

Medicare and Social Security. We all know that positive action will be needed if we care about saving these programs for future generations. Republicans and Democrats are both aware of this inescapable fact. Yet too many politicians have been conditioned to believe that bringing one comma of positive reform to either law is political suicide.

Well, bipartisan majorities in the new Congress voted to change a lot more than just commas in both laws this year. We took bipartisan action on Medicare, reforming a broken payment system that has threatened seniors' care. We took bipartisan action on Social Security's disability component, enacting the most significant reform in a generation. As a result of these bipartisan reforms, we put a permanent end to Congress' annual doc fix drama. We brought reform to a program for disabled Americans that was scheduled to go broke next year. And we broke through on a bipartisan basis—an important psychological barrier that has held back broader positive action for the American people.

The scale of what this new Congress was able to achieve on these issues is noteworthy, but it is important for another reason. It clears a path for future wins for our constituents. That is good news for our country today, it is good news for future generations tomorrow, and it is another example of a Congress that is back to work for the American people and back on their side.

RECOGNITION OF THE MINORITY LEADER

THE PRESIDING OFFICER. The Democratic leader is recognized.

EVERY STUDENT SUCCEEDS BILL AND FILIBUSTERS

MR. REID. Mr. President, today we are taking a long, overdue step in moving beyond the Bush No Child Left Behind law.

The Every Student Succeeds Act will reduce the focus on testing while still ensuring that all students are making progress. This reauthorization of the Elementary and Secondary Education Act also includes new investments for early childhood education—a priority for Democrats.

The senior Senator from Washington, Mrs. MURRAY, and the chairman of the HELP Committee, Senator ALEXANDER, did good work in getting this bill passed. But while we pat ourselves on the back for passing this legislation, we shouldn't forget that we could have done this a long time ago. It was not long after the bill passed that we knew it was full of flaws, and we tried valiantly to change it for a number of years.

Why didn't we change it? Because there were Republican filibusters. We couldn't bring the bill to the floor. In fact, nearly every major bipartisan bill we passed this year could have become

law in years past if Republicans had not blocked them, obstructed them, and filibustered them.

What are we talking about? We are talking about the bill we are going to vote on at 10:45 a.m., the Elementary and Secondary Education Act, and the so-called doc fix. My friend referred to that, the SGR. For years, because of something the Bush administration had done to fix it on paper to make the budget look good, we could not get past that. It was terrible for Medicare patients and very bad for Medicare physicians. We tried to change it not once, not twice, not three times, but numerous times. Every time we couldn't do it because of Republican obstructionism.

We passed the Terrorism Risk Insurance Act. Why didn't we do it earlier? Because the Republicans filibustered it, blocked it, and obstructed it.

The Department of Homeland Security funding that nearly shut down the government—we tried to do it earlier. We couldn't because of obstruction by Republicans.

The Suicide Prevention for American Veterans Act, also called the Clay Hunt Suicide Prevention for American Veterans Act—why didn't we do that earlier? Because they wouldn't let us. They filibustered it, they blocked it.

For the Shaheen-Portman energy efficiency bill it was the same thing; the USA FREEDOM Act, the same thing. As to cyber security legislation, my friend comes and boasts about all the good things done, and it includes cyber security. It takes a lot of gall to come here and boast about that. It was filibustered time and again by the Republicans.

My friend also talks about how great the Senate is operating. When he signed up for this job, he said that, as Republicans, they would take all bills through the committee of jurisdiction—absolute falsehood. They have not done that.

What am I talking about? Well, S. 534, the Immigration Rule of Law Act of 2015, went directly to the floor. DHS, Department of Homeland Security appropriations, directly bypassed the committee. For the Keystone Pipeline it was the same thing; Iran nuclear agreement, same thing; vehicle for the Trade Act, same thing; Trade Preferences Extension Act, same thing. H.R. 644, Trade Facilitation and Trade Enforcement Act, same thing, went directly to the floor and skipped the committee. Patriot Act extension, same thing—it skipped the committee. Highway bill, same thing—it skipped the committee. Defund Planned Parenthood skipped the committee and came right here. The vehicle for the Iran bill skipped the committee and came directly to the floor. The pain-capable bill, same thing—it skipped the committee and came here. And there are many other instances.

The bills I have talked about, with some exception, were good bills in the last Congress, and they were good bills this Congress. The only difference be-

tween then and now is that Republicans no longer blocked them.

I am not amused. I know that some may think this is amusing, but it is not. It is too serious. When my Republican colleagues take victory laps on legislation they filibustered last Congress, that is not a laughing matter. I say to my Republican friends: You get no credit for passing legislation now that Republicans blocked them. It doesn't work that way. We have not obstructed; we have been constructive. If Republicans are intent on claiming credit for moving forward bills they have blocked in the past, I hope they will change course this coming year and finally start to do something for the middle class.

Where have we done anything for the middle class during the first year of this Congress? I don't see a place. We are halfway through the 114th Congress, and I have seen little hope that they are planning on doing anything in the next few months. Let's see what happens next year.

This Congress so far has been a failure for middle-class Americans. We can change that next year. We can do something about the minimum wage that has been filibustered numerous times by the Republicans. Increasing the minimum wage is good for American workers, businesses, and the economy. Under Senator MURRAY's proposal, 38 million Americans stand to benefit from an increase in the minimum wage. In Nevada, almost 400,000 workers will get a raise. That is almost one-third of our State's workforce.

Next year we can finally address unfair wage disparity that takes money out of American women's paychecks. On average, women make about 77 cents for every dollar their male colleague makes for doing the same work. For women of color, the disparity is even worse. African-American women make 64 cents for every dollar their male colleagues make for doing the same work. Latino women make 53 cents for every dollar doing the same work that a man does. That is really unconscionable. I encourage the Republican leader to take up Senator MIKULSKI's Paycheck Fairness Act, which would help close the wage-gap disparity for American women.

Next year we could pass legislation to ease the burden of student loans, which are so costly. Americans now owe more than \$1 trillion in student loan debt. Student loans are the second largest source of personal debt in the United States—even more than credit cards or auto loans. I hope Republicans will work with us to do something about this next year. Americans with student loans need the help.

These are just a few of the important matters I urge Republicans to undertake in the coming year. There are many things we can do to help the middle class. So instead of telling us how the Senate is working, why not work with Democrats? Instead of telling us how productive this year has been in

spite of all the empirical data that proves otherwise, why not make this coming year productive for America's working families? If we do that, then we can honestly tell the American people that the Senate is working again—not obstructing—because they would be working with us. We have worked with Republicans to pass legislation outlined by the Republican leader and previously filibustered by them.

**STUDENT SUCCESS ACT—
CONFERENCE REPORT**

THE PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the conference report to accompany S. 1177, which the clerk will report.

The senior assistant legislative clerk read as follows:

Conference report to accompany S. 1177, a bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

THE PRESIDING OFFICER. Under the previous order, the time until 10:45 a.m. is equally divided between the two leaders or their designees.

The Senator from Tennessee.

MR. ALEXANDER. Mr. President, the American people have a lot on their minds this week about things happening in our world and in our country, but today we turn our attention to something at home. The Senate and Congress—and I believe the President—by the end of the week will have a Christmas present for 50 million children and 3.4 million teachers in 100,000 public schools across this country, something they have been eagerly awaiting. Today the Senate should pass by a large margin our bill to fix No Child Left Behind.

A lot has been said about how the bill repeals the common core mandate, how it reverses a trend toward a national school board that has gone on through the last two Presidential administrations, and how it is the biggest step toward local control in a quarter of a century for public schools. That is all true.

The legislation specifically prohibits the U.S. Secretary of Education from specifying in any State that it must have the common core standards or any other academic standards—not just this Secretary but future Secretaries. It gets rid of the waivers the U.S. Department of Education has been using to act, in effect, as a national school board, causing Governors to have to come to Washington and play "Mother May I" if they want to evaluate teachers or fix low-performing schools or set their own academic standards. And it is true that it moves a great many decisions at home. It is the single biggest step toward local control of schools in 25 years.

This morning, as we come to a vote, which we will do at 10:45, I would like to emphasize something else. I believe the passage of this legislation—and if it is signed later this week, as I believe

it will be, by President Obama—will unleash a flood of innovation and excellence in student achievement across America, community by community and State by State. Why do I say that? Look at where the innovation has come from before. My own State, Tennessee, was the first State to pay teachers more for teaching well, creating a master teacher program in the 1980s. Florida came right behind. That didn't come from Washington, DC. The Democratic-Farmer-Labor Party in Minnesota created what we now call charter schools in the early 1990s. That didn't come from Washington. The Governors themselves met with President George H.W. Bush in 1989 to establish national education goals—not directed from Washington but with Governors working together, with the President involved in leading the way and providing the bully pulpit support. Then the Governors since that time have been setting higher standards, devising tests to see how well students were doing to reach those standards, creating their own State accountability systems, and finding more ways to evaluate teachers fairly.

My own State has done pretty well without Washington's supervision. Starting with the master teacher program in the 1980s, then-Governor McWherter, in his time in the 1990s, helped Tennessee pioneer relating student achievement to teacher performance. Then Governor Bredesen, a Democratic Governor, realized that our standards were very low—we were kidding ourselves—so he, working with other Governors, pushed them higher. Our current Governor Bill Haslam has taken it even further, and our children are leading the country in student achievement gains. So the States themselves have been the source of innovation and excellence over the last 30 years.

We have learned something else in the last 10 or 15 years: Too much Washington involvement causes a backlash. You can't have a civil conversation about common core in Tennessee or many other States. It is the No. 1 issue in Republican primaries, even in general elections, mainly because Washington got involved with it. Now Washington is out of it, and it is up to Tennessee and Washington and every State to decide for themselves what their academic standards ought to be. The same is true with teacher evaluation.

I was in a 1½-year brawl with the National Education Association in 1983 and 1984 as Governor, when we paid teachers more for teaching well. It carried by one vote in our State senate. So when I came to Washington a few years ago, people said: Well, Senator ALEXANDER is going to want every State to do that. They were absolutely wrong about that. The last thing we should do is tell States they must evaluate teachers and how to evaluate teachers. It is hard enough to do without somebody looking over your shoulder. Too much Washington involvement has ac-

tually made it harder—harder to have higher standards and harder to evaluate teachers. I believe we are changing that this week.

I had dinner with a Democratic Senator last night who plans to vote for the bill. He said he would have given me 5-to-1 odds at the beginning of the year that we wouldn't be able to pass this bill. Why are we at the point where we are likely to get votes in the mid-eighties today in favor of the bill? No. 1, because we worked on it in a bipartisan way. And I have given credit many times to Senator MURRAY from the State of Washington for suggesting how we do that. I see Senator MIKULSKI from Maryland on the floor. She has been a force for that as well. Our committee worked in a bipartisan way, and so did the House of Representatives as we worked through the conference.

The President and his staff members and Secretary Duncan have been professional and straightforward in dealing with us all year long, and I am grateful for that. We knew from the beginning, when we said to the President: Mr. President, we know we can't change the law; we can't fix No Child Left Behind unless we have your signature. We know that. He dealt with us in a straightforward way.

Then we found a consensus. Once we found that consensus, it made a very difficult problem a lot easier. The consensus is this: We keep the important measurements of student achievement so that parents, teachers, and schools will know how schools, teachers, and parents are doing. There are 17 tests designed by the States, administered from the 3rd grade through the 12th grade, about 2 hours per test. That is not very many tests. Keep those, report the results, disaggregate the results, and then leave to classroom teachers, school boards, and States the decisions about what to do about the tests. That should result in better and fewer tests. That consensus underpins the success we have had.

Six years ago, in December, we had a big disagreement in this Chamber. We passed the Affordable Care Act, with all the Democrats voting yes and all the Republicans voting no. The next day, the Republicans went out and started trying to repeal it, and we haven't stopped. That is what happens with that kind of debate. This is a different kind of debate.

If the President signs this bill, as I believe he will, the next day, people aren't going to be trying to repeal it. Governors, school board members, and teachers are going to be able to implement it, and they will go to work doing it. They will be deciding what tests to give, what schools to fix and how to fix them, what the higher academic standards ought to be, and what kind of tests should be there. It will be their decision. They will be free to do it from the day the President signs this bill. It lasts only for 4 years until it is supposed to be reauthorized, but my guess is that this bill and the policies within