

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

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 I don't know of many people who really want to keep that outdated definition—even Secretary Duncan waived the requirements related to highly qualified teachers when he granted waivers to 43 states, the District of Columbia,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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MESSAGE FROM THE HOUSE

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

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

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

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

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

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

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

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

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

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

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

MEASURES REFERRED

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

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

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

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

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

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

improve the identification and assessment of child victims of sex trafficking, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 272. A bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-390. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-462, "License to Carry a Pistol Temporary Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-391. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-463, "Zion Baptist Church Way Designation Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-392. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-464, "Bishop Iola B. Cunningham Way Designation Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-393. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-467, "Civil Marriage Dissolution Equality Clarification Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-394. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-468, "Nap Turner Way Designation Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-395. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-469, "Stroke System of Care Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-396. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-471, "N Street Village Way Designation Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-397. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-472, "Solid Waste Facility Permit Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-398. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-473, "Repeal of Prostitution Free Zones and Drug Free Zones Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-399. A communication from the Chairman of the Council of the District of Colum-

bia, transmitting, pursuant to law, a report on D.C. Act 20-474, "Medical Marijuana Expansion Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-400. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-475, "H Street, N.E., Retail Priority Area Incentive Temporary Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-401. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-482, "Affordable Homeownership Preservation and Equity Accumulation Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-402. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-483, "Food Policy Council and Director Establishment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-403. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-484, "Commission on Health Disparities Establishment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-404. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-485, "Disposition of District Land for Affordable Housing Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-405. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-486, "Special Education Student Rights Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-406. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-487, "Enhanced Special Education Services Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-407. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-488, "Special Education Quality Improvement Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-408. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-489, "Vehicle-for-Hire Innovation Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-409. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-490, "Grocery Store Restrictive Covenant Prohibition Temporary Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-410. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-491, "Retirement Technical Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-411. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-493, "Truth in Affordability

Reporting Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-412. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-494, "St. Matthews Evangelical Lutheran Church Community Garden Equitable Real Property Tax Relief Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-413. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-495, "Transaction Modernization Electronic Delivery or Posting Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-414. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-496, "Closing of a Portion of the Public Alley System Square 368, S.O. 13-09586, Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-415. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-497, "Captive Insurance Company Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-416. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-498, "Nationwide Mortgage Licensing System Conformity Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-417. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-499, "Metropolitan Police Department Commencement of Discipline and Command Staff Appointment Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-418. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-500, "Douglas Knoll, Golden Rule, 1728 W Street, and Wagner Gainesville Real Property Tax Exemption Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-419. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-502, "Plan for Comprehensive Services for Homeless Individuals at 425 2nd Street, N.W., Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-420. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-503, "Public Space Enforcement Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-421. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-506, "District Government Certificate of Good Standing Filing Requirement Temporary Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-422. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-511, "Housing Production Trust Fund Baseline Funding Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-423. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report