



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 114<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, WEDNESDAY, JULY 8, 2015

No. 105

## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, Your mercies endure forever. You continue to protect us with Your loving kindness, putting our enemies to shame. Be a shield for our Senators, preparing them for every challenge and fortifying them for every adversity. Lord, use them to show forth all Your marvelous works, continuing to be their high tower in troubled times. May they not forget to serve all the people, including the oppressed, the marginalized, the lost, the lonely, the last, and the least. Inspire them to live lives that show Your goodness to our Nation and world.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COATS). The majority leader is recognized.

### EVERY CHILD ACHIEVES ACT

Mr. MCCONNELL. Mr. President, Republicans and Democrats have long agreed that the No Child Left Behind law is broken and needs to be fixed, but the Senate didn't do anything about it for 7 long years, missing its deadlines repeatedly.

The new majority in Congress thought it was time to change that dy-

namic. We thought it was time for bipartisan action instead. That is why we are taking up the Every Child Achieves Act today. It is bipartisan legislation drafted by a Republican former Education Secretary, Senator ALEXANDER, and a Democratic former preschool teacher, Senator MURRAY. It passed through committee with the support of every single Democrat and every single Republican.

Just think about it. From third rail to unanimous bipartisan support, now that is an impressive achievement. It shows how a functioning committee process and a functioning Senate can, with hard work from Senators such as ALEXANDER and MURRAY, break through the gridlock. It is another encouraging sign for Americans who like what they are seeing from a new Congress that is back to work and back on their side.

The American people know education is an issue that touches almost every single person in our country. They know how critical it is to our children's future and many are upset with an education system in desperate need of reform.

Although No Child Left Behind was well intentioned and laid the ground work for important reform to our education system, it is now clear that some of its requirements have become unachievable. For instance, basically every school is now considered failing under the law, and because the law has become so broken, the administration has found ways to effectively dictate education policy from the executive branch. That is not the right approach for our kids. The White House shouldn't be trying to run your local school board.

The Every Child Achieves Act would put an end to that kind of control from thousands of miles away. It would do so by eliminating onerous Federal mandates and reining in the power of the executive branch so States cannot be coerced into adopting measures such as Common Core.

Instead of more Federal control, the bipartisan Every Child Achieves Act aims to empower teachers, parents, and students to improve education where they live. It would restore responsibility and accountability to States and local school districts. It would give them increased flexibility to design and implement their own education standards and programs. This bipartisan bill would also allow States to develop their own accountability models to include other measures beyond testing to determine student achievement and school quality and to determine the best ways to turn around underperforming schools.

Nothing out of Washington could ever solve all of our education challenges overnight, but the Every Child Achieves Act takes positive steps forward. It recognizes that your local school board shouldn't, in effect, be run from hundreds or even thousands of miles away. It recognizes that States and parents are going to know far more about the needs of their schools and their students than some detached bureaucrat in Washington. There are ideas both parties should support and, in fact, there are ideas both parties just did support unanimously in committee.

If Senators have changes they would like to see in the bill, now is the time for colleagues to work with the bill managers to get their amendments moving. We already have several lined up.

This is a good debate for the country, so let's continue working cooperatively across the aisle to empower States and parents, instead of Federal bureaucrats, to enact the education policies that actually work for their students.

### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S4805

## DEADLINES IGNORED

Mr. REID. Mr. President, one of the legendary Senators who recently retired from the Senate after many years in the House and the Senate, Tom Harkin, if he were here, would be on the floor taking issue with what the Republican leader just said.

Tom Harkin tried very hard to have a reauthorization of the elementary and secondary education bill. Why didn't he get it? Because Republicans blocked us from doing it. So it is nice that my friend the Republican leader comes and talks about all the great things being done in Congress now, but the fact is it could have been done many years ago had we had a little bit of cooperation from the Republicans.

The new Republican majority has ignored upcoming deadlines and neglected to address urgent problems facing our great country. I am saying that—and that is just an understatement. Instead, they have governed through a series of last-minute, manufactured crises that increase uncertainty and impose unnecessary and wasteful costs on our country. In just a few minutes, we are going to debate the education matter, as we should.

But as important as that is, it is extremely important we don't take our eye off the prize. And what is that? Because in just a few months, the government is going to run out of money. Unless we can reach a bipartisan budget agreement, our Nation will be faced with yet another ridiculous and damaging government shutdown.

Now, my Republican colleagues understand what I just said because they are the ones who created the last government shutdown. It was a crushing blow to our economy. Sadly, the only reason we were able to reopen the government is because Democrats voted almost unanimously to reopen the government. Sadly, to just take one example, well over half of the Republicans, about two-thirds of the Republicans in the House, voted to keep the government closed. How about that.

So another government shutdown would be unacceptable. But remember, it has been done before—with joy—by my Republican colleagues. Sequestration is another thing they seem to like.

So having had that as a historical background, we ought to be able to get together, compromise, and reach a bipartisan solution for our country in a timely, responsible way. You would think so.

As happened here before we left for the July 4th recess, there was an effort made to move to the Defense appropriations bill, and that was stopped because we believe that what we need to fund more than defense is we need to fund the whole government. We stand ready to work with Republicans to reach a bipartisan solution. Unfortunately, it seems as if Republican leadership shows no interest in compromise. Democrats have urged them to come to the table now, and they have refused.

Unless we act now, we will be faced with another Republican-imposed crisis at the end of this fiscal year. This should be avoided, and it can be avoided. Don't just take my word for it. There are Republicans in the House who believe the time for games and brinkmanship should be over. The New York Times today reports that high-ranking Republicans in the House are calling for negotiations again now:

Senior House Appropriations Committee members, including the panel's chairman, Representative Harold Rogers of Kentucky, have already told Republican leaders that the time to negotiate a way out of the impasse is now, not in the shadow of a papal visit or a government shutdown on October 1.

There is also in this same article, in the last paragraph, something that is quite important.

"The reality is we still live in a divided government," Mr. Cole said.

He is one of the senior Members of the House Republican caucus.

"It's not as if the Democrats can be shut out. . . ."

And we proved that with a vote on the Democratic response to the efforts to move to Defense appropriations. Continuing:

"It's not as if the Democrats can be shut out, but they can't dictate to us any more than we can dictate to them. It's time to sit down and see if we can make a deal."

We can reach a deal.

So I urge Republicans to follow the leadership of Chairman ROGERS and long-time Representative COLE and work to get this process going now. Let's not wait yet another week. Certainly we shouldn't wait any longer. Let's move forward. Let's not wait until the last minute. Let's not risk another shutdown. Let's sit down and talk to each other and reach a bipartisan budget agreement on behalf of the American people. The President and his people would be happy to be engaged any time on this.

I certainly hope we can move forward and not have another repeat of what the Republicans did to this country just a short time ago and close it down.

## RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

## EVERY CHILD ACHIEVES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1177, which the clerk will now report.

The senior assistant legislative clerk read as follows:

A bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Pending:

Alexander/Murray amendment No. 2089, in the nature of a substitute.

Alexander (for Fischer) amendment No. 2079 (to amendment No. 2089), to ensure local governance of education.

Murray (for Peters) amendment No. 2095 (to amendment No. 2089), to allow local educational agencies to use parent and family engagement funds for financial literacy activities.

Alexander (for Rounds/Udall) amendment No. 2078 (to amendment No. 2089), to require the Secretary of Education and the Secretary of the Interior to conduct a study regarding elementary and secondary education in rural or poverty areas of Indian country.

Murray (for Reed/Cochran) amendment No. 2085 (to amendment No. 2089), to amend the Elementary and Secondary Education Act of 1965 regarding school librarians and effective school library programs.

Murray (for Warner) amendment No. 2086 (to amendment No. 2089), to enable the use of certain State and local administrative funds for fiscal support teams.

Toomey amendment No. 2094 (to amendment No. 2089), to protect our children from convicted pedophiles, child molesters, and other sex offenders infiltrating our schools and from schools "passing the trash" helping pedophiles obtain jobs at other schools.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, as the Democratic leader leaves the floor, I thank him again for his cooperation and that of Senator MURRAY of Washington in creating an environment in which we can move ahead on this bill. I greatly appreciate that and so do other Senators. That is demonstrated with the fact that we have had dozens of Senators who have come forward with amendments. Dozens of amendments have been agreed to, and Senator MURRAY and I will be recommending to the full Senate that we adopt those amendments soon.

I wish to take a moment to reflect on what we are doing in the Senate today. We spent a lot of time on national defense issues. The distinguished Senator who is presiding today is a member of our Intelligence Committee. He hears a great deal about ISIS, Iran, and the nuclear deal we might have and about what is going on in Syria and Lebanon, and we want to do our best to be strong militarily so we can defend ourselves in the world. We also want to be strong at home. We want to make sure we have a strong country.

Almost all of us agree that the single most important thing we can do to ensure our future is to make sure our children and our adults continue to develop their educational skills, that they learn what they need to know and be able to do.

I know in my home State of Tennessee we are trying to compete with the whole world. We are making cars, guns, trucks, all sorts of computers, and all sorts of manufactured goods that we sell not only in the United States, but we sell them around the world. You walk into the Nissan plant in Tennessee, which has 7,000 or 8,000 employees today, it is the largest auto plant in North America, the most efficient, and very important to our State. It has helped to raise our family incomes more than almost anything that