

me, and I want to express my gratitude to them.

The work of the bipartisan Finance Committee staff—through all its fits and starts—is what got us here today. I want to thank all of them, and I think it is very appropriate that my colleague from Washington State, Senator CANTWELL, who has done so much good work on these issues, is going to close today.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank the Senator from Oregon for his leadership on this legislation and on health care in general. I will always think of him as a Senator who has been an advocate for reforming our health care system and oftentimes wanting to move faster than everybody here.

I am with him and the Northwest is with him, and that is why tonight is really a very proud moment for him as the ranking member of this committee to see the monumental shift in the way we have been dealing with the payment system and the Medicare access system and the children's health care program. So tonight, hopefully, we will put behind us a long-debated issue of how physicians are paid, but it will also start us on a new path to make sure people in America are guaranteed better outcomes and a process by which we will help reduce the costs of health care by focusing on both the cost of health care and the outcomes. So my colleague entered into the RECORD tonight—and I want to thank him for that—a colloquy that addresses the issue of how those who are part of accountable care organizations who will be given the resources to focus on high-performing health care systems will be able to under this study equate exactly how well they can do and how well they should be rewarded in reducing costs and giving better outcomes.

My colleague from Oregon speaks of this because he and I come from a part of the country that literally delivers better outcomes in health care at lower costs than many other States in the United States of America. Our residents want to know why the rest of the country can't practice medicine the same way. We want those savings that you get from the health care system to be plugged in or used for other purposes. They could be part of tax reform even. But we also want the citizens of our State to get better health care. We want them to have better outcomes, and we think that moving off a fee-for-service system and onto a system that focuses on the outcome of patients is the best way for our country to move forward.

So this legislation before us today builds on that process we started in the Affordable Care Act, something that is called the value-based modifier that basically takes the fee-for-service system—when you think about it, fee for service is about volume, about ordering more tests—and we are saying we want physicians to be rewarded for the out-

come and the good performance and the focus on whether the patient actually gets well or is given the best health care delivery.

In essence, the value modifier seeks to emulate the success Washington and Oregon have had and give us better, healthy outcomes for patients and lower costs. This year the value-based modifier is the beginning which physicians for the first time will see an adjustment. And building on that progress, Sylvia Burwell, the Secretary of Health and Human Services recently announced that Medicare would aim to tie 90 percent of their Medicare fee-for-service payments to quality or value initiatives by 2018. So this is tying half of all Medicare fee-for-service payments to an alternative payment model and helping us move forward on, again, focusing on outcomes.

I thank my colleague for entering into the colloquy the ongoing analysis that we need to do to continue to make changes on the health care system and congratulate him on the significant success of getting this bill done. It means we can spend more time focusing on efficiency, on quality, on the best way to compensate physicians but also keeping the focus on the patients and making sure they get better outcomes.

I thank the Presiding Officer, and I yield the floor.

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. 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.

MORNING BUSINESS

Mr. CORNYN. 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.

POSITIVE TRAIN CONTROL AND RAILROAD SAFETY

Mr. BLUMENTHAL. Mr. President, I wish to state my opposition to S. 650 in its current form. This legislation would extend the deadline for installation of Positive Train Control, PTC, by 5 years. I cannot agree with allowing such an extension without addressing so many other critical rail safety matters.

As Joe Boardman, the head of Amtrak and former FRA Administrator has said, "PTC is the most important rail safety advancement of our time." The need for this technology was first brought to our attention over 45 years ago, sparked by a head-on train collision in Darien, CT in 1969. There have

been many other horrible crashes since, and within the past decade alone, the National Transportation Safety Board has completed more than two dozen train accident investigations that took 65 lives and injured over 1,100 people—all of this, according to the NTSB, could have been prevented by PTC.

One of those horrific crashes occurred in 2008 in Southern California, and 25 lives were lost. PTC could have saved those lives. Accordingly, soon after that tragedy, Congress took real, thoughtful, substantive action and gave railroads more than 7 years to implement the life-saving technology of PTC. Since then, there have been other major accidents, such as the horrific crash of a Metro-North train in the Bronx in 2013 in which four lives were lost. Metro-North did not have PTC, and the NTSB has said the technology could have prevented those four deaths. Now, as we near the end of the 7 years, S. 650 gives railroads an extension of 5 more years—and then an option for 2 more after that. So, again, we must wait and risk continued loss of life as we further put off proven, life-saving technology.

There may be issues with the deadline, and we should have a discussion about those issues. We should also have a discussion about the many other issues with PTC. These include the need for resources for commuter railroads, the need for greater transparency for all railroads and the need for dedicated spectrum to ensure commuter railroads have bandwidth to operate PTC. S. 650 doesn't address these other issues. Rather, the bill just focuses on the deadline. I want to make sure the bill solves all the other problems.

In the Commerce, Science, and Transportation Committee, I filed amendments that actually address these other outstanding issues. I want to make sure funding is available for cash-strapped passenger railroads and commuter lines. I want to bolster transparency and make sure we know where railroads truly are in the implementation process. I want to make sure commuter railroads have the frequency they need to build out PTC, and I do not want any bill to move to the floor that ignores these needs and shortchanges our commuter railroads.

Another issue I hold with S. 650 is the bill's lack of attention to other serious safety concerns that should be addressed hand-in-hand with the shortcomings PTC works to resolve. Over the past few years, we have witnessed an onslaught of other rail safety issues spurred by far too many preventable accidents. Many of these accidents have happened on Metro-North, the commuter railroad serving Connecticut, the State I proudly represent. From mid-2013 into early 2014, we witnessed five major incidents on our commuter railroad. Then, again in February 2015, we witnessed another horrific incident in which six lives were

lost. These accidents have raised a host of other needs: cameras on trains, sufficient crew size, improved rail inspections, close-call reporting systems, redundant signal protection, alerters on rail cabs, speed restrictions, better Federal oversight, and safer highway-rail grade crossings.

In the committee, I filed amendments that also advance these reforms. Those reforms must be a part of any real rail safety discussion. If we are even to consider a PTC deadline extension, it is imperative we take up other well-known measures that can improve safety while we work toward full PTC implementation. I appreciate the commitment from the chairman and ranking member of the Commerce, Science, and Transportation Committee to work with me to advance these reforms. I also appreciate the committee including a modified version of one of my amendments in the bill that passed out of the committee. Although I withdrew my other amendments in the committee, I look forward to working with all of my colleagues to improve this bill further. I am confident that together we can achieve important reforms and truly advance safety for all who depend on rail.

EVERY CHILD ACHIEVES ACT OF 2015

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of my opening remarks at the markup of the Every Child Achieves Act.

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

EVERY CHILD ACHIEVES ACT OF 2015

We are meeting today to write legislation that will fix the problems with “No Child Left Behind,” the federal law causing confusion and anxiety in our country’s 100,000 public schools.

Working together the last few months, Senator Murray and I have found a consensus about the urgent need to fix these problems as well as a remarkable consensus about how to fix them.

That consensus is this: Continue the law’s important measurements of academic progress of students but restore to states, school districts, classroom teachers and parents the responsibility for deciding what to do about improving student achievement. This change should produce fewer tests and more appropriate ways to measure student achievement. It is the most effective path to advance higher state standards, better teaching, and real accountability.

We have drafted a bill based upon this consensus which we will offer as a starting point for our deliberations.

The problems with No Child Left Behind have been created by a combination of presidential action and congressional inaction. In 2001, President Bush and Congress enacted “No Child Left Behind,” requiring a total of 17 tests between reading, math and science during a child’s elementary and secondary education. The results of these tests must be disaggregated and reported according to race, ethnicity, gender, disability and other measures so parents, teachers and the community could see which children are being

left behind. The law also created federal standards for whether a school is succeeding or failing, what a state or school district must do about that failure, and whether a teacher was highly qualified to teach in a classroom.

If fixing No Child Left Behind were a standardized test, Congress would have earned a failing grade for each of the last seven years. “No Child Left Behind” expired in 2007 but Congress has been unable to agree on how to reauthorize it. As a result, the law’s original requirements have stayed in place and gradually became unworkable. This has caused almost all of America’s public schools to be classified as failing under the terms of the law. To avoid this bizarre result, President Obama’s Education Secretary offered waivers from the terms of the law. But the Secretary required each of the 42 states currently operating under waivers to adopt certain academic standards, take prescribed steps to help failing schools, and to evaluate teachers in a defined way.

So much new federal control of local schools has produced a backlash against “Common Core” academic standards, teacher evaluation, and against tests in general. Governors and chief state school officers complain about federal overreach. Infuriated teachers say that the U.S. Department of Education has become a “National Human Resources Department or, in effect, a national school board.”

In each of the last two Congresses, this Committee produced bills to fix No Child Left Behind. Basically, these bills divided our committee along party lines. Even so, two Congresses ago, Sens. Enzi, Kirk and I voted with the Democratic majority to report a bill out of committee so that the full senate could act. In the last Congress, the committee majority passed a partisan bill without any Republican votes, but I committed to support Chairman Harkin in taking the bill to the floor if there would be an open amendment process. Unfortunately, these bills never reached the senate floor.

In January, Sen. Murray suggested that the two of us work together to try to bridge the partisan divide and to recommend to the full committee a solution. I accepted her suggestion and I want to thank her for it. We have listened carefully to our senate colleagues, to teachers, principals, governors, chief state school officers, students and parents and the business and civil rights communities—and to each other.

I especially want to thank our staffs—Evan Schatz (pronounced SHOTS), Sarah Bolton, and Amanda Beaumont on Sen. Murray’s staff, and David Cleary, Peter Oppenheim, and Lindsay Fryer on my staff—for their hard work and the way that they worked, trying to strip aside the rhetoric and look for real solutions. I believe they, and we, have succeeded in that.

We found that no issue stirred as much controversy as testing. Our proposal maintains the reading, math and science tests and disaggregated reporting requirements established in 2001. The more we studied the problem; the issue seems not to be the 17 federal tests. A third grader, for example, is required to take only one test in math and one in reading during one year. Denver Public Schools superintendent Tom Boasberg testified before the committee that he’d like to keep math and reading tests to a total of 4 hours a year—that’s about what they are right now in Denver, according to our calculations.

Instead, the problem is the federal government’s accountability system for what to do about the results of these tests. This federal accountability system has greatly contributed to the exploding number of state and local tests.

Because of this, our proposal would end federal test-based accountability and restore state and local responsibility for creating systems holding schools and teachers accountable. State accountability systems must meet limited federal guidelines, including challenging academic standards for all students, but the federal government is prohibited from determining or approving state standards or even incentivizing states into adopting specific standards. In other words, whether a state adopts Common Core is entirely that state’s decision. This transfer of responsibility is why we believe our proposal will result in fewer and more appropriate tests.

Our proposal allows, but does not require, states to develop and implement teacher evaluation systems that link student achievement to teacher performance. States will be allowed to use federal funds to implement evaluations the way they see fit.

States will determine their lowest-performing schools and receive federal funds to assist those schools but the federal government will not mandate specific steps to fix those schools.

Sens. Murray and Isakson will propose and I will support an amendment for competitive planning grants to help states expand quality early childhood education by addressing the fragmentation of current early childhood federal, state, local, public and private programs.

In conclusion, I have this request for members of the committee: please exercise restraint and help us get to a result.

If we senators were students in a classroom, none of us would expect to receive a passing grade for unfinished work. Seven years is long enough to consider how to fix No Child Left Behind. The members of this committee are thoroughly familiar with the issues. Twenty of our 22 members were on the committee during the last Congress when we considered and reported a bill. Sixteen of our members were here in the previous Congress. Over the last 6 years and 3 months we have had 27 hearings on elementary and secondary education.

Knowing this, Sen. Murray and I have exercised restraint. Neither of us insisted on putting into our base bill every proposal about which we feel strongly, although we will offer some of these as amendments when we reach the senate floor. We know that to get a result we have to achieve consensus, which means more than sixty votes. We also know that in conference we will need to agree with the House of Representatives, which is of one political party, and then with the President, who is of another.

During our committee discussions, any germane amendment will be in order to the bipartisan agreement Sen. Murray and I will offer. Any amendment related to K-12 education will be in order on the senate floor. Nevertheless, I would ask each member of this committee to exercise restraint in search of a result. If we can agree on most things, let’s put aside the other things until another debate and another day.

And I would ask one other thing: in offering your amendments, please keep in mind the advice we received earlier this year from Carol Burris, New York’s 2013 High School principal of the Year:

“I ask that your committee remember that the American public school system was built on the belief that local communities cherish their children and have the right and responsibility, within sensible limits, to determine how they are schooled.

While the federal government has a very special role in ensuring that our students do not experience discrimination based on who they are or what their disability may be, Congress is not a National School Board.