, we authorized Federal funding to provide grant opportunities for States to administer academic assessments and to carry out activities that ensure “the continued validity and reliability of state assessments.” Furthermore, under the same provision, we authorized funds to allow States to collaborate with organizations to provide services that will “improve the quality, reliability, validity, and reliability of State academic assessments.”

I ask the chairman, is it your understanding that the references in section 1201 to activities and services that ensure and improve the “validity and reliability of state assessments” were intended to allow funds to be used for test security activities and services designed and utilized to prevent, detect, and respond to testing irregularities and incidents that threaten the validity of assessment results?

Mr. ALEXANDER. Mr. President, the Senator is correct. Student assessments must be designed and administered with a high degree of quality assurance. State assessment results can be used as the basis for critical decisions affecting the lives of students and the funding and operation of schools, and given the significant taxpayer investment for statewide assessments, we must provide States with the flexibility to use funds to preserve and maintain the integrity and validity of these important assessments.

The PRESIDING OFFICER. The Senator from Alaska.

## SENATE ACCOMPLISHMENT

Ms. MURKOWSKI. Mr. President, I would like to take a few moments this afternoon to talk about where we are at the end of this year, 2015. There has been a lot of talk about wrap-up, a lot of talk about how we knitted together the outstanding issues before us as a Congress. There is much yet to be done, but I do think it is significant to recognize that there has been good work, there has been substantial and substantive work that has come out of the U.S. Senate this year as the Republicans have led the Senate in the majority.

As we think back at year-end on a series of accomplishments, I think it is important to recognize that the business of the Congress has been productive. Sometimes we get so busy around here that we don't stop to even recall what we did yesterday, much less last week or the week before.

Today we have had an opportunity to almost bring to a close the education reform measure that Senator ALEXANDER from Tennessee and Senator MURRAY from Washington have been working so hard on over this past year.

As a member of the HELP Committee, I have been very pleased to work with them as we have attempted to advance meaningful and long-overdue education reforms.

Before I speak specifically to the Every Student Succeeds Act, I would like to rattle off a few of the measures.

Of course we recognize that it was just last week that the highway reauthorization bill moved successfully not only through the Senate but through the House, through the full bodies ready to be signed into law by the President. The 5-year highway reauthorization bill is the longest highway reauthorization bill we have seen in 17 years. That is significant. For a State such as mine that is looking for some level of certainty for projects around the State, that is considerable, and that is a good accomplishment to look back to as a marker of success.

The vote we had last week would roll back some of the many harmful effects of the Affordable Care Act—the Not-So-Affordable Care Act, as I mentioned on the floor last week, saying that for far too many Alaskans, the Affordable Care Act was simply not affordable.

There have been other measures we can look to and acknowledge that we are doing the work of the Congress—moving forward the national defense authorization bill, which the President chose not to deal with the first time around but signed it the second time around.

We were able to move forward several measures related to the regulatory environment we are dealing with, whether it was the Clean Power Plan or the waters of the United States, being able to push back on those very burdensome regulations that I think we recognized—the goals for clean air and clean water are something we all want. We need to make sure that we move in this direction in a way that doesn't burden or weigh down our economy.

The first appropriations stand-alone bill that we have seen move through the Senate in 5 years when we advanced the MILCON appropriations measure—that was also significant.

The committees have been doing great work. In our energy committee, we moved forward an energy reform bill that would help to modernize our energy grid, access to all areas of energy, not only by night but our renewable resources as well. That was an effort which was very bipartisan and enjoyed good, strong support within the committee. We moved it out 18 to 4 and hope to have an energy reform bill before the Senate for consideration early in this next calendar year. We haven't seen energy modernization or an energy reform bill since 2007. Again, it is long overdue but is now teed up.

We have a sportsmen's bill that we moved through committee. The Environment and Public Works Committee is working to advance their portion of those very significant measures that will allow for greater access to our sports men and women and our families

who seek to recreate on our public lands.

These are good things that we are seeing coming out of committees and coming to the floor and moving forward. This is a level of governance that has been good for the body and, even better, will be good for the country.

Mr. President, I would like to speak very briefly about the Every Student Succeeds Act. I know several of my colleagues have come down to the floor. Just a couple minutes ago, the Senator from Wyoming came to talk about the good things we have seen in this education reform bill and celebrate how it ends the national school board by putting more control of our schools in our States' and locals' hands. I think that is worthy of note. For the schools, administrators, teachers, and the parents, that is worthy of celebration.

I am more than pleased that the Every Student Succeeds Act will finally allow our States to judge our schools by more than just the test results and allow our teachers to do what they want to do to teach our kids and engage them in the art and love of learning and not just prepare for tests. We all know our children are more than what can be described in some of these fill-in-the-bubble exercise tests, and our teachers are certainly more than robots that stand in front of a class and follow a script that has been orchestrated from elsewhere.

I tell many Alaskans that I got my political start, if you will, as the president of my son's PTA, our parent teacher association in our local neighborhood school. I came to understand firsthand and in a very upfront and personal way what No Child Left Behind meant not only for my son's school but for the schools across Alaska, an area where you have a lot of geography and not a lot of numbers in terms of population.

NCLB did not work for us as a very rural State. The one-size-fits-all did not work. My son's public school was deemed a failing school in the first year that adequate yearly progress was the standard of measurement. We were dubbed a failing school because we had one subcategory of students where the numbers were so small, but we didn't have enough students show up to take the test on that day. So we all know there were 31 different ways to fail AYP, and little Government Hill Elementary in Anchorage, AK, failed that first year. That is tough as a neighborhood. They were saying: What is wrong with our school? What is wrong with our neighborhood?

Really, there was nothing wrong with our school. There was nothing wrong with our neighborhood. What we had was a directive that came out of Washington, DC—some 4,000 miles away—and it didn't work for us.

I am more than pleased to join with superintendents, principals, and school board members who celebrate Federal bureaucrats being prohibited from dictating standards, assessments, and

school ability plans. No more Federal control. No more waivers with strings. No more one-size-fits-all education mandates that never ever fit us in Alaska.

I also place a high value on the fact that this bill recognizes the rights of our American Indian, Alaskan Native, and Native Hawaiian peoples throughout the country. It makes sure they have a greater say in how public schools will serve their children. Also, this bill will support the revitalization of Native languages by supporting Native language immersion schools. This has always been one of my priorities, and I am pleased we see this in the Every Student Succeeds Act.

I am grateful for the support of colleagues on both sides of the aisle. Senator BOXER worked with me on this to make sure we maintained Federal support for afterschool programs that allow parents to remain at work if they need to after the school day ends, knowing their children are going to be safe and engaged in good, enriching activities that help them learn in a fun way. Making sure we had that critical piece in the bill was important.

I am also grateful for the support for the number of Alaska-specific provisions that will ensure that this bill, unlike the No Child Left Behind Act, will truly fit Alaska's needs. I appreciate a great deal the work Senator ALEXANDER put into working through some of these issues with us, understanding the Alaska piece, recognizing that sometimes we have entities that are different from what you have in the lower 48. How you translate that when you are drafting language to make sure it works is key. His staff worked with mine to make sure we didn't drop the ball in these areas.

Those of us who are parents realize that this legislation will give us a stronger voice in our children's education and encourage parents to take the lead in helping our schools communicate better with parents rather than the other way around. Again, coming into the politics of schools, knowing that your parents have a voice in what is happening at the school is critically important.

Over the years, we have all met with teachers, school board members, parents, principals, superintendents, and students from our States who were so discouraged, very discouraged, sometimes just plain old fed up with the No Child Left Behind top-down control over every decision. The Every Student Succeeds Act guarantees that our parents, teachers, tribes, community leaders, and principals have a seat at the table to design how our schools serve our children. It even guarantees our Governors a voice while drastically reducing the role of the Secretary of Education here in Washington, DC.

I want to acknowledge the good work of the members of the Senate HELP Committee and their staffs. We all know their staffs put in amazing hours to get the bill to this point, working

together, compromising, negotiating, making their case for the priorities of their constituents.

This bill is one of the great examples—a poster child, if you will—of how Congress should be working around here. It is hard work, but it requires compromise. It requires an open amendment process in committee, which we absolutely had. We had days of process on the committee and then here on the floor but also within the conference committee. We had a real, live, old-fashioned conference committee, and it was an absolute pleasure to be part of a process where you could go in with your colleagues from the House on the other side of the table and go back and forth in further perfecting a bill.

In just a few days, the baton on education reform will be handed off to the people of our States. I look forward to this. I am encouraging folks back home to get involved, be aware, know what is going on. It will be a responsibility every one of our constituents must take seriously. No matter what role they play in a student's life, what happens next in each of our States will be determined by the people who show up, who share their perspectives with their States, with their departments of education, with their school boards. And I believe that coming together in this way at the local and State level—together it will be a good job for Alaska's children and for all of our Nation's children.

With that, Mr. President, I thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

Mrs. MURRAY. Madam President, I am so pleased that the Senate is taking the last few legislative steps to reauthorize the Elementary and Secondary Education Act or ESEA.

Our bipartisan bill, the Every Student Succeeds Act, will end the one-size-fits-all mandates of No Child Left Behind. It will reduce reliance on high-stakes testing, and it will help ensure that all students have access to a quality education regardless of where they live, how they learn or how much money their parents make. One of the best ways to help students succeed in school is by offering high-quality early learning opportunities for kids.

I am proud our bipartisan bill will also improve and expand access to preschool programs for more of our Nation's youngest learners. Preschool is actually how I got my start in politics in the mid-1980s. At the time I wasn't thinking about running for the U.S. Senate or even the State legislature in



Washington. I just had one specific goal in mind. The State legislature at the time was going to close down preschools in my small community because of budget cuts. I knew the impact that would have on my own kids and on the kids I saw in the classroom, but when I went to talk to State legislators about it with my kids, they wouldn't listen. They didn't think our voices mattered, and they didn't think preschool should be a priority.

So I picked up the phone and started calling other parents. We held rallies, we wrote letters, and when it was all said and done, we won. The legislature reinstated the funding for the preschool program and more kids in my State were able to finally start school ready to learn.

I still believe early childhood education is one of the best investments we can make in our country. It is why I fought so hard to improve and expand the preschool program throughout this process to fix No Child Left Behind. It is why I worked across the aisle with Senator ISAKSON and many other colleagues in the HELP Committee to design a preschool program in our bipartisan Senate bill, and it is one of the reasons this final legislation that we will vote on tomorrow will be such a strong step for students in the years to come.

I hope our colleagues join me and everyone in passing the Every Student Succeeds Act for students, for parents, for teachers, and for communities across the country. Early childhood education is so important for our children's future and for the future of our country. Let's go through the research.

Before children ever set foot in kindergarten, studies show they have already developed a foundation that will determine all of the learning, health, and behavior that follows. High-quality early learning programs can strengthen that foundation. Preschool is especially important for kids from low-income backgrounds. By the time an average child growing up in poverty turns 3 years old, she will have heard 30 million fewer words compared to a child from a middle-income or high-income family, according to researchers at the University of Kansas. That is a serious disadvantage.

By the time she starts kindergarten a few years later, the deck will already be stacked against her and her future success. Many families across the country don't have the option of sending their youngest learners to preschool. Today, in fact, just 14 percent of 3-year-olds in America are enrolled in federally or State-funded preschool programs and 41 percent of our 4-year-olds are enrolled.

If we are serious about closing the achievement gap in elementary and secondary education and if we are truly committed to making sure every student has the chance to succeed, we have to invest in quality early childhood education.

On the Senate floor in January, I said we should only pass a bill to reau-

thorize the ESEA if it expands access to preschool programs. I am very pleased our bill follows through on that commitment. The Every Student Succeeds Act will mark the first time that the Nation's primary, elementary, and secondary education law includes dedicated funding to make sure kids start kindergarten ready to learn. It does so by establishing a competitive grant program for States that proposes to improve coordination, quality, and access to early childhood education for kids from low-income and disadvantaged families. Those grants will help States such as Washington build on the progress it has already made to improve quality and increase access to high-quality preschool programs.

I am very proud of the bipartisan bill we have on the floor and all it does to improve and expand access to preschool, but we still have work to do. I will continue to work to do even more for kids and families in Washington State and across the country. I will continue fighting hard to make sure that if a family wants to send their child to a quality preschool program, there will be an open slot for them, because when all students have the chance to learn, we strengthen our future workforce, our Nation grows strong, our economy grows from the middle out, not the top down, and we empower the next generation of Americans to lead the world.

As a former preschool teacher myself, I saw firsthand the kind of transformation that early learning can inspire in a child. It is something I have never forgotten. On my very last day of teaching preschool, before I left to serve in our Washington State Senate, my students gave me this great big, large, blue quilt. Each square was decorated by a student in my preschool class and that quilt now hangs in my U.S. Senate office. It reminds me every single day that investing in young children is one of the most important things we can do to help them succeed.

Tomorrow the Senate will have the chance to vote in favor of helping more kids start school on a strong footing. We have the chance to fix No Child Left Behind with a bill that recognizes the importance of early learning, and we have a chance to make sure one of the smartest investments we can make in our Nation's youngest learners has begun.

I urge my colleagues to pass this bill for their future and the future of our Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

IRAN

Mr. MENENDEZ. Madam President, I rise to talk about an issue that while we are riveted in our attention, yes, about a good education bill—which I intend to support—and about the challenge of ISIL and terrorism both abroad and at home, I am concerned that in the midst of all of those challenges, Iran is well on its way to once

again defy the international community in a way that I think is incredibly dangerous.

We are told that Iran is to be considered a trustworthy member of the international community and that we should be able to count on it to abide by the international commitments they have made and by U.N. Security Council resolutions.

On October 11 of this year, Iran tested a precision-guided, long-range ballistic missile in violation of U.N. Security Council resolutions, and now Iran has carried out a new medium-range ballistic missile test in breach of two U.N. Security Council resolutions. We are told by Western intelligence that test was held November 21. The first one was October 11; now a second one on November 21 near Chabahar, a port city in southeast Iran's Sistan and Baluchestan Province near the border with Pakistan. The launch took place from a known missile test site along the Gulf of Oman. The missile, which is known as a Ghadr-110, has a range of anywhere between 1,800 and 2,000 kilometers or about 1,200 miles and is capable of carrying a nuclear warhead.

The missile fired in November is an improved version of the Shahab-3 and is similar to the precision-guided missile tested by Iran on October 10, which elicited strong condemnation by members of the U.N. Security Council, but those condemnations were in word but not in actions—because what has happened as a result of Iran violating the U.N. Security Council resolutions as it relates to missile testing? Absolutely nothing.

At the Security Council we are still debating how to respond to Iran's last test in October, and I truly believe actions speak louder than words. American and U.N. actions demonstrate to me that with no activity that is visible to anyone as it relates to finding some consequence for Iran violating U.N. Security Council resolutions, Iran can support terror, Iran can develop its nuclear program, Iran can foment sectarian conflict across the Middle East, it can support Assad in its deadly regime against its people, it can test ballistic missiles, it can tell Iraq not to accept U.S. special forces in our fight against ISIL, and yet it will be rewarded with a multimillion-dollar sanctions relief this coming year. Something is wrong because the silence is so deafening.

In October of this year after Iran launched its first missile test in violation of Security Council resolutions, I wrote to the Secretary of State. I wish to read excerpts of that letter because they are still more poignant today in view of the second test that has taken place against international will.

I said:

Dear Mr. Secretary,

The recent test launch of a precision-guided, long-range ballistic missile by Iran was a violation of the United Nations Security Council Resolution (UNSCR) 1929. . . . As we discussed during your July 23 appearance before the Senate Foreign Relations Committee, [that resolution] stipulates that Iran

cannot presently engage in activities related to ballistic missiles.

But, with the October 11 launch, Iran has done so—on several levels—whether it is through research, development, planning, concealing or launching this reportedly new technology. And as some of my colleagues on the Senate Foreign Relations Committee have pointed out in separate correspondence to you, Iran's violations of UNSCR 1929 have become common. The Iranian regime is drawing a line in the sand that demonstrates [I believe] with malice that it will only selectively meet its obligations with respect to internationally sanctioned weapons programs. What meaningful steps will the Administration take to respond to the latest Iranian provocations?

As Iran is prone to do, [I view] this is a test of American commitment and resolve, which, I believe, must be met with a decisive response in the language that Iran understands—for every action there is a consequence.

I went on in that letter to say:

I write to recommend to you that you use the Administration's discretionary authority to tighten the full range of sanctions available to you to penalize Iran for violating UNSCR 1929. From your responses at the July 23 [Senate Foreign Relations Committee] hearing, I understand that tightening sanctions for non-nuclear related infractions would not violate the terms of the Iran Nuclear Agreement, even if it were presently in its full implementation phase.

Which it is not.

The Administration should also encourage P5+1 partners to respond with similar measures. Does the Administration plan to use its current authority to tighten available sanctions against Iran?

Iran is not only testing the Administration, it is also testing our international partners. The launch, coordinated on the same day that Iran's Parliament approved the general outline of the Iran Nuclear Agreement should send a clear signal to the United States, the P5+1, and the United Nations Security Council that Iran's nuclear program and its weapons programs are linked—and that the Iranian regime has every intention of maintaining this status quo. The Administration should lead the P5+1 and the UNSC to respond swiftly, decisively, and unapologetically.

The series of test launches of Iranian ballistic missiles that have led us to this point are part of a larger weapons development program, that when taken together with Iran's history of deception, its opaque nuclear capabilities, past violations of the Nuclear Non Proliferation Treaty, its fiery rhetoric, destabilizing activities throughout the region, and well-documented malign intent, requires a strong international response.

And particularly, I note: The time to act was then and now again—certainly now—before Iran can exploit U.N. Security Council resolution 2231 because that particular resolution failed to incorporate the same mandatory language that U.N. Security Council resolution 1929 has.

In 1929, the world said: You cannot conduct ballistic missile tests and work on the development of ballistic missiles. When we struck the deal with Iran, we went through a different language where we strongly called upon Iran not to do so for the next 8 years. But strongly calling upon a country—from the Security Council—not to do

something is not prohibiting those threatening activities.

We do have sanctions that are in place and a Security Council resolution that is in place, because the deal has not gone into full effect until implementation takes place, where Iran is already violating the international will as expressed by those Security Council resolutions.

I would argue that in addition to the fact that they are defying the will of the international community as it relates to their missile weapons program—which can carry a nuclear warhead—I think they are testing the will of the international community when it comes to the question of how serious we will be about violations of the nuclear agreement. And the sooner that we are stronger in our response to their violations of the Security Council resolutions on missile technology and the missile weapons systems, the sooner they will understand we will not allow them to ultimately violate the agreement we struck with them as it relates to their nuclear program, and if they do, there are serious consequences.

Iran has tested the world. I have followed Iran since I first was in the House of Representatives and it came to my knowledge that the United States was sending voluntary contributions to the International Atomic Energy Agency above and beyond our membership dues. When I inquired as to what it was for, it ended up that it was to help the IAEA, help Iran create operational capacity at the Bushehr nuclear facility. Well, that wasn't in the national interests of the United States and certainly not in the national and security interests of our ally the State of Israel. I led a successful drive to stop those voluntary contributions in the House.

From that day, in the beginning of my House career, I followed Iran, because I said: Why does a country that has such huge—I think it is the fourth largest—oil reserves—and right up there as relates to gas reserves—need nuclear power for domestic energy consumption? It doesn't. I have followed Iran since then, and I have seen that by testing the international community's will at every step of the way, they advanced their nuclear program to where it came to the point—almost like our too-big-to-fail banks—well, this was too big to stop, so we tried to manage it. Now they are testing the world as it relates to their missile technology and missile weapons program. Again, we see a lack of response.

My letter to the Secretary of State on October 19—also, separate from that, there was a series of letters from other colleagues about the same issue—has not been responded to. We are going on 2 months since this action took place, and there is silence. As a matter of fact, the only things I have read are press reports about the latest violation, but I haven't seen the administration say a word about it.

So as the Iranians get the sense that they can go ahead and violate the

international will as expressed through Security Council resolutions and face no consequence as a result thereof, then based upon history we are going to face an Iran that is going to test the international community as it relates to its commitments in the Iran nuclear program. If we do not send a strong message now, we are only inviting attempts to violate that agreement.

I am very much of the belief that once you violate international agreements, you have to have a consequence just on that basis. When we were having the great debate about the Iran deal, we were told that this is just about the nuclear program; that human rights violations, weapons violations, and violations in terms of their activities to destabilize the region and their hegemonic interests—that we are going to push back on all of those things. Well, I haven't seen that. I haven't seen that. And that, to me, invites a great risk.

So I urge the administration to act decisively, to pursue both in the Security Council and apart from the Security Council, with our P5+1 allies, sanctionable items that can be outside of the nuclear portfolio, that can send a very strong message to Iran that "Don't think you can get away with these types of actions and have no consequence."

Secondly, I seriously believe this is another example of why the Iran sanctions act, which I helped author and which was passed overwhelmingly in the Senate and expires this coming year, needs to be reauthorized, because if there is a belief that there will be no sanctions in place as a result of any violations that take place, what are we snapping back to? What are we snapping back to? I believe there is nothing wrong with at least having those sanctions reauthorized and the Iranians having an understanding that if they violate the agreement, there are sanctions to snap back to.

What they are doing in their violations of the Security Council resolutions as it relates to missile weapons programs is already a bellwether of what I believe their actions will be if we cannot ultimately meet the test of their challenge. And they are testing us. This is the same Iran that I saw for years test the international will, being told they cannot advance their nuclear program, to the point that it got to such an extent that we struck a deal. That is the risk we face here.

So I look forward to pursuing a robust response to Iran. For all of my colleagues who supported the agreement, this is actually something we should be in chorus together on to ensure that Iran has a very clear message that "We intend to push back on you. You cannot violate the international law." By doing so, hopefully we will see the performance of an agreement that is supposed to control their nuclear program in a way that does not risk the world security. That is what is at stake in this regard.

I will close by simply saying that if you pass by the Archives Building, over its portal there is this statement: "What is past is prologue." I hope that statement isn't a reality as we face the challenge of an Iran that feels strongly within the region, that creates greater instability through its support of Hezbollah, that supports Assad and continues a civil war in which thousands and thousands are dying, creating the rise of ISIS at the end of the day by a state that is virtually a failed state at this point in time and putting undue influence on its neighbor, Iraq, a country for which we have shed so many lives and national treasure. Something is wrong in that equation, and I hope my colleagues will wake up to it and will join us in an effort to try to make sure we push back in a way that is not only appropriate and within the international order but necessary if we truly do not want Iran to achieve nuclear power for nuclear weapons.

Madam President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I thank my colleague who just spoke for his vigilance in reminding us how we have to pay attention every single day to what is happening in Iran and to be smart and strategic and let them know we are very serious about pushing back.

#### RELIGIOUS FREEDOM

Madam President, in this country one of our core values is that you can come here and build a better life for yourself and for your family. That is the American dream. Our Nation was founded by people who had that dream, people who dreamt of religious freedom. Many of our ancestors followed that dream to these shores, from the early Puritans and Quakers, Irish and German immigrants, Italian and Jewish immigrants, and so many others. Life was not easy for them. They faced discrimination and even violence by those who were suspicious of them, who saw them as different, who challenged their right to have the American dream. But those Americans worked very hard and built a life for themselves. They raised families and became successful. They opened small businesses and large businesses. They became doctors and lawyers. They served in our armed services. They served as police officers and firefighters. They ran for office. They made amazing contributions to our Nation's economy and culture. They helped make America great.

That core value, our American dream, is being challenged today. Donald Trump, who is running for President of the United States of America, has suggested that we ban all Muslims from coming into our country based purely on their faith, on their religion. As someone who represents the most densely populated Muslim population in America, I find this suggestion, this statement, to be outrageous and absolutely un-American because I know the

rich history that people of Muslim faith have created in my State and the contributions they make every single day to our economy, to our wonderfully diverse culture, and the quality of life in our communities.

Hundreds of thousands of people from Muslim countries came to southeastern Michigan in the early part of the last century, like so many others from the South and around the country and the world, after Henry Ford offered a \$5-a-day wage to work in America's first automobile factories. Those Muslim Americans were still working in those plants during World War II, building the so-called arsenal of democracy—the planes, the ships, the tanks that won the war and defeated the enemies of democracy.

Many thousands of Muslim Americans have served our Nation during times of war, and many thousands are serving our country right now, at this very moment. They are putting their lives on the line right now for the freedoms we all hold dear. Take a walk through Arlington National Cemetery, and you will see many graves bearing the crescent and star. How can anyone question the patriotism of those Americans who made the ultimate sacrifice for our country? They helped make America great. Those men and women who defended us in the Armed Forces loved America, and they died for America because America is their home, their family's home. So of course they see ISIS as the enemy, just as every non-Muslim American does as well. Their families are the ones who are on the front lines of the violence in the Middle East. Their families have lost their homes, their businesses, and in many cases their lives because of the brutality and violence of ISIS. Their families are the ones fleeing the violence to save their children. Muslim Americans understand that ISIS does not represent Islam.

Within every religion, there are violent individuals who twist the meaning of sacred texts and symbols to justify acts of violence and murder—every religion. The KKK used blessed symbols of Christianity while terrorizing and murdering African Americans. Just as the Ku Klux Klan does not speak for Christians, ISIS does not speak for Muslims.

Furthermore, we must recognize that our culture of inclusion and our tradition of welcoming people of different faiths since the beginning of our country are our greatest weapons in defeating ISIS.

What ISIS desires more than anything else is to see our country discriminate against Muslim Americans so they can use that as a recruiting tool all over social media, which we know they are very effective at doing. They want Muslim Americans to believe that America is not their home, that we do not value their leadership and contributions in our communities, that America does not welcome their faith, and that America hates them.

They want that. That cannot be who we are. That is not who we are.

All of us were shaken by the violence in Paris and San Bernardino, but we know that fear cannot be our guide in America. President Franklin Roosevelt understood that fear makes America weak. America is great when America is united and not pitting neighbor against neighbor, which is happening in too many places in my State and across the country. When we are united and dedicated to our principals of freedom and liberty, we are great. The first liberty of our Constitution's First Amendment is the freedom of worship.

When I think about the Muslim American children in Michigan who were afraid to go to school today because of what might happen to them after hearing what Donald Trump was saying about them and their families, it makes me sick to my stomach. I want those children to know that his words are not what America stands for. It is not what makes America great. It is not. It is those children—Muslim and Christian and Jewish—all of whom are full of hope and promise for the future who will make America great again, and I stand with them.

I thank the Presiding Officer.

THE PRESIDING OFFICER. The Senator from South Dakota.

#### SENATE ACCOMPLISHMENTS

Mr. THUNE. Madam President, just a few days ago on the Senate floor, the Senate Democratic leader said:

One of the newspapers here has a Pinocchio check, and they look at the facts and analyze them and then they can give up to four Pinocchios meaning people simply didn't tell the truth. . . . So, this is the most unproductive Senate in the history of the country, and there are facts and figures to show that.

That was said by the Senate Democratic leader on December 2 on the floor of the Senate. Well, unfortunately for him, the Washington Post, which runs the fact checker, fact checked his statement and it came back with three Pinocchios. The most you can get is four Pinocchios, and they gave him three Pinocchios. There are degrees of falsehood, and I think three Pinocchios denotes a pretty big whopper. The Senate Democratic leader, by suggesting that this is one of the most unproductive Senates in the history of the country, was busted by the fact checker with three Pinocchios for making what was a false statement.

The truth of the matter is, contrary to the assertions of the Senate Democratic leader, it has been a very busy year here in the Senate—from voting to repeal ObamaCare to passing the first long-term Transportation bill in a decade and, I might add, the first balanced budget bill in 14 years. Republicans have been working hard to fulfill our promise to get Washington working again for American families.

If you listen to the media, sometimes they would have you believe that nothing ever gets done in Washington, but the truth is that we have been able to make progress on a number of important issues this year. One accomplishment I am particularly proud of is the

long-term Transportation bill that Congress passed this last week. It is the first long-term Transportation bill in a decade.

Over the past several years, Congress has made a habit of passing numerous short-term funding extensions for Federal transportation programs. In fact, I think prior to the passage last week of this long-term highway bill, there have been no fewer than 37 short-term extensions. That is an incredibly inefficient way to manage our Nation's infrastructure needs, and it wasted an incredible amount of money. It also put a lot of transportation jobs in jeopardy. Hundreds of thousands of jobs around the country depend on the funding contained in Transportation bills. When Congress fails to provide certainty about the way transportation funding will be allocated, States and local governments are left without the certainty they need to authorize projects or to make long-term plans for addressing various transportation infrastructure needs. That means essential construction projects get deferred, necessary repairs may not get made, and jobs that depend upon transportation get put in jeopardy.

The Transportation bill we passed last week changes all of that. It reauthorizes transportation programs for the long term and provides 5 years of guaranteed funding. That means States and local governments will have the certainty they need to invest in big transportation projects and the jobs that they create, and that in turn means a stronger economy and a more reliable, safe, and effective transportation system.

This new Transportation bill will also provide much needed accountability and transparency about where taxpayer dollars are spent. As chairman of the commerce committee, I spent a lot of time working with committee members on both sides of the aisle to develop the bill's safety provisions.

One portion of the bill includes a host of important safety improvements, including enhancements to the notification process to ensure consumers are informed of auto-related recalls and important reforms of the government agency responsible for overseeing safety in our Nation's cars and trucks.

Another important bill we passed this year is the Cybersecurity Information Sharing Act. Cyber attacks are increasing, and it seems that every week we hear of a new breach putting Americans' private information at risk. According to the security firm Symantec, last year alone more than 300 million new types of malicious software or computer viruses were introduced on the Web. That is nearly 1 million new threats every single day.

In October, the Senate passed the Cybersecurity Information Sharing Act, which will help keep Americans' data safe from hackers by increasing the exchange of cyber threat information between the public and private sectors.

As Members of Congress, we have a responsibility to ensure we are meeting the needs of our men and women in uniform and of our Nation's veterans. This year, under the new Republican majority and the leadership of Chairman ISAKSON, the Senate has worked in a bipartisan manner to advance numerous bills to serve our veterans. We passed the Clay Hunt Suicide Prevention for American Veterans Act, which provides additional resources to help combat the tragedy of veteran suicides.

We have improved the Veterans Choice Act to better realize the intent of Congress, and that was to make sure veterans don't have to face significant wait times or travel distances over 40 miles to receive the care they need. We expanded eligibility to permit more veterans to seek care close to home and increase the number of non-VA providers in our communities that can deliver that care.

Congress also continues to examine the issue of VA accountability to make sure our veterans never again have to suffer delays in treatment, as we saw with the national embarrassment of falsified wait times that the VA revealed last year. I believe this oversight by Congress is an important first step in making sure the VA works for our veterans and not for the VA bureaucracy.

Congress also passed the Defense authorization bill this year, which incorporated a number of critical reforms that will expand the resources available to our military men and women and strengthen our national security.

The National Defense Authorization Act for 2016 tackles waste and inefficiency at the Department of Defense and focuses funding on our war fighters rather than on the Pentagon bureaucracy. This bill also overhauls our military retirement system. Before this bill, the system limited retirement benefits to soldiers who had served for 20 years or more, which means there were huge numbers of soldiers, including many veterans of the wars in Iraq and Afghanistan, who retired after years of service without having accrued any retirement benefits. The National Defense Authorization Act replaces this system with a new retirement system that would ensure the majority of our Nation's soldiers receive retirement benefits for their years of service to our country, even if they have not reached the 20-year mark.

One thing Republicans were determined to do this year as well was to send legislation repealing ObamaCare to the President's desk. Five and a half years after the so-called Affordable Care Act was signed into law, it has become abundantly clear that the law is not working. It is not lowering premiums. Premiums are going up. It is not reducing health care costs. Health care costs are going up dramatically. It costs \$4,000 for the average family. It is not protecting access to doctors or to hospitals. In fact, for some Americans,

ObamaCare has driven up the cost of health care to unimaginable levels. I heard from 1 constituent in Hill City, SD, whose family's 2016 health care bill will be \$25,653—\$25,653. In the words of this constituent: How can a yearly bill of \$25,653 be affordable to a retired couple? The answer, of course, is that it can't be; \$25,653 or \$2,137 a month is approximately double the average family's monthly mortgage payment. People are paying twice as much for their health insurance as they are paying for their mortgage.

The ObamaCare repeal bill that the Senate passed last week starts the process of moving away from ObamaCare and toward the kind of real health care reform that Americans are looking for—an affordable, accountable, patient-focused system that gives individuals control of their health care decisions.

I am also pleased that the ObamaCare repeal bill protects unborn Americans by redirecting funding for Planned Parenthood, an organization that performs well over a quarter million abortions each year. It shifts that funding to organizations like community health centers, which provide affordable, essential health services to women across the country, and funding them is a far better use of taxpayer dollars.

In my State of South Dakota, these centers are in more than two dozen rural communities and in towns where there is no Planned Parenthood, so redirecting these funds makes it easier for women across my State to have access to affordable, essential health care services.

While all Americans agree that we should protect our air and water and use our natural resources responsibly, under President Obama the Environmental Protection Agency has run amok. During the course of the Obama administration, this Agency has implemented one damaging rule after another, from a massive national backdoor energy tax that would hurt poor and working families the most to a new rule that would subject ponds and puddles in America's backyards to a complex array of expensive and burdensome regulatory requirements. Containing this out-of-control government bureaucracy is a priority for Republicans, and we have taken up multiple pieces of legislation this year to check the EPA's overreach. While the President may have blocked our efforts for now, we are going to keep working to protect Americans from damaging rules like the waters of the United States rule and the national energy tax.

Over the course of the Obama administration, our national debt has gone from \$10.6 trillion to a staggering \$18.8 trillion. Meanwhile, entitlement programs like Medicare and Social Security are heading rapidly toward bankruptcy. If action isn't taken soon, our financial situation could end up crippling our economy.

While there is a lot more work left to do, this year's Senate Republicans took steps toward improving our Nation's fiscal health. In the spring, we passed a balanced budget—the first joint House-Senate balanced budget in 14 years. Every American family has to stick to a budget and Congress should be no different. This year's balanced budget needs to be the first of many going forward.

Entitlement reform is also essential if we want to protect Americans' entitlement security. This year we began the process of putting both Social Security and Medicare on a more stable financial footing so these programs will continue to be available to current and future generations of Americans.

I could go on and talk about the Education bill that we are considering right now that will return power to States and local school boards or the legislation that we passed to give law enforcement new tools to fight human trafficking and expand the resources available to victims or the bill that we passed to expand opportunities for American workers and open new markets for goods marked "Made in the USA."

I want to stop here and say, while Republicans are proud of what we have accomplished this year, we know there is a lot left to do. Wages are still stagnant, our economy is still sluggish, and too many families are still struggling under huge health care bills.

In addition to the challenges facing Americans at home, we face a number of challenges abroad, foremost among them the threat posed by ISIS, which is responsible for the deadly attacks in Paris last month, as well as a campaign of havoc and bloodshed throughout the Middle East. Even here at home we received a grim reminder of the global influence of ISIS's twisted ideology last week with what appears to be a terrorist-inspired attack that took 14 American lives in San Bernardino. Our thoughts and prayers go out to the victims and the families.

While the President should be playing the leading role in building a coalition to destroy this terrorist organization, unfortunately his speech Sunday night demonstrated that he has little to offer beyond the same failed strategy that has helped us end up where we are right now—with an emboldened terrorist organization carrying out and inspiring mass casualty attacks far beyond Iraq and Syria.

We are at a tipping point in the fight against ISIS, and if we don't come up with an effective political military response in the very near future, we will be facing the prospect of even greater bloodshed in the Middle East and more terrorist attacks here in the homeland.

While we succeeded in having a number of bills become law this year, unfortunately many others were stopped by the President. Still others, such as our efforts to protect unborn children capable of feeling pain from being killed by abortion, were stopped by

Democrats in the Senate. While we have temporarily lost some of these battles, the debate will continue. Republicans will not give up. Whether it is protecting families from the President's national energy tax or repealing ObamaCare, we will redouble our efforts to make sure Washington is meeting the needs of American families and addressing the American people's priorities.

We plan to spend the second year of the 114th Congress the way we spent the first: fighting to make our economy stronger, our government more efficient and more accountable, and our Nation and our world safer and more secure.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

#### PARIS CLIMATE CHANGE TALKS

Mr. MERKLEY. Madam President, I rise to share a little bit of details about the climate talks that are going on in Paris at this very moment. A number of us in the Senate were able to go to Paris last weekend and to be engaged in that dialogue.

What I was terrifically struck by was that 150 heads of state had come together to kick off these climate talks. That is the largest gathering of heads of state in human history. Why did that landmark event occur? It occurred because the challenge of global warming is the most grave concern facing human civilization on this planet, so heads of state wanted to be there to acknowledge the fact that we must come together as a community of nations across this globe and work together to take this on for the good of our stewardship of this planet. A larger number of nations have put forward pledges on the efforts they are going to make to reduce global warming gases, and 186 nations have put forward those pledges.

One of the issues that is embedded in these climate talks is how ambitious the international community should be. There is this broad goal of limiting global warming to 2 degrees centigrade over the course of this century. We have already gone up to 0.9. We are almost halfway to that level that has been identified by scientists as a catastrophic level, but the pledges that are being made in Paris are not sufficient to keep us to 2 degrees. So that is one of the points of discussion—how can the community of nations be more ambitious.

One of the points being made is that we should come back together every 5 years to keep redoubling our efforts; that we know the pledges being made in Paris will not be enough, so we have to keep coming back to this challenge.

We also have observed how dramatically the amount of information has changed over the last 5 years. We know that in another 25 years we will have a lot more information about what is occurring in the world and how successful the initial efforts have been.

Then there is a group that is saying we need to go even further and work to

reduce the amount of damage that could be done, and that means limiting global warming to 1.5 degrees, which would take an even faster transition from a fossil fuel energy economy to a renewable energy economy. So that is an area of conversation—how ambitious can we be as an international community at this point and how can we improve on the efforts being put forward in Paris in the years to come.

A second point is that there is a profound need for working together between developed nations and developing nations, between richer nations and poorer nations. Poorer nations are saying: We have a lot of folks who have never had access to electricity, and we need to provide the cheapest pathway to provide that electricity. Often, that is coal. Well, then, how do we make renewable, clean energy as inexpensive as coal energy so that nations can bypass establishing that utility-scale fossil fuel infrastructure. So that is a key piece of conversation.

A third point is about reporting requirements. In order for us to have good policy now and in the future, we have to have good numbers on what is happening around the world, nation to nation. Nations feel a little sensitive about this idea of having an international community kind of working to double check the way they evaluate what is going on at home, but we need to convey the notion that these numbers—good numbers coming from each nation—are essential for nations to be able to participate in this international effort that will lead to success in curbing runaway global warming.

I think it is enormously clear that Paris is a tremendous step forward. The number of heads of state that have attended, the number of nations that have put forward pledges, the intensity of the conversation at this very moment—people are recognizing that we are the first generation that has been impacted by global warming, and we are the last that can do something significant about it because, unfortunately, as we go forward a generation from now, we have not succeeded in curbing global warming gases. The carbon dioxide and methane gas will have such a profound feedback mechanism that it will be much harder to address this issue.

I am pleased the administration has taken this so seriously and that nations throughout the world are taking it so seriously.

H.R. 1599

Also, Madam President, I want to turn to the budget and spending negotiations underway right now. I came to the floor last week to note that there were conversations occurring about possibly taking away States' rights to be able to pass laws labeling food that is GE or GMO food; that is, genetically engineered or genetically modified food. To do so would simply be wrong—wrong in the absence of a cohesive, coherent, easy-to-use system of labeling at the Federal level, which we do not

have. It would be an intrusion on States' rights in one of the most sensitive areas to citizens, and that is the food they put in their mouth.

This act of taking away States' rights and citizens' rights to know what is in their food is known as the DARK Act, the Deny Americans the Right to Know Act—the acronym DARK. Isn't it ironic that there are legislators here who are not only pursuing the DARK Act, but they are pursuing it in the dark of night. They are afraid to have a conversation in the relevant policy committee to address it. Whenever legislators fear public reaction, fear addressing the pros and cons in a public forum, you can bet there is something wrong with what they are up to. So that is why we must all be vigilant in these coming days to make sure this DARK Act is not inserted into the must-pass spending bill in the dark of night.

#### EMBRACING ALL RELIGIONS

Madam President, I want to close, to follow up on the comments I made yesterday about the proposal from Donald Trump to bar Muslims from entering our country under any avenue—not as refugees, not as business men and women, not as tourists, not as students—and again say how absolutely wrong it would be. This is the single worst idea I have heard from a Presidential candidate, ever.

We should all recognize that right now our men and women in uniform of every religion—Christian and Protestant and Catholic and Jewish and Muslim and Buddhist and who knows what other religions—they are working together to take on the terrorist threat known as ISIS. Islam is not our enemy. ISIS is our enemy. Right now we are working in partnership with nations that are Islamic nations, and those leaders are Islamic. We are saying to them: We will work in partnership with you because Islam is not our enemy. ISIS is our enemy.

I can tell my colleagues that ISIS has a strategy. Their strategy has been to create their mission as the United States against Islam, and the comments of Donald Trump played right into the playbook of the terrorists, making our Nation less safe, increasing the radicalization of folks around the world who have been listening to the message from ISIS and now have some reason to believe it might have some foundation—that America is against Islam. We are not, and we have been hearing that from Democratic voices and we have been hearing that from Republican voices. We have been hearing it from Senators and from House Members across Capitol Hill. We have been hearing it from legislators and we have been hearing it from citizens, Americans standing up and saying that Donald Trump is wrong. That is certainly something to be applauded. I praise my colleagues of both parties. I praise our citizens of both parties who have stood up to say we stand shoulder to shoulder with all patriotic Ameri-

cans regardless of their religion, and we are united in taking on ISIS.

Thank you, Madam President.  
The PRESIDING OFFICER (Mr. GARDNER). The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise today to speak about the education reform conference report that we will be voting on tomorrow, which I think is a good bill for two big reasons. First, it restores a significant level of decision-making power to the States and local school districts, which is where decisions about things like curriculum should occur. It diminishes the ability of the administration to pressure school districts and States into adopting the Common Core curriculum, for instance, leaving it to the discretion of the States and school districts to decide exactly what their curriculum will be. I think that is a sensible and appropriate approach.

There is another big reason I think this education reform bill is an important bipartisan victory for kids, and that is for the first time I am aware of, the Congress is acting to protect our kids from pedophiles who infiltrate our schools and who have sexually abused children in the classroom.

I know you are actively supportive of this effort, as many of our colleagues are, and I am delighted we were able to make it through the entire process, as painful and slow as it was. This important provision survived this process, and we will be voting tomorrow on the overall bill.

I want to talk about this a little bit, but let me make it clear right up front that I understand—as I assume we all do—that the vast, overwhelming majority of teachers and school employees would never harm children in their care. They would never hurt them. They would never do it. They care deeply about the kids, and that is probably a big part of the reason they pursued a career in education. But it is also a fact that schools are where the children are and pedophiles in our midst are very aware of that, and they are attracted to schools for exactly that reason. The number of pedophiles who are succeeding in abusing children in schools is absolutely shocking; it is to me. Last year there were 459 school employees, mostly teachers—not all teachers but employees in schools—arrested for sexual misconduct with the children they are supposed to be taking care of. That is more than one a day, and unfortunately 26 of them were in Pennsylvania.

So far, 2015 is almost over. We have already exceeded the number from 2014. We are on a path to have well over 460 teachers and other school employees arrested for sexual misconduct with kids. Let's be honest; an arrest occurs only when there is sufficient evidence to press charges, to make a criminal case in a court of law. How many more cases are occurring where we haven't had sufficient evidence to prosecute?

The story that put this need on my radar is the absolutely horrendous

story of a child named Jeremy Bell. This story begins in Delaware County, PA. One of the schoolteachers was molesting young boys. In time, the school administrators discovered what was going on. The local district attorney didn't feel there was enough evidence to actually prosecute a case. You know, it is hard to fire a teacher, so what the school did is it sat the teacher down and said: Here's the deal. You need to leave, but don't worry. We will give you a letter of recommendation so you can get a job somewhere else. That is exactly what happened.

This monster went to West Virginia, got hired as a teacher, and eventually became a principal. Of course along the way he continued to abuse children. In the end he raped and murdered a 12-year-old boy named Jeremy Bell. Justice finally caught up with this monster. He is serving a life sentence in prison as we speak, but it was too late for Jeremy Bell.

As a father of three young children, I find this whole idea so appalling that it is hard to talk about it and hard to think about it. We would all like to think that a story like the story of Jeremy Bell is a freak occurrence, a once-in-a-million-years kind of thing, but that is not the case. It is just not true. In fact, it has happened so frequently that it has its own name. It is called passing the trash. The people who spend their lives serving and helping the victims of these horrendous crimes to cope with them know about this phenomenon all too well.

I will give you more recent examples. Just this year, WUSA News 9 reported that the school district of Montgomery County, MD, had a record of passing the trash. An elementary school teacher named Daniel Picca abused children for 17 years. The Maryland school district knew what was going on. What did they do? The teacher's punishment was to be moved from school to school to school, reassigning him every time a problem emerged, as though the problem was the school and not the pedophile. For 17 years they were passing a known child molester from one group of victims to another.

Consider a case of the Las Vegas, NV, kindergarten teacher who was recently arrested for kidnapping a 16-year-old girl and infecting her with a sexually transmitted disease in the course of abusing her. That same teacher had molested six children—all fourth and fifth grade children—just a few years before when he was working in the Los Angeles school district. The Los Angeles school district knew about the allegations, but when the Nevada school specifically asked if there were any criminal concerns regarding this teacher when he was applying for a job there, the Los Angeles school district not only hid the truth, it provided three references for the teacher—so strong was their interest in making him become someone else's problem.

These are examples that are all the more disturbing when you consider



that, according to a study by the GAO—Government Accountability Office—the average pedophile working at a school victimizes 73 children over the course of a lifetime.

We have an opportunity tomorrow to say enough is enough. This is enough. This has been way too much—no more children falling prey to these monsters who have been able to infiltrate our classrooms, no more childhoods shattered, no more families devastated with grief, no more Jeremy Bells.

The amendment itself is just common sense—really just common decency. It simply holds that if a State accepts Federal education funds, it has to have a law that bans the practice of knowingly recommending a pedophile to another school. Is there anybody in Pennsylvania or Colorado who thinks that is unreasonable? I don't think so.

I am delighted that we have gotten to this point. There are a lot of people I would like to thank for their help. I have to start with Senator JOE MANCHIN of West Virginia, who joined me at the very beginning. We introduced this legislation over 2 years ago as a freestanding bill. In addition to banning passing the trash, it would require thorough and rigorous background checks for any school worker who has unsupervised access to children. That part was not included in this. I am not giving up on that. We will have that fight again. The part that bans passing the trash did succeed and demonstrates that with perseverance the right outcome can occur.

I would like to thank the other cosponsors of this legislation, Senators MCCONNELL, ALEXANDER, CAPITO, COTTON, GARDNER, HELLER, INHOFE, JOHNSON, MCCAIN, ROBERTS, VITTER, and WICKER. I would particularly like to thank the chairman of the HELP Committee, Senator ALEXANDER, and Senator MURRAY, the ranking member. We talked about how we could make this work mechanically and make sure that we have legislation that will in fact achieve the desired outcome.

I also need to send out a huge thank-you to all the child advocates and the law enforcement folks around the country, especially in Pennsylvania, who worked so hard to make this legislation happen. They were invaluable. I hope they realize how much of a difference they made in helping to persuade our colleagues to get this done.

I thank Terri Miller and John Seryak of S.E.S.A.M.E., who have been fighting to protect children in the classroom for decades. I also thank the National Children's Alliance and the many child advocacy centers across Pennsylvania, most of which I have been able to visit, for the wonderful work they do for kids who need it badly; the Pennsylvania Coalition Against Rape; the National Center for Missing and Exploited Children; the Center For Children's Justice; MassKids; the American Academy of Pediatrics; the Association of Prosecuting Attorneys; the National Dis-

trict Attorneys Association; the Pennsylvania District Attorney's Association; the Federal Law Enforcement Officers Association; the National Sheriffs' Association; and the National Association of Police Organizations. Every one of these groups weighed in on this legislation and helped us to get this over the goal line over the course of a long, protracted series of negotiations.

Tomorrow I think we are going to have an important victory in our ongoing effort to protect children from sexual abuse. It is the first time that the U.S. Congress has acted to protect children in this way. There is more that needs to be done. I still think we need to revisit the state of the background checks that are applied. There are States that do not have an adequate background check system in place, and if they are taking Federal funding—which they are—they ought to have an adequate background check system.

The truth is that this is a big step forward, and I am delighted we were able to get here. I am grateful for the help of every Senator who helped us get to this point. For this reason, for the sake of this amendment as well as the general thrust of the legislation, which is to move decisionmaking power back to the States and school districts where it belongs, I would urge my colleagues to vote in favor of the conference report tomorrow.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Rhode Island.

**MR. WHITEHOUSE.** Mr. President, thank you very much. I ask unanimous consent to speak for up to 15 minutes as in morning business.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

#### PARIS CLIMATE CHANGE NEGOTIATIONS

**MR. WHITEHOUSE.** Mr. President, the ranking member of the Senate Foreign Relations Committee, Senator BEN CARDIN, led a delegation of 10 Senators to Paris this past weekend. We went to support the "high-ambition coalition" on the international climate agreement. It was truly impressive to see so many nations represented at the meeting, active and trying to help. All of us in the codel came away from Paris with a good feeling about the prospects for a strong climate agreement.

I had the chance to speak at Oceans Day, where people were keenly aware that the effects of carbon pollution on our oceans are undeniable. You can measure the warming oceans with thermometers. You measure sea level rise with basically a yardstick. You can measure acidification of the seas with simple pH tests. You can replicate what excess CO<sub>2</sub> does to seawater in a basic high school science lab. That is why the big, phony climate denial apparatus the fossil fuel industry is running never talks about oceans. It is undeniable there.

I also had a chance in Paris to cheer on our bright, young negotiating team

staff, who worked late hours in their windowless common workspace but were very enthusiastic and made me very proud.

The delegation also met with Todd Stern, who was leading the U.S. negotiating team, and we visited the NOAA scientists who were at the U.S. Pavilion. The U.S. presence there was great.

One thing was sad, and that is that our Senate delegation of 10 Senators was all Democrats. The last political bastion of the fossil fuel industry worldwide is now the American Republican Party. No Republican was able to come with us. The fossil fuel industry would never let them.

I will say the fossil fuel industry is behaving reprehensibly. The power it exerts over Congress is polluting American democracy. The spin and propaganda it emits through a vast array of front groups are polluting our public discourse. Of course, its carbon emissions are polluting our atmosphere and oceans.

These fossil fuel companies are sinning, and on a monumental scale. Remember what Pope Francis said in his encyclical: "Today . . . sin is manifest in . . . attacks on nature. . . . [A] sin against ourselves and a sin against God."

Their behavior is truly reprehensible. They have a lot to atone for.

But this is not exactly the American Republican party's finest hour, either. It is the world's only major political party so in tow to the fossil fuel industry that it cannot face up to the realities of carbon pollution and climate change. Some "city on a hill" that leaves us.

Notwithstanding all the Republican intransigence, we were able to tell the world that we would have the President's back, and we will. We will protect the Clean Power Plan, we will protect the Clean Air Act, and we will protect any agreement that comes out of Paris.

One nice thing in Paris was the presence of American companies, such as PG&E of California, VF Corporation of North Carolina—one of our biggest apparel manufacturers—Citigroup of New York, Kellogg of Michigan, Ben and Jerry's of Vermont, and Facebook of basically everywhere. They were there to cheer on a good deal, and so was the American Sustainable Business Council. And they have been doing this for a long while.

Some of America's leading food companies took out this ad in the Washington Post and Financial Times on October 1 urging a strong agreement in Paris. The companies that have signed it include Mars—if you like M&Ms, you know about Mars—General Mills, Nestle USA, Unilever Corporation, Kellogg Company, Stonyfield Farm, and Dannon USA. On November 24, it was updated with new signatories, including PepsiCo, Coca-Cola, and Hershey.

Quoting from the ad:

Dear US and Global Leaders:

Now is the time to meaningfully address the reality of climate change. We are asking

you to embrace the opportunity presented to you in Paris. . . . We are ready to meet the climate challenges that face our businesses. Please join us in meeting the climate challenges that face the world.

This is an ad taken out in Politico by another group of well-known apparel companies, including Levi's—if you know blue jeans, you know Levi's; Gap; Eileen Fischer, VF Corporation, which makes Timberland, North Face, and a number of other well-known brands, urging a strong agreement in Paris. This ad ran during talks on Thursday, November 3:

To US and Global Leaders:

As the world gathers in Paris this week for the 2015 United Nations Conference of the Parties, we come together, as some of the largest, best known global apparel companies, to acknowledge that climate change is harming the world in which we operate. . . . We recognize that human-produced greenhouse gas emissions are a key contributor to climate change. . . . We support a strong global deal that will accelerate the transition to a low carbon economy.

Those industries are not alone. Here is an ad from a coalition of about 70 major American corporations again urging a strong agreement in Paris. They include Coca-Cola, Adidas, Intel, Colgate Palmolive, the Hartford Insurance Company, Johnson & Johnson, Procter & Gamble, National Grid, DuPont, the Outdoor Industry Association, and others. They say:

Failure to tackle climate change could put America's economic prosperity at risk. But the right action now would create jobs and boost competitiveness. We encourage our government to . . . seek a strong and fair global climate deal in Paris.

Seventy major American corporations, every single one whose name you know, are saying: We seek a fair climate deal in Paris.

Finally, this is a financial sector statement on climate change from the financial giants: Bank of America, Citi, Goldman Sachs, JPMorgan Chase, Morgan Stanley, and Wells Fargo, again calling for a robust global agreement out of Paris. They state:

We call for leadership and cooperation among governments for commitments leading to a strong global climate agreement.

They want frameworks “that recognize the costs of carbon.”

They say:

We are aligned on the importance of policies to address the climate challenge.

It is time people started listening.

And let's not forget the more than 150 American companies that have signed on to the White House's American Business Act on Climate Pledge, joining that call for a strong outcome on the Paris climate negotiations. Those companies on the White House American Business Act on Climate Pledge have operations in all 50 States, employ nearly 11 million people, represent more than \$4.2 trillion in annual revenue, and have a combined market capitalization of over \$7 trillion. Yet, if you believe some of my friends on the other side, they are all just part of a big old hoax trying to fool everybody. Really?

Unfortunately, while the world is listening to these strong corporate voices for a strong Paris agreement, these companies' own home State Republican Senators are right here in Congress trying to undercut their home State companies' work. But the world listens to the companies, not the deniers.

One of their best voices is Unilever, whose CEO Paul Polman met with our delegation to express the growing support in the corporate community for climate action and to describe Unilever's work to catalyze that support.

We met with Ban Ki-moon, Secretary General of the United Nations, and heard about a meeting scheduled for May here in Washington, DC, for corporate CEOs to come to Congress and let us know they want climate action.

The grip of the fossil fuel companies on Congress will slip, as other corporate leaders come forward to urge strong climate action. Pretty soon, there is going to be a very small island of denial and obstruction left in a rising sea of reality. Pretty soon, there will be nobody left on the shrinking Denial Island but the fossil fuel industry, the Koch brothers and their front groups, and the Republican Members of Congress—oh yes, of course, can't forget the Republican Presidential candidates who are so desperate to toady up to the fossil fuel industry that they won't acknowledge this issue. Mark my words: As the rest of corporate America stands up, the fossil fuel industry's fortress of denial and deceit will tumble down.

Paris sends a strong message of hope that echoes Pope Francis's strong encyclical on climate change. Governments, corporations, and civil society groups are a gathering force behind that message.

Vice President Gore, who has labored long in these vineyards, met with us in Paris and had a strong message of hope. Against the gloomy falsehoods the fossil fuel industry propagates, hope burns bright for this gathering force.

The Vice President observed to us that “things take longer to happen than you think they will, and then they happen faster than you thought they could.” From a man who has been through—uniquely—this all taking a long, his confidence in fast happenings was heartening.

So not only is it time to wake up, but the world is waking up. Corporate America is waking up outside of the narrow, selfish confines of the fossil fuel industry. Wise Republicans are starting to stir—and the sooner the better.

Mr. President, I ask unanimous consent to have printed in the RECORD materials I referred to during my remarks.

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

DEAR US AND GLOBAL LEADERS:

This could be a turning point.

When you convene in Paris later this year for climate negotiations, you will have an opportunity to take action that could significantly change our world for the better.

As heads of some of the world's largest food companies, we have come together today to call out that opportunity.

Climate change is bad for farmers and for agriculture. Drought, flooding and hotter growing conditions threaten the world's food supply and contribute to food insecurity.

By 2050, it is estimated that the world's population will exceed nine billion, with two-thirds of all people living in urban areas. This increase in population and urbanization will require more water, energy and food, all of which are compromised by warming temperatures.

The challenge presented by climate change will require all of us—government, civil society and business—to do more with less. For companies like ours, that means producing more food on less land using fewer natural resources. If we don't take action now, we risk not only today's livelihoods, but also those of future generations.

We want the women and men who work to grow the food on our tables to have enough to eat themselves, and to be able to provide properly for their families.

We want the farms where crops are grown to be as productive and resilient as possible, while building the communities and protecting the water supplies around them.

We want to see only the most energy-efficient modes of transport shipping products and ingredients around the world.

We want the facilities where we make our products to be powered by renewable energy, with nothing going to waste.

As corporate leaders, we have been working hard toward these ends, but we can and must do more.

Today, we are making three commitments—to each other, to you as our political leaders, and to the world.

We will:

Re-energize our companies' continued efforts to ensure that our supply chain becomes more sustainable, based on our own specific targets;

Talk transparently about our efforts and share our best practices so that other companies and other industries are encouraged to join us in this critically important work;

Use our voices to advocate for governments to set clear, achievable, measurable and enforceable science-based targets for carbon emissions reductions.

That's where you come in.

Now is the time to meaningfully address the reality of climate change. We are asking you to embrace the opportunity presented to you in Paris, and to come back with a sound agreement, properly financed, that can affect real change.

We are ready to meet the climate challenges that face our businesses. Please join us in meeting the climate challenges that face the world.

Signed,

Grant Reid (President & CEO; Mars, Incorporated), Kendall J. Powell (Chairman of the Board & CEO; General Mills, Inc.), Muhtar Kent (Chairman & CEO; The Coca-Cola Company), Paul Polman (Chief Executive; Unilever), Mariano Lozano (President & CEO Dannon & Regional VP; Danone Dairy North America), John P. Bilbrey (Chairman of the Board, President & CEO; The Hershey Company), Jostein Solheim (CEO; Ben & Jerry's), John Bryant (Chief Executive Officer; Kellogg Company), Indra K. Nooyi (Chairman & CEO; PepsiCo), Paul Grimwood (Chairman & CEO; Nestle USA), Kimberly Jordan (Co-founder & CEO; New Belgium Brewing Company), Irwin D. Simon (Founder, President,

CEO & Chairman of the Board; The Hain Celestial Group, Inc.), Esteve Torrens (President & CEO; Stonyfield Farm, Inc.), Kevin Cleary (CEO; Clif Bar).

#### TO US AND GLOBAL LEADERS

As the world gathers in Paris this week for the 2015 United Nations Conference of the Parties, we come together, as some of the largest, best known global apparel companies, to acknowledge that climate change is harming the world in which we operate.

From the farmers in cotton fields to the workers in garment factories, we know that people in some of the least climate-resilient regions are being negatively impacted by a warming world. Drought, changing temperatures and extreme weather will make the production of apparel more difficult and costly.

We recognize that human-produced greenhouse gas emissions are a key contributor to climate change. Climate change mitigation and technological innovation are vital to the health and well being of those who make and use our products, as well as to the future supply of materials needed to make those products.

Therefore . . .

We call upon you to reach a global agreement that provides the certainty businesses need and the ambition that climate science demands.

We support a strong global deal that will accelerate the transition to a low carbon economy and that includes:

A global goal of net zero greenhouse gas emissions well before the end of the century.

National carbon emission mitigation commitments that are strengthened every five years starting in 2020 with a clear timetable for new commitments in 5-year blocks from 2030 onwards.

Adaptation funding to build climate-resilient economies and communities.

Today we pledge to:

I. Continue to reduce our emissions while increasing the purchase of renewable energy and pursuing energy efficiency in our operations.

II. Advocate for climate and energy policies that meaningfully address climate change at the global, national and state/regional levels.

III. Engage our respective trade associations in thoughtful discussions on meaningful climate and energy policy and advocacy that promotes the long-term growth and prosperity of our sector and the health of the global economy.

We are prepared to be held accountable to our pledge.

We are ready to meet the climate challenges that face our businesses. Please join us in meeting the climate challenges that face our world.

Eric Wiseman (Chairman & CEO; VF Corporation), Herbert Hainer (CEO; Adidas Group), Jake Burton Carpenter & Donna Carpenter (Founders; Burton Snowboards), Eileen Fisher (Founder & Chairwoman; Eileen Fisher), Chip Bergh (President & CEO; Levi Strauss & Co.), Art Peck (Chief Executive Officer; Gap Inc.), Karl-Johan Persson (CEO; H&M).

[lowcarbonusa.org]

PAID ADVERTISEMENT

#### BUSINESS BACKS LOW-CARBON USA

We are some of the businesses that will help create the future economy of the United States.

We want this economy to be energy efficient and low carbon. We believe there are cost-effective and innovative solutions that can help us achieve that objective. Failure to

tackle climate change could put America's economic prosperity at risk. But the right action now would create jobs and boost competitiveness.

We encourage our government to

1. seek a strong and fair global climate deal in Paris that provides long-term direction and periodic strengthening to keep global temperature rise below 2°C

2. support action to reduce U.S. emissions that achieves or exceeds national commitments and increases ambition in the future

3. support investment in a low-carbon economy at home and abroad, giving industry clarity and boosting the confidence of investors

We pledge to continue efforts to ensure a just transition to a low-carbon, energy efficient U.S. economy and look forward to enabling strong ambition in the U.S. and at the Paris climate change conference.

Autodesk, Inc.; The Coca-Cola Company; Unilever; Adidas Group; Johnson Controls, Inc.; Clif Bar & Company; Intel; Kingspan Insulated Panels; Microsoft; Qualcomm; Sprint; Colgate-Palmolive Company; Smartwool; The Hartford; Volvo, Volvo Group North America; Burton; Snowbird; eBay; Seventh Generation; Johnson & Johnson Family of Companies; Vail Resorts; Levi Strauss & Co.; EMC; New Belgium Brewing Company; Squaw Valley Alpine Meadows; Annie's; Alta; General Mills; Dignity Health; BNY Mellon; Jupiter Oxygen Corporation; Hewlett Packard Enterprise; Outdoor Industry Association; Procter & Gamble; Ben & Jerry's; Schneider Electric; Xanterra; Nike; The North Face; Symantec; JLL; Powdr Corporation; Gap Inc.; Owens Corning; EnerNOC; Hilton Worldwide; VF Corporation; Guggenheim; Timberland; L'Oreal; IKEA; Aspen Snowmass, Aspen Skiing Company; Vulcan; Eileen Fisher; DuPont; CA Technologies; Nestle; Pacific Gas and Electric Company; Catalyst; Sealed Air; National Grid; Saunders Hotel Group; Hewlett Packard; Kellogg's; Teton Gravity Research; Dell; Mars, Incorporated; NRG; Ingersoll Rand.

#### IN SUPPORT OF PROSPERITY AND GROWTH: FINANCIAL SECTOR STATEMENT ON CLIMATE CHANGE

Scientific research finds that an increasing concentration of greenhouse gases in our atmosphere is warming the planet, posing significant risks to the prosperity and growth of the global economy. As major financial institutions, working with clients and customers around the globe, we have the business opportunity to build a more sustainable, low-carbon economy and the ability to help manage and mitigate these climate-related risks.

Our institutions are committing significant resources toward financing climate solutions. These actions alone, however, are not sufficient to meet global climate challenges. Expanded deployment of capital is critical, and clear, stable and long-term policy frameworks are needed to accelerate and further scale investments.

We call for leadership and cooperation among governments for commitments leading to a strong global climate agreement. Policy frameworks that recognize the costs of carbon are among many important instruments needed to provide greater market certainty, accelerate investment, drive innovation in low carbon energy, and create jobs. Over the next 15 years, an estimated \$90 trillion will need to be invested in urban infrastructure and energy. The right policy frameworks can help unlock the incremental public and private capital needed to ensure this infrastructure is sustainable and resilient.

While we may compete in the marketplace, we are aligned on the importance of policies

to address the climate challenge. In partnership with our clients and customers, we will provide the financing required for value creation and the vision necessary for a strong and prosperous economy for generations to come.

Bank of America; Citi; Goldman Sachs; JPMorgan Chase; Morgan Stanley; Wells Fargo.

Mr. WHITEHOUSE. I yield the floor.  
The PRESIDING OFFICER. The majority leader.

#### MORNING BUSINESS

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

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

#### COMBAT ISIS AND PROTECT AND SECURE THE UNITED STATES ACT OF 2015

Mr. LEAHY. Mr. President, Senate Democrats are proposing important legislation to help combat the threat of ISIS and to keep Americans safe. It would strengthen the security of the Visa Waiver Program and close the terrorist gun loophole. I am a cosponsor of these efforts. We need to respond to the threat of ISIS—wherever it exists—and we need to work with our international partners to combat this barbaric terrorist group.

The President has adopted a limited and necessary military response. We stand here, elected by our constituents to give weight to their voices in our democracy. I hear from Vermonters every week concerned about the threat of ISIS. I also hear their concerns about further expanding what has been an unending war.

It is time for Congress to weigh in with more than just talking points and heated rhetoric. Congress has a duty to debate what further military role the United States should take in combating ISIS. Before we send our men and women into harm's way, Congress should vote on a new, limited authorization for the use of military force. We should sunset any new authorization of military force and require Congress to renew and reauthorize its authority.

The ill-fated war in Iraq cost thousands of lives and trillions of dollars and has left the region no more safe and secure than when it started more than a decade ago. Congress can't make that mistake again. I support strategic, authorized military efforts to dismantle ISIS, but just as I opposed the war in Iraq, I will not support a blank check that perpetuates unending war.

#### TRIBUTE TO SPECIALIST SKYLAR ANDERSON

Mr. LEAHY. Mr. President, last week, a distinct honor was bestowed upon Vermont Army National Guard