



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, SECOND SESSION

Vol. 160

WASHINGTON, THURSDAY, JANUARY 9, 2014

No. 5

Senate

The Senate met at 10 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

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

Let us pray.

Eternal God, creator of the universe, create hearts within our Senators that will make them strong enough to know when they are weak. Give them sufficient bravery to choose the more difficult right. Lord, inspire them to be gracious in defeat and humble in victory. Give them enough integrity to face themselves when they are afraid, as they remember that perfect love destroys trepidations. Teach them, O God, how to stand up in the storm with complete confidence in the ultimate triumph of truth.

We pray in Your majestic Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 9, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Sen-

ator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Following my remarks and those of the Republican leader, the Senate will be in a period of morning business with the time until noon divided equally. The Republicans will control the first 30 minutes, and the majority will control the second 30 minutes.

At noon, all post-cloture time on the motion to proceed to S. 1845, the unemployment insurance extension, will expire and the Senate will begin consideration of the bill. Senators will be notified when votes are scheduled.

UNEMPLOYMENT COMPENSATION

Mr. REID. Another day has passed and we still have a vast majority of Republicans standing in the way of the extension of unemployment benefits.

Some Republican Senators are having conversations about possible offsets for a full-year extension. I have said a number of times I think we would be ill-advised to have another short-term extension. If we are going to have an extension that they are talking about paying for, let's do it for 1 year. We don't need to come back and worry about this in 3 more months.

Let's see how they wish to pay for this. We have heard proposals. The proposals are, one, to stop people having health care. The other is to go after children, the earned-income tax credit

for American boys and girls. It doesn't sound like a very good idea to me.

Then we have a number of proposals suggested by another Senator late last night that, if we look at it, it is not worth \$5 billion. It is worth much less than that. To do what has been suggested by one Republican Senator would be to devastate the disabled, and that wouldn't be appropriate.

I would be interested if there are other proposals. As I have indicated on a number of occasions, I continue to say offsetting the cost of emergency unemployment benefits is not something I agree with.

President Bush extended emergency unemployment insurance five times. Not one of these five times was there a whimper from my Republican colleagues or certainly Democratic Senators that it should be paid for. It wasn't right to offset the cost when President Bush was President, and it is not right to offset the cost now that President Obama is in the White House.

We have cut the deficit in half since President Obama took office, and overall debt reduction has been even more transparent, almost \$3 trillion. While we must keep up our good work, we have more to do. We must solve the Nation's job crisis if we ever hope to solve fiscal problems.

Today's long-term unemployment rate is more than double what it was at any time Congress let emergency job assistance expire. Since many Republican Senators are insisting that the cost be offset, I am pleased to talk, as we all are on this side of the aisle, about a long-term emergency extension of unemployment benefits. I repeat, I am waiting to hear from my Republican colleagues about how to pay for this extension.

It has been a week since families already hanging by a thread were kicked off of unemployment insurance benefits. Think about this. People who have been out of work for month after

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



Printed on recycled paper.

S189

month learned at the beginning of this year they wouldn't get \$300 a week.

Remember, this is not charity. First, they have to lose their job, through no fault of their own. Then they have to go out every week, look for a job, and have to list where they have gone.

For every job that is available in America today, there are three people looking for that job. I was stunned when I had my news briefing this morning when one Republican Senator said: There are so many jobs that are unfilled in America today. Let these people go get those jobs. Try that one on for size.

For many the benefits were the only thing preventing them from descending into poverty or even becoming homeless. Hundreds of thousands of children, as a result of these benefits, have been stopped from going into the rolls of the poor.

These families can't wait any longer for relief. I am optimistic my Republican colleagues will help us find a way out of this, and put people first and partisanship second.

Tuesday, House Republican leaders were forced to send a message to their Members reminding them these people are out of work, be compassionate. Then, of course, the memo came to the Senate.

Can one imagine having to remind Senators about having compassion for people who have been long-term unemployed?

Yesterday afternoon the Republican leader spoke in this Chamber for a long time, 45 minutes. Not once during this discussion were the words "jobs," "the economy" or "unemployment" mentioned—not once.

Middle-class Americans are hurting. We know the rich are getting richer, the poor are getting poorer, and the middle class is being squeezed.

During the last 30 years, the middle class has lost 10 percent of the earnings they had in the previous 30 years, whereas the top 1 percent during that same 30-year period had their income and wealth triple.

These people who are struggling out there are working two jobs. Some are even trying to do it with three jobs, and some of it is part-time, just in an effort to get by. The rest have watched their wages shrink at the same time, as I have indicated, as the richest of the rich are doing much, much better.

What beleaguered Americans need is not a memo on basic decency, as Republicans got on Tuesday, or a bitter diatribe about the rules of the Senate; they need solutions. For 1.3 million Americans today and 5 million Americans over the course of this year, extending emergency unemployment benefits is a solution.

Raising the minimum wage so a mother or father working two jobs can afford the rent and an electric bill in the same month is a solution. Investing in job creation and education so the workers of today can compete for the jobs of tomorrow is a solution.

Whenever my Republican colleagues are prepared to stop complaining and start working with Democrats to create solutions, we will be here waiting.

ORDER OF PROCEDURE

Mr. REID. Before my friend, the Republican leader, makes his remarks, I ask unanimous consent that the period for morning business be extended until 12:30 p.m., with Senators permitted to speak for up to 10 minutes each; further, that the Senate recess from 12:30 p.m. to 2:15 p.m.; finally, that the previous order with respect to the motion to proceed to S. 1845 be modified so all postcloture time on the motion to proceed be considered to be expired at 2:15 p.m., rather than the earlier time I mentioned.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Republican leader is recognized.

UNEMPLOYMENT COMPENSATION

Mr. MCCONNELL. For months the Democrats who run Washington have been desperate to distract from the pain of ObamaCare. If we listen to them, they think they have found something that might work for them.

The one thing that can actually distract folks from the misery of this law is the misery of the economic malaise they have presided over for the past 5 years. We truly have to hand it to them in one respect. It takes a lot of chutzpah to spend an entire Presidential term pushing policies that are supposedly meant to help the little guy and then turn around and blame everybody else when they flop.

But chutzpah won't solve the problem, and the poll-tested talking points and failed stimulus ideas we have seen Democrats trot out thus far won't do much to improve the plight of millions of Americans struggling in today's economy.

To me that is the real tragedy, because the discussion about how to help Americans battle against the odds day after day is a conversation we actually should be having. In fact, it is a debate Republicans are having. In recent days we have seen several leading Republicans talk about how to tackle poverty in the 21st century.

Unlike the Democrats' outdated ideas from the sixties, Republicans are thinking about ways to update our Nation's approach with fresh proposals that speak to the situation Americans actually find themselves in today, not back in the sixties.

The Republican approach is to learn from past mistakes. It is about turning the left's good intentions into policies that can actually get the job done, and

it is about moving beyond the treatment of symptoms and getting at the underlying problems.

That is the thinking behind the Economic Freedom Zones Act, which Senator PAUL and I recently introduced. It aims to shine a light into some of the most impoverished corners of our country, to raise up cities and families who have been left behind and sometimes literally crushed by the outdated ideas from the sixties and to actually do that in a way that lasts.

With this legislation, some of the most disadvantaged areas of our country would acquire the ability to apply for economic freedom zone status that would help lift the burden of some of the poorest families in our country. Small business owners would see fewer government regulations, enabling them to create jobs and drive prosperity. Entrepreneurs would see punitive tax barriers peeled back, allowing them to lead a recovery with new ideas and new energy. Failed educational systems would see reforms that lift up disadvantaged children, giving new hope to a younger generation. Cities and regions that now face a dark future could transform themselves, if they chose, almost instantly into magnets for new ideas and for new hope.

If our Democratic colleagues are serious about their focus on economic distress—if it is more than only some poll-tested ObamaCare distraction—then I would invite them to work with us on innovative new approaches such as this.

This could allow the Senate, for instance, to consider our proposal as an amendment to the unemployment insurance legislation currently on the floor, because this is a discussion that needs to be about helping people. These economic freedom zones are similar in some ways to the Promise Zone initiative recently developed by the Obama administration.

I was pleased to hear that eight counties in eastern Kentucky will soon receive Promise Zone designation. That is why I wrote in support of granting this designation last year, because there is no doubt that eastern Kentucky is a region that has suffered enormous hardship in recent years—much of it, unfortunately, related to the very same Obama administration war on coal families. But the promise zone designation is a step in the right direction nonetheless. Senator PAUL and I will be heading to the White House later today for a promise zone event because we are encouraged the President is finally—finally—focused on a concrete approach to jobs that Members of both parties can support, proving that we can accomplish things when we focus on real efforts rather than political show votes that are designed to fail.

Promise zones are something we can build on with far more comprehensive approaches, such as Senator PAUL's economic freedom zones that would reach even more communities in need

of revitalization. Because let's remember this: Government programs can sometimes help, but they can't do everything. The 1960s mindset about how to fight poverty needs to change to fit the realities of the 21st century.

I want to share a sentiment I read yesterday from Thomas Vincent, an unemployed coal worker from the very Kentucky county where LBJ launched his big-government blitz 50 years ago. This was his take on the so-called "war on poverty:" What good are all these government programs if they do not get you a job? It is a feeling, the article noted, that is widespread among his neighbors in Martin County.

This is why Republicans say it is time for modernization and new approaches. It is time to give folks such as Thomas real hope. It is time to give them more than just good intentions.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 12:30, with Senators permitted to speak therein for up to 10 minutes each and with the time equally divided and controlled by the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The Senator from South Dakota.

UNEMPLOYMENT INSURANCE

Mr. THUNE. Mr. President, I rise today to discuss amendment No. 2622 I have filed, the Solutions to Long-Term Unemployment Act, that will be before the Senate today.

The bill before the Senate today would extend emergency unemployment benefits for the 13th time since 2008. Let me repeat that. Congress has enacted or extended emergency unemployment benefits 13 times over the past 5 years. At some point you have to start asking yourself: At what point does this no longer become an emergency but it becomes permanent? We have been doing this now for 5 years. This will be the 13th time.

Obviously, there are lots of people in a tough economy who are still hurting. But what this should say to us is that it is time we started not just treating the symptom but fixing the problem we have in America today. And the problem we have is a sluggish economy that continues to sort of stumble along. We have a chronically high unemployment rate with lots of people who have been unemployed for a very long period of time. Over that same period, Congress has pushed through ObamaCare, raised taxes on job creators, while the admin-

istration has pursued aggressive regulations that have done little more than drive up costs for many of our small businesses.

So after 13 extensions of unemployment benefits, expensive new regulations, and higher taxes, what is the result? Well, today over 37 percent of unemployed Americans have been out of work for 27 weeks or longer. That represents over 4 million men and women who have been most impacted by President Obama's failed economic policies.

I applaud my colleagues on the Republican side of the aisle who have offered up commonsense, even bipartisan, ideas to pay for the extension of emergency unemployment benefits. If we extend these benefits once again, I am hopeful we can find an appropriate way to pay for this extension and not pass the bill on to our children and grandchildren. However, I also have to come to the floor today to challenge all of my colleagues to look at solutions to the underlying problem rather than simply treating the symptoms of long-term unemployment for yet the 13th time.

The underlying problem is we have 4 million Americans who have not been able to find jobs for more than 6 months on account of the stagnant Obama economy. That is almost double—the amount of long-term unemployed Americans relative to pre-recession levels. So my amendment addresses the underlying problem of long-term unemployment by reducing labor costs, increasing worker mobility, and strengthening Federal worker training programs.

First, my amendment would provide much-needed relief from ObamaCare for any employer who hires an individual who has been unemployed for 27 weeks or longer. As we all know, ObamaCare is full of additional costs and mandates that are stifling economic growth. The ObamaCare employer mandate arguably has the greatest impact on an already weak labor market. The impact of this mandate is so great the administration has unilaterally delayed it until after the next election. Under this mandate, a business with 50 or more employees must provide government-approved insurance or pay an annual penalty of \$2,000 to \$3,000 per employee. For a smaller or medium-sized business, that is a significant deterrent to expanding and hiring more workers.

Under my amendment, if a business decides to hire someone who has been out of work for 27 weeks or longer, that person would be exempt from the ObamaCare mandate for as long as he or she works at that business.

Second, my amendment would further reduce labor costs by providing a 6-month payroll tax holiday for any employer who hires a long-term unemployed worker. Employers currently pay a payroll tax of 6.2 percent of an employee's wages up to a capped amount known as the Social Security wage base. Waiving this tax is an in-

centive for employers to hire those employees often considered to be a higher risk by virtue of the fact they have been out of the labor force for an extended period of time.

Consider a job that is paying an annual wage of \$40,000. The employer payroll tax holiday in my amendment represents a \$1,240 incentive for the employer to hire a long-term unemployed individual. Or take a higher skilled job paying \$80,000 annually. A payroll tax holiday represents a \$2,480 incentive for the employer to hire someone who has been unemployed for 27 weeks or longer. When coupled with the ObamaCare exemption in my amendment, that is an incentive of roughly \$5,000 to hire an individual who has been unemployed for an extended period of time.

Third, my amendment addresses a fundamental problem facing the long-term unemployed by providing relocation assistance to start a job or find better opportunities.

While the national labor market remains weak, there are pockets of prosperity across the country. In my home State of South Dakota, we have an unemployment rate of 3.6 percent. That is second only to our neighbors in North Dakota who are fully embracing the energy renaissance which is occurring in the Upper Great Plains and other parts of the country. Because of South Dakota's low tax and regulatory framework, it consistently makes us one of the best places in the United States to start and grow a business. In fact, one of the biggest issues we hear from prospective business investors is a concern they are not going to have enough workers if they decide to move to my State.

Meanwhile, we have other parts of the Nation that continue to struggle with persistently high unemployment rates. Virginia has an unemployment rate of 8½ percent, and Rhode Island has 9 percent. The number of job openings and hire rates varies from region to region as well. This past summer the rate of job openings in the South was 20 percent greater than in the Northeast. The same trend exists for hiring rates between those two regions.

Part of a dynamic 21st economy is ensuring a mobile workforce that can meet regional demands for good-paying jobs. However, if you have someone who has been living off of unemployment benefits for the past 6 months, that person likely does not have the resources to move to a new State for a new job.

My amendment would provide a low-interest loan of up to \$10,000 for anyone willing to relocate to a new job or move to a new State with better employment opportunities. These loans would have to be repaid within 10 years, but no payments would be required for 1 year while that individual or family gets back on their feet. Additionally, if the new job is eliminated within that first year, through no fault of the employee, the loan could be forgiven.

Finally, my amendment would strengthen and streamline Federal worker training programs. We currently have over 50—50—Federal training programs across 9 Federal bureaucracies. It is a broken morass of programs that isn't helping employers or employees, and it certainly isn't an efficient use of taxpayer dollars. Even President Obama, in his 2012 State of the Union speech, said he wanted to "cut through the maze of confusing [job] training programs" and create "one program" for workers to find the help they need. Unfortunately, like many of the President's promises, that turned out to be more talk than action.

While the President has failed to put forward a real plan to reform our worker training programs, the Republican-led House of Representatives has acted on a plan to accomplish just that. The House-passed SKILLS Act includes several critical reforms that ensure workers receive the training they need for positions that businesses need filled today.

The SKILLS Act would consolidate 35 redundant and ineffective Federal worker programs into a single workforce investment fund that would serve as a single source of support for workers, employers, and job seekers at the State level. This legislation creates much-needed flexibility at the State level and it empowers Governors and local employers to train workers for today's in-demand jobs.

The SKILLS Act cuts through red-tape and eliminates barriers that oftentimes keep workers from receiving the training they need when they need it. For too long we have been throwing taxpayer dollars at a maze of overlapping bureaucracies when we should be providing more targeted assistance directly to job seekers. We need to be training our workers for the high-tech jobs of today and the jobs that will continue to be in demand in the future.

The SKILLS Act accomplishes these goals, which is why I included it in my amendment as a commonsense way to help the long-term unemployed try to find work in today's economy.

There is no one solution to helping the unemployed. However, one thing is clear: We need to find ways to make it more attractive for employers to invest in and hire workers rather than constantly pushing legislation that will raise the cost of doing business in America.

Let's think for a second about the bills the Democratic majority supports or supported in the past. ObamaCare raised the cost of labor, it drove up premiums for millions of Americans and made it more expensive for employers to hire new employees.

Raising the minimum wage will raise the cost of hiring new employees and only worsen the job prospects for the long-term unemployed.

The tax increases pushed by Democrats here in the Senate and the White House apply to millions of small business owners which discourages investment and job growth.

New environmental regulations are driving up the cost of energy and, therefore, the cost of doing business in this country.

I am not suggesting the provisions in my amendment are the only way to make it more economical for employers to hire more workers, but I am suggesting if we want more employment, we need to make it less costly, not more costly, to hire each additional employee. It seems that nearly every policy pursued by the Democratic majority and the White House would raise costs on businesses, especially those small businesses which create the majority of jobs in this country.

We have tried the approach of bigger government, higher taxes, and more regulations for the last 5 years and it has not worked. Let's try something different. Let's have a real debate about how we lower cost and make it easier for employers to go out and hire new employees. Let's focus our efforts on those who need the most help, such as those Americans who have been out of work the longest on account of the lagging Obama economy.

I hope this amendment as well as others that my colleagues will offer will have an opportunity to be heard here on the floor of the Senate and voted on. What we have going on here now in terms of a process doesn't resemble anything like an open process that should allow us to openly debate the big issues that affect the American people. This is a pocketbook issue. This strikes at the very heart of the quality of life, the standard of living, the future economic well-being of Americans all across this country.

I certainly hope the majority leader will allow for an open process which will enable us to enter into that debate, to put forward proposals—mine, among many others—which could be considered and voted on that would actually improve the overall situation of middle-class Americans. It is high time we had that debate. I hope we can, and I hope the majority will give us that opportunity.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from Georgia.

AFFORDABLE CARE ACT

Mr. ISAKSON. Mr. President, before I make my remarks, I commend the Senator from South Dakota and underscore what the Senator said regarding the SKILLS Act passed by the House of Representatives.

I am the ranking member of the labor subcommittee on Health, Education, Labor, and Pensions. Six years ago the Workforce Investment Act expired in its authorization, and for 6 years it has languished in the bowels and in the heart of the Senate and the House of Representatives, going unauthorized.

During that same 6-year period of time between 2008 and today, America has experienced terrible unemploy-

ment, terrible job loss, terrible increases in unemployment, and extensions of that unemployment.

The Senator from South Dakota is exactly correct: If we were doing our job and reauthorizing programs in the law today—such as the Workforce Investment Act—and training people for the skills of the 21st century and the jobs of the 21st century, we wouldn't be talking about unemployment compensation, we wouldn't be talking about the great tragedies of America. We would be talking about America's greatest prosperity. So I commend the Senator from South Dakota for pointing out what is critically important for us to recognize as Members of the U.S. Congress.

I come to the floor, though, to talk about the Affordable Care Act, I will tell a couple real-life stories which came to me by email. But before I do, my job is to do what the people of Georgia want me to do. I have office hours when I am home. I answer my own phone calls. I try to respond to the concerns they have. I try to see that people get referred to the right place.

Since January 1, I have dealt with almost nothing but the Affordable Care Act—or ObamaCare—and the consequences of that act, and what effect it is having on the American people and the people of Georgia—and, in particular, on the two great promises used on the floor of this Senate to sell that legislation to the American people: One, if you like your policy, you can keep it; and, if you like your doctor, you can keep him or her. Both were clear, unequivocal promises.

I will tell two stories today that came to my attention which illustrate how it was not true. And these are just two of many stories. The first is from Jane.

Congressman, This is not my story but my friend's story, Steve. . . . He has suffered with multiple myeloma for more than 10 years. This is a disease that usually kills within 5 years of being diagnosed. But with the excellent health care he has been able to receive through his health care program he has had access to the Mayo Clinic and a myriad of drugs. Now he has been told that his plan will be cancelled since the plan does not meet the minimum standards set forth in the ACA.

Now he can no longer continue his treatments because the various plans have deemed the drugs he needs to stay alive as experimental. WOW! Really that is just awful and not enough is being said about this government take over of our lives is affecting those that are critically ill.

And what about the promise made that if we liked our plan we can keep it? Steve doesn't have a plan, but he still has multiple myeloma.

This story comes about the promise that: If you like your doctor, you can keep them. This is from Felicia in Alpharetta, GA, a story I hear more and more as I travel my State:

My husband and I are both currently paying individual health care policies as he currently has a small business and I used to own one. He is on a Kaiser HMO and I am on a PPO with Blue Cross Blue Shield. We have

both received numerous letters with conflicting information regarding changes to our current policies. We are reasonably intelligent people and yet we cannot figure out what is actually happening with our health care nor do we believe the government has any clue what is happening with this new legislation. Also, in comparing an equivalent Obama care policy to my current policy, I have only 10% of the doctors available in network to what I currently have and of course, my doctors are not in network. Please STOP and REPEAL this ridiculous legislation. I DO NOT SEE ANY EVIDENCE that the government can improve our current health care, only EVIDENCE that it has caused much confusion, created wasted time, wasted money, and driven Americans crazy!

These are two emails sent to me out of many more I could be reading. But it is important for us to understand the impact the Affordable Care Act is having on the American people and the people of my State. In fact, I will share my personal experience from just over the Christmas holidays.

In December, I enrolled through the DC health care plan to buy my health care because all of Congress was moved into the DC health exchange to comply with the ObamaCare legislation. I worked hard to try and match the same care I had before under plan 105 Blue Cross/Blue Shield under the government health care. I couldn't find exactly a good enough match of PPO, but I came close—close in everything except premium. The premium went up 20 percent. And I think most of the American people—certainly people of my age—are realizing the same type of experience where premiums are going up and up.

I would suspect the reason for the Executive order to extend next year's open enrollment date beyond the election is in part because the administration suspects what I suspect; that is, the realities of less enrollment than thought, and fewer young people going into coverage than thought is going to mean higher premiums, less access, and less affordability.

But let me share another story which is really poignant. Fortunately, I was able to help, but when I found out, it broke my heart. It is a story about my grandson Jack and his speech therapist.

Jack is a great kid, a highly intelligent kid, but had some speech problems and so had a special speech therapist named Dr. Tim. Over the Christmas holidays I got to meet Dr. Tim, and we were talking about his job, what he does as a speech therapist, and about Jack and all of his improvements.

Dr. Tim turned to me and said: I don't want to burden you with my personal problems, but my youngest daughter has cystic fibrosis and has had it into her teenage years; and I have had health care coverage up until a week ago, when I was notified my health coverage would no longer pay for the drugs it takes to keep her alive.

For anybody in this Senate or in America who understands cystic fibrosis, it is a terrible debilitating disease

of the lungs and people never used to live to the age of 21. But because of medicine, health care, and breakthroughs in pharmaceutical therapy, people live past the age of 21. In fact, we have a Georgian who lived into his 50s before he passed from cystic fibrosis. But they cannot live if they don't have the pharmaceutical therapy. And there are no substitutes and there are no replacements.

This doctor lost his health care reimbursement for pharmaceuticals for cystic fibrosis in part because of the judgments and the applicability of the Affordable Care Act. To his credit and to the credit of the health care system and the insurance industry, he was able to in part replace it but not nearly as close to what he had on the policy before.

These are just a few stories about Americans who are experiencing terrible problems because of the change in our health care system.

The promises we made are not being kept. The promises that were made to sell the Affordable Care Act to the American people and to the Congress of the United States are not being kept. It is important for us to understand that cannot stand. And if what happens next year happens as I think it will, costs will skyrocket again for the American people, access and affordability will go away or will not be nearly as good as it is, and we will have taken a health care system which was the envy of the world and turned it into a health care system that is the biggest problem in the world.

I want things to work. I want to help the American people. I want them to have access to affordable health care. I want them to have access to their doctors and to be able to keep their policy. We need to work toward that as we go through the tragedies of the implementation in 2014 of the Health Care Act—ObamaCare—which today is America's No. 1 personal problem for the average American citizen.

I am grateful for the time, and I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Indiana.

HEALTH CARE COSTS

Mr. COATS. Mr. President, I come here to speak about a couple items. We are now in a second-day delay as the majority leader and his caucus decide whether Republicans will be allowed to offer alternatives and to offer amendments to the proposal before us, and that is extension of the Unemployment Insurance Act.

I was one of six who voted for the motion to proceed for the very purpose of achieving the opportunity to offer ideas which I have had and to allow others on our side of the aisle to offer their ideas as to how we can improve this program, and how we ought to address it at this point in our continuing effort to struggle out of the great recession now into its fifth year.

Unemployment is still high in my State—over 7 percent—as a number of States, which is unacceptable, and particularly into the fifth year after a recession. The growth has been so anemic and so tepid, we are sort of staggering our way into a better position.

Nevertheless, while some people are finding jobs and getting back to work, there are many who aren't. That is a serious subject and something we ought to be debating and talking about.

Unemployment insurance is one of the programs which has been proposed to help those in need. There are people who are genuinely in need of that help and have made every possible effort to get back to work and, for many reasons, have not been able to do so. But we also know, and it has been documented, that there are many people who have taken advantage of this program and basically said, I don't have to work hard to get back to work because I am getting enough support from the government.

We have to acknowledge the fact that there are policy issues which have to be discussed as we go forward without automatically extending a program where we know reforms would make the program better and would put us in a better position to help people get back to work and to move our economy.

We also know, working now to just pass a budget for the first time here in several years to work off of, the number we agreed on we wouldn't go over is now being violated. The very first legislative piece which has come before this body violates the budget agreement which was agreed to a short time ago. So a number of us would like the opportunity to propose ways to offset the spending if this program goes forward.

The combination of those two things—reforms which will allow us to continue to support those who are genuinely unable to find work from those who are taking advantage of the program and abuse of the program, as well as suggestions as to how we can support efforts toward more full employment through training programs, through any number of initiatives—my colleagues would like to at least talk about, at least debate, and at least have a vote on. We are in the minority here. We are not sure we are going to win any of those votes. Although I think if we make persuasive enough arguments and it makes enough sense, perhaps we will.

Given this 2-day delay in terms of a decision from majority leader HARRY REID as to whether to allow us these opportunities, it appears that through this tactic of supporting the motion to proceed we have literally put the ball in HARRY REID's office and his caucus court as to what they want to do.

We went through the year 2013, and since July, Republicans have been offered a total of only four amendments to all the things done in the last 6

months of this year. That is not how the Senate is supposed to work. That is a dictatorial dictate by the majority leader, unprecedented in 200 years or more of operation of this Senate.

So we are waiting for that decision, and, obviously, that decision will have a bearing on my position on this particular issue.

I would also comment on the fact that lately we have been hearing a lot from the President about income inequality, and I anticipate we will be hearing a lot more as we move toward the 2014 elections in November. There will be a debate on this, and I hope there will be a debate which allows both sides to look at this in a serious way and try to find ways to address the issue. But if we do that, I think it is important we understand that the President's signature accomplishment, the Affordable Care Act—ObamaCare, as it is called—is contributing to the problem of income inequality. So any debate on that issue, to be factually accurate and to be truthful, needs to incorporate a conversation about the impact of ObamaCare.

As recently as 2012, we were told by the President that the health insurance premiums paid by small businesses and individuals “will go down.” Yet even as the administration recently has admitted that many Americans will pay more for health care because of ObamaCare, this week the latest report on health spending trends from CMS—the Centers for Medicare and Medicaid—disclosed that health care spending in the United States rose 3.7 percent in 2012. That is less than it rose in previous years, and that is a good sign.

Many are saying, well, the reason for this is the Affordable Care Act. Had we not passed the Affordable Care Act, this wouldn't have happened. Apparently, though, they did not read the rest of the report because the report also states that the provisions in the Affordable Care Act had minimal impact on total national health care spending. So while the administration may claim that their bill, ObamaCare, is lowering overall health care spending, the report says it has only had a minimal impact.

What is happening is that there are reforms being made through the private sector, through the providers, in terms of more efficient, more effective ways to deliver health care. That is not operating because of the health care act. In fact, the health care act, if we are truthful about it, is contributing to the problem of inequality.

Many Americans are experiencing, despite what the President has said, higher premiums or paying outrageous deductibles when they purchase coverage through the ObamaCare exchanges. Let's bring this down to a personal level because I have been receiving hundreds, actually thousands of emails, phone calls, letters, comments that I hear back home from Hoosiers who basically say: This ain't working. It is sure not working for me.

But I want to bring it down to the personal level so we can understand what individual families are going through at this particular time with this mandate imposed upon them relative to their health care coverage.

Thomas from Indianapolis wrote to me and said he went on the ObamaCare exchange to take a look at health insurance plans that would be available to him and he was, as he said, “shocked to find that it was at least \$200 a month.” That is \$2,400 a year more than he had been quoted just a few months before from a broker. He added, “I have thought about just going without insurance”—as we know many individuals are thinking about and have decided not to sign up for this program. Of course, the program is built financially on the fact that millions will sign up and that is not happening. I predict that is going to break the back of the program. He added:

I have thought about going without insurance, but my family suggested that I not do that. The Affordable Care Act has created a terrible quandary for me. At this point I feel as if the Federal Government is like a mean Big Brother, making my life miserable.

William from Granger, IN, emailed me to tell me his wife, who works as a part-time nurse, now is no longer offered health care because she is part time. So William then decided, OK, I will have to go into the exchange and find insurance for my wife and my family and discovered that their premiums will rise to \$19,076 a year. He goes on to say, “So much for ‘if you like your plan, if you like your doctor . . . your costs will go down by \$2,500.’”

Let me repeat that. The President has said your costs are going to go down by an average of \$2,500 a year. William's costs increased over \$7,500 a year. That is a \$10,500 swing. That is not what was promised.

Brandy from Cambridge City, IN, told me:

I have been offered insurance through work at a cost of \$318 or \$80 a week. I then checked HealthCare.Gov and have been given a quote of \$450 a month. I work a minimum wage job and work as many hours as I can to get by as it is. After taxes and child support, neither option is an option that I can afford.

He also cannot even afford to pay the penalty of the payment.

These are just a few of the hundreds, if not thousands, of Hoosier comments I have heard from people who are experiencing sticker shock when they search for so-called affordable care under ObamaCare. I don't know if these people are Republicans or Democrats, conservatives, moderates, liberals, nonvoters or voters. These are just human beings who live in my State, regardless of their political affiliation, who are basically saying this thing is killing us. All these examples, multiplied by hundreds if not thousands, are contributing to the inequality the President is talking about.

The inescapable truth is that the Democrats forced an unwanted, unpopular, and unread—the famous quote from then House Speaker NANCY

PELOSI—“We have to pass the bill so we can find out what is in it”—and we are finding out about what is in it—an unwanted, unpopular, and unread 2000-plus page, one-size-fits-all health care bill, dictated by one party without any support from the minority.

I am questioning whether this is the best way to deal with health care issues. Jamming this thing through on Christmas Eve day in 2009 has turned out to be a disastrous Christmas gift for the American people. Families across our country who are being forced to redirect money they would have used to pay rent, to help their children attend school, to put food on the table, to pay the electric bills, are finding many cannot even do that.

As we discuss the issue of income inequality, and it appears the President is going to want to do that throughout this coming election year, let's not pretend that ObamaCare is helping the situation. It is not. We need to face up to the fact that the Affordable Care Act—I bet the writers of this bill, if they could do it over again, wish they had not used the word “affordable.” They could call it the health care act or health care act for American people or whatever. If they went back and rewrote it, I bet you they would drop the word “affordable,” based on the facts, not the perception, the fact of what this health care bill is.

I suspect they would have wanted to pass this in a bipartisan way so that at this point in time they would not have to take full responsibility for this act. Too many hard-working American families are paying more, not less, for health care because of ObamaCare, and it is contributing to the inequality the President continues to talk about.

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.

UNEMPLOYMENT BENEFITS

Mr. CORNYN. Mr. President, over the last few days our friends across the aisle have been telling the American people that we have a choice when it comes to the extension of long-term unemployment benefits. On one hand, they are saying we can do exactly what the President, Senator REID, and his allies want, which is to extend benefits for 3 months at a cost of \$6.5 billion that we will have to borrow from somebody or we will do nothing at all.

Well, I am here to suggest that is a false choice, as President Obama likes to say from time to time. We can do better than that. As a matter of fact, several of my Republican colleagues have offered their suggestions. I have in my hand a list of 23 amendments that would deal with everything from improving access to workforce training to finding a way to pay for this money that would otherwise have to be borrowed from the Chinese or other creditors of the United States and added to our \$17.3 trillion debt.

In other words, there are a lot of good ideas. We just have not been given the opportunity to debate them and offer these amendments and actually do what the Senate used to do. As the Republican leader said yesterday, we actually used to have committees that voted on amendments and then passed bills that came to the floor. We used to actually have an open amendment process where people could offer their amendments, and then we would debate them and vote on them. What a novel idea. That, of course, is called legislating. That is what the legislative branch—Congress—is supposed to be doing. That is not what we have been doing.

The majority leader is basically the traffic cop for the Senate floor. He is the one who determines whether we have an opportunity to have this sort of fulsome debate so we can offer these constructive, bipartisan—in many instances—ideas.

We would like to try to reform our unemployment compensation system in order to help grow the economy, help the private sector create jobs, and get more people back to work so they don't have to depend on extended unemployment insurance. However, if they do find themselves in a difficult circumstance, as many Americans unfortunately do, they can then go back to school by the using Pell grant, for example, to go to our community colleges, which do a fantastic job of helping people learn new skills that make them a good fit for the good jobs, of which there are many. Unfortunately, there are not enough skilled workers in the workforce who are qualified for those jobs.

To give the Senate a flavor for some of the ideas, my colleague from Oklahoma, Senator COBURN, who is always full of a lot of ideas, filed an amendment to ensure that people don't claim unemployment insurance and Social Security disability benefits simultaneously. If there is a case of double dipping, that would seem to be it, and it is an abuse of the system. He has filed an amendment that would prevent millionaires and billionaires from receiving unemployment checks. I know it is hard to believe, but people with incomes of \$1 million or more have claimed nearly \$21 million worth of unemployment benefits in a single year. That is unbelievable. What an abuse. That is an insult, really, to people who are in dire straits and need help, to know there are people gaming the system either by double dipping or being millionaires and claiming unemployment benefits. Again, we have borrowed \$250 billion to pay these extended unemployment benefits since 2008, and there are some millionaires and billionaires who are gaming the system for their benefit. Why wouldn't we want to fix that? Why wouldn't we want to have a vote on those good ideas by our colleague Senator COBURN?

Meanwhile, our colleague from South Carolina, Senator SCOTT, has filed a

commonsense amendment that would define full-time employment as a 40-hour workweek for the purposes of ObamaCare. The Presiding Officer—and since he walked in, I will pick on my friend from Maryland—remembers when we had a number of leaders from organized labor who came to the White House and said that ObamaCare is turning full-time work into part-time work. Because of the penalties associated with the employer mandate and the like, many employers are shifting full-time workers into part-time workers. That is not just a concern on this side of the aisle; it is a broad concern which impacts a lot of people.

I remember recently being in Tyler, TX, at a diner, and the owner of that diner said he tragically had to put a single mom on a 30-hour workweek in order to avoid some of the penalties of ObamaCare. So to make up for that lost income, she had to go and get a second part-time job because of ObamaCare and its unintended consequences. So Senator SCOTT has an amendment that would address that problem.

I hope the majority leader will rethink his longstanding position—at least over the last 6 months—of basically shutting out any other constructive ideas not just on this side of the aisle but on the other side of the aisle as well, as the Republican leader pointed out yesterday.

In addition, our colleague from Indiana, Senator COATS, has several ideas. One would offset the extension of long-term unemployment benefits by delaying the individual and employer mandates under ObamaCare until 2015. We all recall that the President and this administration on its own initiative—I am looking hard to find where they have the authority, but nevertheless they did—delayed the employer mandate for a year on their own. Well, this would take the money saved from delaying the individual employer mandate and use that to pay for the extension of unemployment benefits.

Another amendment would offset the cost of this extension by requiring people to provide a Social Security number before they claim the child tax credit. All it would do is make them provide a Social Security number to make sure that we root out fraud and abuse in the child tax credit claims. It would save billions of dollars, and it would allow us to pay for this short-term extension of long-term unemployment benefits.

I would also add that I think most people need to be reminded that actually the basic program of unemployment insurance covers people for up to half a year, but over the last 5 years Congress has extended that up to 99 weeks, which is about 2 years. Well, this is supposed to be an emergency program, and thankfully the economy is starting to show some signs of improvement and growth. So what we need to do is get off of this temporary emergency measure and get back to

normal circumstances and try to find ways to pay our bills and make sure people don't abuse the American taxpayer by gaming the system. We need to continue to look for ways to help people learn the skills they need in order to get the good, high-paying jobs that exist, among other things.

Well, here is another idea. Our colleague from New Hampshire, Senator AYOTTE, has filed an amendment that would restore the military pension benefits. This is something, if you will remember, that was taken out of the Murray-Ryan budget deal that passed before we left for Christmas, and I think it is fair to say there is broad bipartisan support for restoring those cuts to the military pensions, and Senator AYOTTE's amendment would do that.

All of these amendments deserve debate, which I am trying in some small way to provide here, but others have their ideas and have their way of talking about it, and they also deserve a vote. But, again, the majority leader, Senator REID, is the traffic cop on the Senate floor. As Senator MCCONNELL pointed out yesterday, the Senate has been dramatically transformed from a place where the Senate was justifiably claimed as the greatest deliberative body on the planet but no more.

We can return to the way the Senate used to be by having this sort of constructive, bipartisan, fulsome discussion and vote on good ideas and make legislation better and not settle for something less. I said—and it is true—that Senators have a right to debate and offer legislation. I am not sure many people across America have thought very deeply about what that means.

This isn't about the Presiding Officer's rights as a Senator or my rights as a Senator. This is about the rights and the voices of the 26 million people I represent, because when I am shut out of the process—when I can't offer amendments and ideas about how to improve legislation—they are shut out as well, and that is wrong.

THE PRESIDING OFFICER. The Senator's time has expired.

Mr. CORNYN. Mr. President, I was unaware there was a time limit. I ask unanimous consent for an additional 5 minutes.

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

Mr. CORNYN. I thank the Chair.

So these amendments represent just a small sample of the ideas our side of the aisle has put forward to help the long-term unemployed, accelerate job creation, and grow the economy—something I know we all want. We all want it, so why not talk about it. Why not vote on these ideas. Why not get the Senate back into the position where we have the give and take of ideas and where we come up with the best for the American people.

A few other amendments my colleagues from Ohio and Kansas, Senator PORTMAN and Senator ROBERTS, have

offered would increase accountability and much stronger safeguards in the U.S. regulatory system. Regulations are what the bureaucracy does. We can't vote for them or against them. We can't hold them accountable that way, and they are out of control. If someone wants to know why those bills are so important, it is because last year the Obama administration imposed \$112 billion worth of new regulations on the U.S. economy—\$112 billion worth of new regulations in 2013 alone.

Our colleague from Alaska, Senator MURKOWSKI, who is the ranking member of the energy committee, is rightly concerned about the impact of misguided regulations on our energy industry—primarily the oil and gas industry—and she has taken the time to draft a bold plan for reforming U.S. energy policy that would promote economic growth, job creation, national security, and responsible stewardship of our environment.

In conclusion, I wish to recognize—in terms of a summary of some of the ideas, 23 of which I have on this card, but I will just mention a few of them—the ideas of our colleague from Utah, Senator MIKE LEE, and his efforts to reform our dysfunctional tax system in a way that supports middle class families who are working hard to provide for their children. We should agree, as Senator LEE has advocated, that tax reform should aim not just to simplify the Tax Code and fuel job growth, but also to ease the burden on hard-working, middle-class families.

There are a lot of great ideas out there. I can't think of a better time to talk about them than this time, when the President of the United States has made a priority of income inequality which, unfortunately, has become worse under his administration, not better. This has been further exacerbated by burdens such as ObamaCare, which we find out is just a bundle of broken promises, including: "If you like what you have, you can keep it." "It will lower costs, not increase them." We are finding out none of that is true.

There are a lot of great ideas that we could, working together in the interests of the American people, agree on that would actually improve their economic situation and help restore the American dream. But what is the American dream to somebody who has been out of work and can't find work? It is a disappointment to say the least. We need to help people to not maintain their dependency on a government benefit in perpetuity but to liberate them from that dependency, to help them regain their self respect and sense of dignity by finding work and providing for themselves and their families, and to live their version of the American dream. In the process we all benefit. The Federal Government can pay its bills because people are paying taxes because they have good jobs, and America will be the same America we inherited from our parents and grand-

parents and, hopefully, we will make it better for the next generation and beyond.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

SOUTH SUDAN

Mr. CARDIN. Mr. President, I have taken the floor of the Senate—and when I was a Member of the House, the floor of the House—to talk about circumstances that are occurring somewhere in the world where people are being killed, displaced; people are being uprooted simply because of their ethnicity. Ethnic cleansing has occurred around the world. I have taken the opportunity to put a spotlight on it in an effort to say that the civilized world needs to bring an end to those types of crimes against humanity. I have used the opportunity as a member of the Helsinki Commission, and now as chairman of the Helsinki Commission, to point out what America's priority needs to be, and that is to be a leader in the world to prevent ethnic cleansing.

Many of us believed, after World War II, that the world would never again allow circumstances wherein people were killed simply because of the ethnic community to which they belong. I have spoken about Bosnia, Rwanda, Darfur, and Syria, and now we see the same thing happening again in South Sudan.

I just came from a hearing of the Senate Foreign Relations Committee that was convened to discuss the crisis in South Sudan with two witnesses: the Honorable Linda Thomas-Greenfield, Assistant Secretary of the Bureau of African Affairs, and the Honorable Nancy E. Lindborg, Assistant Administrator of the Bureau for Democracy, Conflict, and Humanitarian Assistance. These two witnesses were giving an update to the Senate Foreign Relations Committee as to the circumstances in South Sudan and what we can do to try to bring about a resolution.

I rise today to discuss the deteriorating circumstances in South Sudan. As some of my colleagues may know, ongoing political tensions between forces loyal to President Salva Kiir and forces loyal to the former Vice President Riek Machar, coupled with pre-existing ethnic tensions, erupted in violence the night of December 15. I join the President and Secretary Kerry in calling for an immediate end to the violence in South Sudan. Currently, it is estimated that nearly 200,000 people have been internally displaced as a result of the conflict, with another 32,000 having fled to neighboring States. The U.N. estimates that thousands of Sudanese people have been killed since December 15. Let me just remind my colleagues that three years ago today the people of South Sudan started a voting process that later that year led to their independence as the youngest new country in the world.

Our U.S. Ambassador, Susan Page, has remained in Juba, along with a security detail and minimum key personnel. I thank her; it is very courageous of her to remain in South Sudan so we have our leadership on the ground to try to help the people. I applaud her bravery and sacrifice and those who are with her.

The worsening violence has spurred a humanitarian crisis. The President has nominated Ambassador Booth to be our ambassador to that region to try to get a peace process started. He is currently in Ethiopia trying to get the international community to respond to a political solution to South Sudan. The international community has responded rapidly, including by working to significantly expand the size of the U.N. mission in South Sudan, but since the evacuation of foreign aid workers, most humanitarian agencies and the international NGOs are heavily reliant on brave South Sudanese staff who put their lives at risk to help their people.

These are large numbers for the country of Sudan—the number of people displaced and the number of people killed. Let me share with my colleagues one of many examples of the crisis and how it has affected people in that region.

I recently learned that at the onset of the December clashes, one local staff person from an American NGO was rounded up, along with seven members of his family, and taken to a police station in Juba. He ultimately escaped to the U.N. compound, but his family was killed, along with more than 200 others. He is from the Nuer ethnic group, which now lives in fear of ethnic targeting by members of the country's security forces from another ethnic group, the Dinka. Media reports also suggest that individuals in uniforms have entered the U.N. bases in several locations and forcibly removed civilians taking shelter there. On December 21, two U.N. peacekeepers were killed after a group attacked a U.N. peacekeeping base that was sheltering 20 civilians.

There is no safe harbor today in South Sudan. The U.N.'s base can be overrun, and people killed because of their ethnicity. The international community must respond.

I remain extremely concerned at the reports out of South Sudan, all of which suggest serious crimes against humanity are occurring in the country. The world cannot stand by and bear witness to another ethnic cleansing as we have seen in so many other places around the world. We must do all we can to ensure a peaceful resolution of the crisis and accountability for war crimes and crimes against humanity in South Sudan.

Our first priority is to get peace on the ground, to stop the killings, so people can live in peace. We need to work with the international community so humanitarian aid can get to the people who need it—and that is very challenging considering that international

NGOs cannot operate today in South Sudan—and we must hold accountable those who have committed crimes against humanity. We have said it over and over, but unless we hold accountable those who have perpetrated these atrocities, we will see it again and again. U.S. leadership is critically important to make sure that we document what has taken place and that we bring to justice those who are responsible for the crimes that have been committed.

There is no question that a solution to the crisis in South Sudan must be political and not military. We understand that. South Sudan again is at a crossroads, and after coming so far, it must choose to renounce violence immediately and pursue a path of peaceful reconciliation.

I am encouraged that President Kiir and former President Machar have sent negotiators to Ethiopia to participate in mediation talks. While these talks are a good first step, in the interim the violence must end, and both sides must be committed to negotiating in good faith. It is my hope these talks can bring about the bright future so many South Sudanese aspire for. The people of South Sudan deserve to understand the true meaning of safety and security, of peace, and prosperity. The United States stands with the people of South Sudan through these difficult times. We must pledge to continue to support those who seek peace, democracy, human rights, and justice for all of the citizens of the world's newest nation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Arizona.

Mr. MCCAIN. I ask consent to address the Senate as in morning business.

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

Mr. MCCAIN. My colleague from South Carolina will join me shortly on the floor, but I will make some remarks while I am waiting.

When the Senator from South Carolina joins me, I ask unanimous consent to engage in a colloquy with the Senator from South Carolina.

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

FALLUJAH

Mr. MCCAIN. Some of us were in the Senate 10 years ago in 2004 when U.S. troops led two major offensives against Al Qaeda and other militants in the Iraqi city of Fallujah. Some of us remember how 146 of our brave men and women in uniform lost their lives and more than 1,000 were wounded. Those

fighters were some of the bloodiest and toughest battles since the Vietnam war. Success was costly, but success we had. Ten years later, Al Qaeda fighters have once again raised their black flags over Fallujah, and they are battling to control other parts of Iraq.

This tragic setback is leaving many of our brave Iraq war veterans—and especially those who shed their blood, risked their lives, and lost their friends in fighting against Fallujah—questioning what their sacrifice was worth. Sadly, they find themselves agreeing with Congressman DUNCAN HUNTER, a former marine who fought in Fallujah.

He said:

We did our job. We did what we were asked to do, and we won. Every single man and woman who fought in Iraq, and especially in those cities, feels a kick in the gut for all they did, because this President decided to squander their sacrifice.

Prior to 2011, President Obama frequently referred to a responsible withdrawal from Iraq, which was based on leaving behind a stable and representative government in Baghdad and avoiding a power vacuum that terrorists could exploit.

The President's Deputy National Security Adviser Antony Blinken in 2012—and I am not making this up—stated that “Iraq today is less violent, more democratic, and more prosperous . . . than any other time in history.”

Based on the President's own markers, the administration is falling short of its own goals. The illusion of a stable and representative government has been shattered by increasing sectarian tension, and it is clear terrorists are exploiting the power vacuum left behind.

The Obama administration blames Iraqis for failing to grant the necessary privileges and immunities for a U.S. force presence beyond 2011. This is misleading—in fact, false—because as we saw firsthand, the administration never took the necessary diplomatic effort to reach such an agreement.

The Senator from South Carolina and I traveled to Iraq in May 2011, only several months away from the deadline that our commanders had set for the beginning of the withdrawal. We met with all the leaders of Iraq's main political blocs and we heard a common message during all of these private conversations: Iraqi leaders recognized it was in their country's interest to maintain a limited number of U.S. troops to continue training and assisting Iraqi security forces beyond 2011.

But when we asked Ambassador Jeffrey and the Commander of U.S. Forces in Iraq Lloyd Austin, while in a meeting with Prime Minister Maliki, how many U.S. troops remaining in Iraq would perform and how many the administration sought to maintain, they couldn't tell us or the Iraqis. The White House still had not made a decision.

It went on like this for the next few months. By August 2011, leaders of Iraq's main political blocs joined to-

gether and stated they were prepared to enter negotiations to keep some U.S. troops in Iraq. An entire month passed and still the White House made no decision. All the while, during this internal deliberation, as Chairman of the Joint Chiefs of Staff GEN Martin Dempsey later testified before the Senate Armed Services Committee, the size of a potential U.S. force presence kept cascading down from upwards of 16,000 to an eventual low of less than 3,000. By that point, the force would be able to do little other than protect itself, and Prime Minister Maliki and other Iraqi leaders realized the political cost of accepting this proposal was not worth the benefit.

To blame this failure entirely on the Iraqis is convenient, but it misses the real point. The reason to keep around 10,000 to 15,000 U.S. forces in Iraq was not for the sake of Iraq alone. It was first and foremost in our national security interest to continue training and advising Iraqi forces and to maintain greater U.S. influence in Iraq. That core principle should have driven a very different U.S. approach to the SOFA—the status of forces agreement—diplomacy.

The Obama administration should have recognized that after years of brutal conflict, Iraqi leaders still lacked trust in one another, and a strong U.S. role was required to help Iraqis broker their most politically sensitive decisions. For this reason the administration should have determined what tasks and troop numbers were in the national interest to maintain in Iraq and done so with ample time to engage with Iraqis at the highest level of the U.S. Government to shape political conditions in Baghdad to achieve our goal.

We focus on this failure not because U.S. troops would have made a decisive difference in Iraq by engaging in unilateral combat operations against Al Qaeda and other threats to Iraq's stability. By 2011, U.S. forces were no longer in Iraqi cities or engaged in security operations. However, residual U.S. troop presence could have assisted Iraqi forces in their continued fight against Al Qaeda, it could have provided a platform for greater diplomatic engagement and intelligence cooperation with our Iraqi partners, it could have made Iranian leaders think twice about using Iraqi airspace to transit military assistance and weapons and arms and equipment to Assad and his forces in Syria and, most importantly, it could have maintained the significant diplomatic influence the United States at that time possessed in Iraq—influence that had been and still was essential in guaranteeing Iraq's nascent political system, reassuring Iraqi leaders they could resolve their differences peacefully and politically, despite their mistrust of one another, and checking the authoritarian and sectarian tendencies of Prime Minister Maliki and his allies.

The administration's failure in Iraq has been further compounded by its

failure in Syria. In Syria, where President Obama has refused to take any meaningful action, the initially peaceful protests of early 2011 were met by horrific violence by the Assad regime.

This President and this administration have stood back and watched while over 130,000 people have been brutally killed and a fourth of the population displaced. In his promise to avoid military action and reduce the U.S. footprint in the Middle East, we have seen the resurgence of Al Qaeda throughout the region, Hezbollah and Iran emboldened in Syria, Russia reasserting its principal presence for the first time since it was kicked out of Egypt by Egyptian President Sadat in 1973, and the destabilization of the region in ways that will inevitably reverberate here in America.

Again, there are those who may applaud President Obama's decision to disengage, arguing this isn't America's problem to solve. That the United States is fundamentally limited in its ability to influence developments in the Middle East is a consistent theme within the administration. No one denies there are limits to what the United States can do. That is always the case. But as Secretary Hillary Clinton told the Senate Foreign Relations Committee as she was leaving office:

Let me underscore the importance of the United States continuing to lead in the Middle East, North Africa and around the world. When America is absent, especially from unstable environments, there are consequences. Extremism takes root, our interests suffer, and our security at home is threatened.

Nowhere do her words ring more true than in Syria and Iraq today, begging the question that by fleeing Iraq and sidestepping Syria has the administration helped empower terrorist forces in ways that have created long-term threats to U.S. national security? I am afraid it is hard to argue the answer is no.

The administration must recognize its failed policies and change its course. America has lost credibility and influence over the past years, and we simply can't afford to remain disengaged. It is time that America stands and take its rightful role in resolving these conflicts to best serve American interests. It is time we adopt a comprehensive strategy for addressing the growing threats that are now emanating from the region and move forward from a position of strength. A return of Al Qaeda to Anbar Province is a sobering reminder for the administration that the tide of war is not receding.

I see my colleague from South Carolina is here. I am sorry I didn't realize he had come to the floor. I know the Senator from South Carolina and I need to discuss a recent unfortunate development in Afghanistan, but before we do, could I recall for my friend from South Carolina the many visits—and I have lost count, but many visits—we made to Iraq from 2003 really up to 2012, and that one of the most inter-

esting visits we had was when we were in Ramadi and Colonel MacFarland announced to us that the Sunni sheiks had come over—that the major sheik had come over, and he had sent some tanks over—and that was the beginning of what we know as the Anbar awakening—a turning point in the entire conflict. That, coupled with the surge, changed the fortunes of war in Iraq.

By the way, the surge was opposed vehemently by the President of the United States and the former Secretary of State, then Senator Clinton, who stated in a hearing with General Petraeus that she would have to have a “willing suspension of disbelief in order to believe that the surge would succeed.”

But setting that aside, later, when we came back again to Fallujah and Ramadi, the Senator from South Carolina and I walked down the main street of Ramadi—down the main street—with Iraqis everywhere, proving the success of the surge in Anbar Province. Yet now, on the same streets we walked down—the exact same streets—there are now vehicles filled with Al Qaeda, flying the black flag of Al Qaeda.

The bloodiest war of the conflict that was fought during our entire involvement with Iraq was the second battle of Fallujah. There were 95 brave Americans killed and over 600 wounded. What do we tell these young people and their families? What do we tell them? I tell you what we have to tell them. We have to tell them their sacrifice was squandered by an administration that wanted out and didn't want to remain and consolidate the gains that were made through the sacrifice of American blood and treasure.

Mr. GRAHAM. I would be glad to respond to the Senator's comments.

No. 1, I understand the average American thinks of the wars in Iraq and Afghanistan as having been long and difficult wars costing a lot of money and a lot of American lives. But the point of the war is to make sure that radical Islam is contained and eventually defeated, and that is going to take an effort on our part.

Does it matter that the Al Qaeda flag flies over Fallujah and Ramadi? I think it does. I think when Al Qaeda occupies a city anywhere in the world, it potentially affects every city throughout the world. Imagine the Nazis having come back in Germany and occupying part of Germany. We didn't let that happen. We had a following force in Japan and Germany to make sure the transition from totalitarian and dictatorial states to functioning democracies would occur. We are still in Japan and Germany. We are not taking casualties.

To go into the Mideast and replace dictatorships and think you can do it in a matter of months or even a decade is probably not going to hold water, quite frankly. The good news is we were in a position in Iraq in 2010 where if we had left behind a residual force

not to be in combat but to provide the logistical, air support, training, intelligence capabilities missing in the Iraqi Army, this would have been a very different outcome.

And it does matter to my fellow citizens here in the United States. If Al Qaeda is on the rise anywhere, it does affect us. Remember Afghanistan? Remember when the Russians left and the Taliban took over and they invited Al Qaeda and bin Laden in to be their honored guests? The rest is history. The reason 3,000 Americans died on 9/11 and not 3 million is the terrorists, the radical Islamists, Al Qaeda and their affiliates can't get the weapons to kill 3 million of us. If they could, they would.

So the goal is to create stability and marginalize Al Qaeda throughout the region. Unfortunately, as Senator McCain has predicted for a very long time, the absence of a following force allows security to break down and the vacuum was filled by the emergence of Al Qaeda in Iraq.

I would like to go over some testimony from June of 2010, when General Austin was about to take over from General Odierno the command of our operations in Iraq. General Austin told me during my questioning that we were inside the 10-yard line when it came to being successful in Iraq. In other words, the surge had worked. The surge Senator McCain supported during his Presidential campaign worked.

President Bush made his fair share of mistakes in Iraq, but to his undying credit he adjusted policies. We were all in. He gave General Petraeus all the troops we had to give and he stood behind General Petraeus, and over a 2- or 3-year period there was a phenomenal turnaround in the security situation in Iraq. The surge started in late 2007, early 2008.

Here is what had existed in 2010 in June. Basically, we were inside the 10-yard line, and General Odierno said: I think the next 18 months will determine whether we get to the goal line or give the Iraqis an opportunity to hit the goal line beyond 2011.

So we were in a good spot. The surge had worked, and we needed to close this thing out. I asked this question back in 2010: What would happen if Iraq had become a failed state? Let's say we are inside the 10-yard line but we are not smart enough to get in the end zone. What would happen? Here is what General Odierno said:

... if we had a failed state in Iraq, it would create uncertainty and significant instability probably within the region. Because of the criticality of Iraq, its relationship to Iran, its relationship to the other Arab states in the region, if it became unstable, it could create an environment that could continue to increase the instability.

I don't believe we are close to that. I believe we are very far away from that happening. I think we are definitely on the right path. But those are the kinds of things which would happen if we had a complete breakdown inside Iraq. Here was a quote:

The top U.S. commander in Iraq, Army Gen. Lloyd Austin, has said repeatedly that Iraq is not yet fully capable of defending its own air space or land borders, and that it needs help in other areas such as intelligence and logistics.

Our military commanders were telling us that the surge had worked, but we were not there yet.

Here is what I would like to say to the administration: If you believe Iraq was the wrong war to fight and we shouldn't be there, own your decision. Don't blame the Iraqis.

The truth is the administration, led by President Obama, had absolutely no desire to leave one person behind in Iraq because this was Bush's war and America was tired, and he ran on the idea of ending the war in Iraq. When it came time to make that fateful decision about a small 10,000 or 12,000, whatever the number was, residual force to maintain the gains we fought so hard and to keep Iraq stable, he now wants to tell the world it was the Iraqis. I know differently.

I know, and so does Senator MCCAIN, that this administration made it impossible for the Iraqis to say yes because this administration would never give the Iraqi Government a troop number from the White House as to the size of the force.

I remember General Austin saying publicly we needed 18,000. The bottom line from the Pentagon was somewhere slightly north of 10,000. I remember the discussions in the White House got down to 3,500 and it was cascading down.

I remember General Dempsey answering my question as to how the numbers were reduced: Was it as a result of the Iraqis saying, no, that is too many troops to leave behind in Iraq or were the numbers reduced because the White House did not want to have that many people left behind? He said the cascading down from 18,000 all the way to 3,500 had nothing to do with the Iraqis. It was the uncertainty and unwillingness of the White House to commit to a number.

So what happened? We left the country with 200 U.S. troops advising and assisting, no capability. Everything they talked about happening if we do not get Iraq right and get into the end zone from the 10-yard line in 2010 is happening on steroids. Everything our generals told us about what would await Iraq if we didn't get this right is coming true at an accelerated pace.

So I turn it back over to Senator MCCAIN.

Mr. MCCAIN. Could I ask the Senator again: One, Iraq and Syria now are in danger of becoming a base for Al Qaeda and movement back and forth between that area of Anbar Province, which obviously poses an enormous threat, because we know what the ultimate goal of Al Qaeda is.

Could I also recall for my friend from South Carolina the meeting we had with Maliki—after we had met with Allawi, after we had met with Barzani,

the leader of the Kurds, who all agreed we would get together and endorse a U.S. troop presence to remain in Iraq. This administration refused—even after we came back and begged them to give us a number—refused to give the number, claiming it had to be endorsed by their Parliament, which was absolutely false.

But now we see Iranian aircraft overflying Iraq with weapons and arms for Bashar al-Assad. We see Anbar and that area of Syria and Iraq now becoming possibly a base for Al Qaeda to operate. We see the two major cities in Anbar, Ramadi, and Fallujah—where so much American blood was shed—now with vehicles driving around with the black flag of Al Qaeda on display.

I think it is important we make it clear. The Senator from South Carolina and I are not advocating sending combat troops back to Iraq. That is impossible. It may be an avenue, but it is impossible, and we are not advocating that. We are advocating that we give advice, send equipment, and we give them some capabilities. We help them with intelligence. There are certain places we can help them. But at the same time, now Prime Minister Maliki has to reach out to the Sunnis and get a reconciliation.

From the day U.S. troops left Iraq, Maliki began to persecute the Sunni. He even charged his own Vice President, who was a Sunni, with treason and the Vice President had to leave the country.

So if any of this is going to work, if we have any influence—and have no doubt who has the influence in Iraq today: Iran. But if we have any influence, we have to tell Maliki we want to help and we want to give him the kind of technical assistance he needs. But he has to reach out to the Sunni in the way that took place in the Anbar awakening back in 2008. Because without national reconciliation, all the equipment and all the assistance we can give the Iraqis will not help.

So I do blame Prime Minister Maliki. Responsibility lies with his behavior toward the Sunni, but we were not there to influence him. We were not there. It is not only the kind of assistance we could have provided them that they need, but it also is the influence issue. No expert on Iraq today will tell you we have anything but a minimal influence and Iran has that. If anybody thinks Al Qaeda's control of large portions of Iraq and Syria is not a threat to the United States of America, then they don't understand the nature of Al Qaeda.

Mr. GRAHAM. As to the future of how to move forward, Prime Minister Maliki with all thought did go to Basra and take on the Shia militia.

The political gains we made in Iraq are being lost by lack of security. If we would have had a residual force, the political momentum toward reconciling Iraq would have continued. Without security, people go back to their sectarian corners. I would argue that the Sunnis need to up their game too.

But the immediate problem is how do you repel Al Qaeda from Fallujah and Ramadi? The way it worked before is you had the Sunni awakening, where the Sunni tribal leaders in Anbar had a taste of the Al Qaeda agenda and said: No, thank you. They were literally killing children in front of their parents for smoking. The stories coming out of Anbar Province about the abuse the people of Anbar suffered under Al Qaeda control would break your heart. So the Sunni leaders married with American military personnel to drive the Al Qaeda elements out of Anbar.

We are not there now. So how do you get Al Qaeda dislodged from Anbar Province, Ramadi and Fallujah? You are going to have to get the Sunni tribal leaders to work with the Iraqi Army.

I think now is a good time to send a former military commander of the U.S. forces—someone who is retired if that is what is required—to see if they can bring these parties together to form a military alliance between the Sunni tribal leaders and the Iraqi Army so the weight of the Iraqi Army can be brought into this fight. The distrust is high. But the way Al Qaeda was defeated in the past was the U.S. military working with the Sunni tribal leaders. We are not there.

Mr. MCCAIN. I would argue, I say to the Senator from South Carolina, two names which spring to mind would be General Petraeus and Ambassador Crocker, probably the two most respected people in Iraq today. Maybe we are getting into too much detail, but I do agree with him on that.

Mr. GRAHAM. The bottom line is we have to change the momentum. We are not there. But Senator MENENDEZ, to his great credit, is willing to release his hold on the sale of Apache helicopters to allow the Iraqi military an advantage over Al Qaeda. I think Senator MENENDEZ did the right thing.

So supplying arms in a smart way is part of the strategy to move forward. But we have to get the military in Iraq working with the Sunni tribal leaders.

I would ask Senator MCCAIN this question: On the other side of the border in Syria is complete chaos, is hell on Earth. I don't know how we stabilize Iraq long term until we deal with the dismantling of Syria where Al Qaeda occupies the region right across the Iraqi border. How does a breakdown in Syria affect Iraq?

Mr. MCCAIN. I don't think there is any doubt, I would say to my friend from South Carolina, that this has become an almost safe operating area on both sides of the Syria-Iraq border for Al Qaeda.

It is interesting. There has been a little good news in the last day or two; that is, some of the more moderate forces in Syria have struck back at this radical Islamist group because of the incredible cruelty of al-Nusra and ISIS, which is the radical Islamic group both in Iraq and Syria. Interestingly enough, that is being accomplished without any U.S. help. Thank

God for the other countries such as Saudi Arabia, Qatar, and others which have been of assistance to these people. They have been driving out some of the more extremist element. We are working with the Russians to remove the chemical weapons.

In Syria today, Bashar al-Assad, from helicopters, is dropping these crude cluster bombs which are just shrapnel that kill anybody within lethal range. Since dropping it on populated areas, Bashar al-Assad has slaughtered innocent men, women, and children.

So here we are working with the Russians. Today there was a U.N. resolution from the Security Council condemning Bashar al-Assad's barbaric behavior. Guess who vetoed that. Our friends, the Russians. This is the most Orwellian situation in Iraq anybody has ever seen throughout history. Russians are working with us to remove chemical weapons from Syria and at the same time aircraft from Russia are landing full of weapons to kill Syrian men, women, and children. I am not sure a Syrian mother can differentiate between her child dying from a chemical weapon or dying from one of these cluster bombs that Bashar al-Assad is unloading from his helicopters.

So we have this grandiose idea the Secretary of State and the administration have been pushing for months and months to have a Geneva II. The first Geneva failed. Does anyone on God's green Earth believe that Bashar al-Assad, who is winning, is going to preside over his own transition from power? Of course not.

I will never forget—I am sure the Senator from South Carolina will never forget—the testimony of our now still Chairman of the Joint Chiefs of Staff and then-Secretary of Defense Leon Panetta before the Armed Services Committee: Bashar al-Assad inevitably will leave.

The President of the United States: Bashar al-Assad, it is not a matter of when, it is not a matter of whether he will leave but a matter of when.

Meanwhile, the weapons pour in from Iran; Hezbollah, 5,000 of them; 130,000 people slaughtered, and one-quarter of the population being slaughtered, while this administration not only sits by and does nothing but the President of the United States says nothing.

This will go down as one of the most shameful chapters in American history. If the policy of this administration is to only focus on counterterrorism, get out of the Middle East, and remove any involvement of the United States in the Middle East, I can assure my colleagues the Middle East will not allow the United States of America to not be involved.

Mr. GRAHAM. If I may just conclude. I have a quote from Speaker BOEHNER, who said he would support the Obama administration if it decides to leave troops in Iraq beyond 2011.

I remember Senator Obama and Senator Clinton not being particularly

helpful to the mistakes made in Iraq during the Bush administration. In fact, the entire election in 2008 and the primary was about Iraq. I remember the politics of Candidate Barack Obama, who basically used the Iraq war to win the nomination, for lack of a better word. I remember during the campaign he talked about Afghanistan being a good war. We will talk about Afghanistan later. It is not a happy story either, I am afraid.

But the bottom line is that there was bipartisan support for troop presence beyond 2011, a residual force. This administration chose to ignore the advice of the commanders, and they created the situation where the Iraqis could not say yes. Yet they want history to record this being a problem created by the Iraqis for not giving legal immunity to U.S. soldiers. History is going to be written about our times. How this ends, nobody knows. But I know this: It is not fair to say that the reason we have nobody left behind in Iraq is because of the Iraqis. It is fair to say that the administration got the result they wanted, and they should own that—good, bad, or indifferent. Don't create a straw person for the situation that you drove and you created.

As to Syria, please understand that this whole conflict started when people went to the streets peacefully to ask for more political freedom after the uprising in Egypt; that this war in Syria did not start with a Sunni uprising or Al Qaeda invading the country. The conflict in Syria started when the people of Syria, from all walks of life, started demanding more from their government, from this dictatorship, and the response they received from their government was to use lethal force.

It has broken down now to a regional conflict where the Iranians are backing Assad and you have Sunni Arab States backing parts of the opposition and you have Al Qaeda types coming from Iraq and other places filling in the vacuum created by this breakdown in Syria.

At the end of the day, what Senator MCCAIN had been talking about for 3 years is that once you say Assad has to go—no President should say that unless they are willing to make it happen. Assad was on the ropes. With just any effort on our part, a no-fly zone to boots on the ground, any assistance at all in the last couple of years and Assad would be gone, the transition would be well underway. It would have been bloody at first, but we would have behind us now a Syria moving toward stability because the good news is the average Syrian is not a radical Al Qaeda Islamist. Syrians have been living peacefully with each other—Christians, Sunnis, and Alawites—for hundreds of years. Now Syria has become the central battle for every radical Islamist in the region, and it is just sad and sorry to witness.

But what does it mean to us? It means that if this war continues—our

friend the King of Jordan is under siege. The Lebanese Ambassador testified a couple of weeks ago in our committee that the country is saturated. Almost 1 million refugees from Syria have gone to Lebanon. There are over 5 million in Lebanon today. They have added almost 1 million refugees from Syria. They didn't plan to get to 5 million people until 2050. The Kingdom of Jordan—the Jordanians have received over 600,000 refugees, with no end in sight.

Syria is not a civil war. Syria is a regional conflict where you have proxies backing each side in Syria that are taking the entire region into chaos. It is killing Iraq. It is destabilizing Lebanon and Jordan. It has to be addressed in an effective way.

If you want to be President of the United States, certain requirements come with the job: having a vision, making tough calls at the time when it would matter. On President Obama's watch, you had the Arab spring come about and you had a desire by this administration to leave the region at any and all costs. Now you have absolute chaos. The only way we are going to fix this is for America to get reengaged. We do not need boots on the ground, but we need leadership.

It just breaks my heart to see how close we were in 2010. The surge did work in spite of opposition from President Obama as Senator and Secretary Clinton as Senator. In spite of their vehement opposition, the surge did work, and on their watch we are about to lose everything we fought for. Al Qaeda is the biggest beneficiary of our withdrawal from Iraq. Al Qaeda is the biggest beneficiary of our indifference in Syria. Al Qaeda is thriving, and our allies and our friends are in retreat.

Mr. MCCAIN. Madam President, thank you for your patience.

We yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:35 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. HEITKAMP).

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent the Senate be in a period of morning business until 3 p.m. today, and that I be recognized at 3 p.m., with all other provisions of the previous order remaining in effect.

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

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. BAUCUS, Mr. HATCH, and Mr. PORTMAN pertaining to the introduction of S. 1900 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. PORTMAN. Madam President, I yield back my time.

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

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

REMEMBERING JAVIER MARTINEZ

Mr. BLUMENTHAL. Madam President, many of us have come back from a couple of wonderful weeks in our home States, traveling and visiting with families, and had the privilege of spending time with loved ones and sharing our hopes and plans for the new year. Not everyone was so fortunate.

I rise today to honor the memory of yet another tragic victim of gun violence in Connecticut and our country.

On December 28, in New Haven, shortly before the beginning of this new year, one family's time together with their son was cut short when Javier Martinez was shot and killed.

I have his picture here in the Chamber. His memory is with us today, as I ask this body to honor him, along with other victims of gun violence who have died since Newtown, and those who have died before Newtown, and now I ask them to be remembered not only in words but also in action by this body, so that Javier shall not have died in vain.

He was only 18 years old. He was a senior at Common Ground High School in New Haven, one of the really extraordinary educational institutions in our State.

His teachers and classmates describe him as a kind, intelligent young man who was becoming a leader in the school and in his community.

He had a bright future. In fact, he had the whole world, his whole life ahead of him.

At Common Ground, a charter school that focuses on sustainability and connecting students with natural resources in their own communities, he was absolutely thriving.

I have heard that some of his classmates and teachers at Common Ground are perhaps watching right now or will watch at some point, and I want to thank them for joining in honoring his memory and continuing his work to make our planet, our world, our Nation, and the community of New Haven better, and keeping faith with his memory.

Javier cared about his community and the environment and the issues of

sustainability and clean air and clean water, and he took action to improve the world around him.

Last summer he participated in a highly competitive internship at the Nature Conservancy, where he worked to protect endangered species. A director of this program regarded Javier as one of the most outstanding participants that the program ever had.

He spent last spring planting trees—planting trees—with the New Haven Urban Resources Initiative. He planted trees that he will never sit under, but the world will be better for all that he did—one small act, one small part of what Javier did to make New Haven and the world better.

This past fall he joined a crew of West River Stewards, identifying and documenting sources of pollution along the West River in the New Haven area.

Not only did he have a bright future ahead of him, but he knew what he wanted. He was pursuing the American dream. He was seeking and working to make America a better place for him and for his fellow students at Common Ground.

By all accounts he was not only dedicated and hard working, but he had a good heart. He had a great sense of himself. He stayed out of trouble. He had no criminal record whatsoever, it goes without saying. He worked hard at his studies.

He was loved in New Haven by his classmates, by his teachers, and by all who knew him. He had a growing dedication to protecting that world. Unfortunately, our society failed to protect him, failed to protect him during the simple act of walking home, failed to protect him from gun violence, failed to protect him in a neighborhood where he thought he would be safe as he walked.

On that early morning of December 28, shortly before 1 a.m., he was found shot to death on the streets of New Haven. In fact, he was walking from his house to a friend's house. He did not have a car, so his only choice was to walk. He sustained multiple gunshot wounds and was pronounced dead at the scene.

The police are continuing to investigate. Have no doubt that they are working hard. The New Haven Police have been extraordinarily responsive and responsible in combating gun violence, so I know they are going to get answers. Whether they will ever get enough answers to prosecute someone remains to be seen. But I know they are dedicated to finding out what happened on that night.

The death of Javier Martinez is a tragedy, heartbreaking. It is heartbreaking, as are many of the random deaths in America resulting from gun violence. This young man is a testament to our continuing responsibility, our obligation, and our opportunity to combat and prevent gun violence on the streets and in the neighborhoods across our country.

Just a few weeks ago I spoke on this floor, in this very place, about another

promising young person from Connecticut who was killed by a person with a gun whose name was Erika Robinson. The victim of that crime, Erika Robinson, just like Javier, was killed because she was at the wrong place at the wrong time.

We ought to remember some of the other victims. We should keep in mind all of the now tens of thousands, just since Newtown, who maybe survived but who are changed and challenged in ways they never could have envisioned. Their lives have been changed forever.

Amber Smith, who worked as a manager in a New Haven Burger King restaurant, was shot on September 15, 2013, when two robbers entered that Burger King.

The robbers demanded that she open a safe in the business, and one of them shot her in the upper hip and through her leg. She was just 19 years old at the time on September 15, 2013.

She remembers thinking that she was going to die and wondering who would take care of her two small children. She almost bled to death but was saved, fortunately, by receiving surgery in the emergency room. So she survived the shooting, but she lives with the psychological and the physical trauma of that shooting every day.

These random acts of violence may not always make the national news, they may not always take a life, but they change lives, and they take lives one or two at a time.

Those shooting deaths of Javier Martinez and Erika Robinson have become all too often the mundane evil of our time. The banality of evil is found in gun violence, and we seem to accept it all too often with indifference as another news item. Yet it should be as repugnant and abhorrent and unacceptable as the deaths of 20 innocent children in Newtown and 6 great educators because every act of gun violence diminishes us as a nation and as a community.

Our country has come to the point that gun violence can happen anywhere. If your life has not been touched by it, there is a near certainty that it will be at some point—tragically, unfortunately—because far too often communities suffer in silence. We need to end that silence. We need to end the inaction and the acceptance of this mundane and banal evil that lives among us.

While we have failed to act in this Chamber, even though we had a majority of 55 Senators ready to approve very simple, commonsense measures to stop gun violence, the President has done what he can through executive action, most recently on mental health. I commend him for those actions. He has done what he can to strengthen Federal background checks for firearms purchases. I thank him for that action.

These changes are incremental, but they are steps in the right direction.

States have taken the leadership on this issue as well, maybe even more so than the Federal Government. My own

State of Connecticut, laudably, has passed laws to effectively ban, for example, the sale of assault weapons.

But this body and this government need to act. The Federal Government has a responsibility that only it can address, because we know that guns are trafficked across State lines. Stolen and illegally bought guns are trafficked across State lines. No single State can put a stop to it.

We know that without action in this body, mental health will remain an unmet need in this country. We know that without action in this country, background checks for people who buy firearms will be incomplete and inadequate.

So Javier's death should be a reminder and a call to action. As the people of his family and New Haven mourn his death, we should celebrate his contributions in making our planet better, in protecting the precious resources that, unfortunately, he was unable to enjoy, and resolve to protect better the innocent people, particularly our children, who at any moment, at any place, may become victims of gun violence.

EXTENSION OF MORNING BUSINESS

Mr. BLUMENTHAL. Madam President, I ask unanimous consent that the Senate be in morning business for debate only until 3:15; that the majority leader be recognized at 3:15, with all other provisions of the previous order remaining in effect.

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

Mr. BLUMENTHAL. I yield the floor and 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. COATS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. COATS. Madam President, we have been discussing, the last couple of days, the unemployment insurance issue. A number of us have had concerns relative to the effectiveness of the program relative to the cost that would undertake and how it would be paid for if it goes forward and is extended and the reforms we think would be needed to make this a much more effective program. We have not been offered the opportunity to do more than just discuss it on the floor. We have not been offered the opportunity to offer amendments, offer our ideas, have them debated and voted on. It is my understanding that the majority leader will be coming to the floor shortly to potentially—well, to tell us what the decision is relative to whether we will have that opportunity.

Let me very quickly say I have been working with my colleagues Senator

AYOTTE from New Hampshire and Senator PORTMAN from Ohio. All three of us voted for the motion to proceed because we felt this is an issue that ought to be discussed and debated, and not simply dismissed, and because we would like to make corrections to the program that make it more viable.

We would like to raise the issue of, is there a better way to deal with unemployment in this country? We have some amendments that would allow us to move and improve and move to what we think is a better way, as well as pay for a bill that, without being paid for, exceeds the budget agreement we just entered into.

I offered four amendments. I was not insisting on offering all four. They were similar to what my colleagues had offered. The three of us want to very briefly speak to these and indicate to our colleagues what it is we would be doing. I offered the original bill way last fall, which would delay the individual mandate under the Affordable Care Act.

As we all know, the President has delayed for 1 year the mandates on employers who provide health insurance for their employees, but did not so do so for individuals, for those who do not have coverage under their employer. We did not feel that was fair. Why one entity and not the other? It also violated the law that the President took the liberty to exercise.

We are saying: Well, let's at least be fair, that those who are not covered by the 1-year delay on the mandate of employers would be subject to having to comply and we have—I will not go through all of the details, but we have seen the disaster that has happened in terms of that rollout.

My amendment, No. 2611 to this bill, I am going to select out as the amendment I am going forward with. My colleagues also have excellent ideas. They will be offering those. Frankly, I agree with all of their amendments and what they are doing also, so I think we are pretty much on the same page.

This amendment would delay the individual employer mandate under ObamaCare for 1 year. The estimated cost savings on this is \$35 billion. I think that is a savings that obviously could be used for a number of offsets. I think at this particular point in time, I would yield the floor and let my colleague from New Hampshire explain her amendment and how the savings would be applied to some very necessary things.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Madam President, I thank my colleague from Indiana. As he said, I, as did my colleague from Indiana and my colleague from Ohio, moved to allow this bill to go forward for debate. I thought it was important that we have a debate on obviously the situation of struggling workers in our country and on the issue of whether to extend unemployment benefits for them.

I have been clear that on the pending bill if there is a way we can responsibly pay for this temporary 3-month extension to do that, I would be willing to support that—except the current bill does not have a way to pay for it—because I do not believe we should be adding to our debt, \$17 trillion, and our yearly deficits in order to do this.

But let me say that I have a very commonsense amendment. It is amendment No. 2603. Let me say what it is about. My amendment fixes what is an abuse in our Tax Code. The Treasury inspector general found that individuals who are not authorized to work in this country are collecting billions of dollars in tax refunds by filing for an additional child tax credit. The disturbing part about this trend is that there has been a steady increase each year of billions of dollars collected by illegal workers seeking these refunds.

Investigations of these tax refunds have found some gross examples of fraud; examples of refunds for children, children who do not live in the United States of America; examples of fraud of many children who may not even exist. For example, in Indiana, they found four unauthorized workers claiming over 20 children who lived in a residence, fraudulently collecting tens of thousands of taxpayer dollars. They found examples of tax refund claims for children who live in Mexico, not the United States of America. In North Carolina, 1,000 tax returns were linked to 8 addresses—1,000 tax returns were linked to 8 addresses, refunding \$5 million in tax refunds. Another example in North Carolina: 398 returns associated with 2 apartments—398 returns, refunding \$1.9 million to workers who are not authorized to work in our country. There was no evidence that the children being claimed either lived in the United States of America or even existed, for that matter.

My amendment is very straightforward in terms of the fix. The filer of the tax return who is going to claim the additional child tax credit would have to list a Social Security number. This is the same requirement for those who claim the earned income tax credit for which you can receive a tax refund if you qualify. So it would be simply to add that same requirement.

What the Joint Committee on Taxation has estimated is that we could save \$20 billion over the next 10 years simply by treating this child tax credit just like the earned filers income tax credit, that filers would have to use a Social Security number as well.

What would this \$20 billion go for? With this \$20 billion, we can pay for the recent cuts in the budget that were unfair, where our men and women in uniform, military retirees, were singled out for cuts to their retirement, to their cost-of-living increases, including, by the way, our wounded warriors, those who have medically retired, who got a cut to their cost-of-living increase in this recent budget. This was the only group that was singled out in

this way, those who have taken a bullet for our country, many who have done multiple tours for us in Afghanistan and Iraq, and some who have suffered horrible wounds, including those many of us have had the privilege of visiting at Walter Reed. So we can pay for and fix the military retirement cuts, as many Members on both sides of the aisle have said we have a commitment to do, because we think that was unfair.

What else can we do with this? We can also pay for the bill pending on the floor, the 3 months extension of unemployment benefits for American workers who are struggling during this period, who are trying to get back to work.

Finally, we can also take the remainder of the savings and apply it to the deficit. Again, fix tax abuse, where there has been fraud, rampant fraud found by investigations by requiring a Social Security number, such as the earned-income tax credit, and in return it is a three-for.

We can pay for the 3-month unemployment extension on this floor, we can fix the unfair cut to military retirees and to our wounded warriors, and we can help reduce our deficit.

The PRESIDING OFFICER (Ms. WARREN). The Senator's time has expired.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EMERGENCY UNEMPLOYMENT COMPENSATION EXTENSION ACT

The PRESIDING OFFICER. Under the previous order, all postcloture time with respect to the motion to proceed to S. 1845 is considered expired.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1845) to provide for the extension of certain unemployment benefits, and for other purposes.

The PRESIDING OFFICER. The majority leader.

Mr. REID. This is similar to "Groundhog Day" because this is a picture we have already seen in the very lucid speech given by my friend from New Hampshire.

She should have gone back through the CONGRESSIONAL RECORD. We have been through this before.

We are not going to hurt American children, and that is what it does. We have been through this. This is something we have tried to use in the past to pay for things that are very unfair to American children.

The other issue is there have been some efforts made, and good-faith efforts made by the Senator from Ohio, to stop double dipping—people who are on disability and are drawing unemployment insurance. We agree with him. We can take care of that, but it does not save \$5.4 or \$5.6 billion.

The disability community at this point is outraged that anyone will even suggest this. We can stop the double dipping. We are happy to join with them in doing that, but that savings is a little over \$1 billion. We are pleased, and that is part of the proposal we will all have in a little bit.

I received a phone call from a person who has done more for helping people who are disabled than any person in the history of this body, the senior Senator from the State of Iowa. He had been previously engaged and he heard about this. Those of us who know TOM HARKIN know what he does to protect the disabled. I know my friend from Ohio has good intentions, but the disability community will never allow this to happen, and they are right.

My friend, the junior Senator from Nevada, as some of us know, has had casts on one leg and now the other leg. He has had some surgery on his ankles. He has had to replace the Achilles tendons in both of his legs. A cast broke, I think it was on his left leg—maybe it was his right leg. I don't remember.

I talked to him this morning and he had to go to the emergency room to get his cast replaced. I am waiting to hear from him. I have explained this proposal in some detail to him and his staff, but he hasn't had an opportunity to speak to his staff since he had to rush to the emergency room—at least that is my understanding—so I am waiting until he gets back.

The proposal Senator REED has come up with extends unemployment insurance through mid-November. The package does what the Republicans wanted. It is entirely paid for. There are structural changes which they have been demanding, and we have done that. It has reforms that reduce slightly the number of weeks an unemployed person can remain on the unemployment insurance, while all along preserving extending the weeks of high-unemployment States.

The legislation proposed by Senator JACK REED tightens the rules for unemployment insurance. It would include a proposal, much like that advocated by the Senator from Ohio Mr. PORTMAN, that would prevent people from collecting both unemployment insurance and disability insurance at the same time. That is clear.

Much of this offset is simply an extension of the Murray-Ryan agreement we all voted for—or a lot of us voted for earlier. This provision would extend the sequester on mandatory programs for another year. If Republicans have a complaint about this, don't call and complain to JACK REED. Call PAUL RYAN. This is his. This is his idea—maybe not on this specific issue, but this is his proposal, his idea.

We believe if it is good enough to help other proposals propounded by my Republican friends in the House, it is good enough to help the unemployed.

In this proposal, there has been a desire to address the concerns of the Republicans and Democrats. Is it perfect?

Of course not, but JACK REED has done a remarkably good job, and we believe this is a sound and balanced proposal.

I would also say this takes care of it for the good part of this year. I wish we could have done it until the first of the year. We can't find enough money. I have been waiting here for more than 24 hours for a reasonable proposal by my Republican friends to pay for this. We don't have one yet.

We are not going to strip the rights of people who have health insurance, and we are certainly not going to go after little boys and girls in America who have the child tax credit. There comes a time when we have to move forward.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection has been heard.

Mr. PORTMAN. Is there objection?

The PRESIDING OFFICER. Yes, objection was heard.

The clerk will continue to call the roll.

The assistant legislative clerk continued with the call of the roll.

Mr. PORTMAN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will call the roll.

The assistant legislative clerk continued with the call of the roll.

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

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

Mr. REID. Madam President, I first of all appreciate everyone's cooperation here—patience more than cooperation. We are doing our best. I have already said what we are trying to do here, and I will repeat just a part of it.

We have a proposal that is paid for. It is a pay-for that we have used and it is something I think is totally valid. The original idea came from PAUL RYAN, but we have used it on another occasion. This has nothing to change that original proposal except to extend it for 1 year. The proposal of my friend from Ohio—an issue he has alerted us to—we think we have taken care of in this amendment. I think it is a fine proposal, but the breadth of what he is trying to do is really unfair and we can't do that. So we are doing our utmost.

We have structural changes in this. It is paid for—a pay-for for almost to

the first of the year, as much money as we are able to find. But we have done everything the Republicans have wanted: It is paid for, there are structural changes, and we have taken care of the double dipping of those in the disability community on unemployment.

AMENDMENT NO. 2631

Mr. REID. Madam President, on behalf of Senator REED of Rhode Island I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. REED of Rhode Island, proposes an amendment numbered 2631.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. REID. I ask for the yeas and nays on that amendment, Madam President. The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 2632 TO AMENDMENT NO. 2631

Mr. REID. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2632 to amendment No. 2631.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

CLOTURE MOTION

Mr. REID. I have a cloture motion on the Reed of Rhode Island amendment.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on amendment No. 2631 to S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

Harry Reid, Jack Reed (RI), Martin Heinrich, Richard Blumenthal, Michael F. Bennet, Richard J. Durbin, Patty Murray, Max Baucus, Debbie Stabenow, Bill Nelson, Amy Klobuchar, Thomas R. Carper, Edward J. Markey, Benjamin L. Cardin, Sheldon Whitehouse, Charles E. Schumer, Patrick J. Leahy.

MOTION TO COMMIT WITH AMENDMENT NO. 2633

Mr. REID. Madam President, I have a motion to commit on S. 1845 and it has instructions.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill to the Committee on Finance with instructions to report back forthwith with an amendment numbered 2633.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

Mr. REID. I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 2634

Mr. REID. I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2634 to the instructions of the motion to commit S. 1845.

The amendment is as follows:

In the amendment, strike "3 days" and insert "4 days".

Mr. REID. I ask for the yeas and nays, Madam President.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 2635 TO AMENDMENT NO. 2634

Mr. REID. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2635 to amendment No. 2634.

The amendment is as follows:

In the amendment, strike "4 days" and insert "5 days".

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

Harry Reid, Jack Reed, Amy Klobuchar, Elizabeth Warren, Richard J. Durbin, Sheldon Whitehouse, Edward J. Markey, Tammy Baldwin, Patrick J. Leahy, Christopher A. Coons, Barbara A. Mikulski, Patty Murray, Mark R. Warner, Mazie Hirono, Christopher Murphy, Tom Harkin, Sherrod Brown.

Mr. REID. Madam 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. PORTMAN. Madam President, I ask unanimous that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Ohio.

Mr. PORTMAN. I thank the Chair.

Madam President, I tried to be recognized before the majority leader decided to fill the tree, which means taking away the opportunity for amendments to be offered—although there will be an attempt in a moment to offer some. I am disappointed in that, because I think we were very close to reaching an agreement which would have enabled us to move forward with allowing Senators on both sides of the aisle to offer some of their ideas on the unemployment insurance extension.

Recall. This is an important debate we are having for the American people. It is about whether we go beyond the roughly 26 weeks in unemployment insurance to having an emergency extension again. On this side of the aisle, there were a few of us who, in fact, crossed over to vote with the entire Democratic majority to say let's have that debate. We thought we were doing so in good faith in that there would actually be a debate on two issues. One is whether it should be paid for and how it should be paid for, which I will address in a second, but second is how we should reform the unemployment insurance program and do other appropriate policies to get at the underlying problem, which is a record level, a record number of Americans who are long-term unemployed.

Clearly what we are doing isn't working, and we believe this is an opportunity for us to help improve the program to actually address the real problem. The President of the United States wants us to do that. He called me on Monday and told me he had hoped we would be able to address this issue by voting for the motion to proceed to begin the debate so that over the next few months, while we had a short-term extension of this program, there could be even more detailed discussions about how to improve the legislation and how to add other elements to it—specifically, on how to give people who are long-term unemployed the skills they need to access the jobs that are available. Unfortunately, we are not going to have that opportunity now, it appears, to have the debate over how to pay for it, what the pay-fors ought to be, and, again, how to improve the program.

But let me say this is unfortunate, because we had 60 votes to proceed. That includes certainly three of us who are here on the floor today, and all three of us are willing to move forward with this with a reasonable provision to pay for this over the 3 months, and again, during that period to come up with a better and improved unemployment insurance program. We were not

part of the discussion as to the pay-for that the majority leader has just put forward.

I appreciate his good faith in wanting to include one of the proposals I had in my amendment. I honestly do appreciate that. I will say the offset he has put in, which I have just learned about because I didn't have an opportunity to see until now, has an important difference—a difference between what was just offered in the new Democratic proposal and what is in my proposal. My proposal, which I have come to the floor to talk about three times now, has been previously proposed by the House. It says that if you get unemployment insurance or you get trade adjustment assistance, then you also do not receive Social Security disability insurance in that same month.

Why? Because these programs are mutually exclusive. If you are on Social Security disability—SSDI—that means you are not working, by definition. If you are working and lose your job, you are then continuing to look for work and you get TAA. If you have lost your job and you are continuing to look for work, which is required, you get unemployment insurance.

This is why this same general program is laid out in the President's budget, and in fact it is something I believe the administration supports in others.

The proposal the Democrats included says that if you receive unemployment insurance in the month you receive Social Security, then your SSDI is reduced by the amount of unemployment insurance received.

Why does that matter? It is not the same. And it matters because the proposal the majority leader has proposed it saves a lot less money. According to the Congressional Budget Office, my proposal would save about \$5.4 billion; theirs, as I understand it from the distinguished majority leader today, will save about \$1 billion.

So again, I appreciate his wanting to include it, and I think it is in the same spirit as the amendment I offered, but honestly we haven't had the chance to talk about this. I tried today to sit down with the Democratic sponsor of the underlying legislation, the other Senator REED, who in good faith said he wanted to talk about it, but we haven't been able to schedule that. So we have not had the discussion. So we are just learning today what is again the sort of take-it-or-leave-it proposal that is in the majority leader's proposal in filling the tree.

There is a possibility, I think procedurally—and the majority has expressed some interest in looking at this—in taking that agreement and altering it somewhat over the next couple of days, because the cloture would not ripen, as I understand it, until Monday afternoon, but that still doesn't give all of our other colleagues a chance to offer their good ideas, and there are a bunch of them out there.

The Senator from New Hampshire offered hers day before yesterday, and

she talked about it today on the floor, where she wants to take away some of the existing missed payments that are in the child tax credit. I would think all of us would want to do that—to preserve child tax credits for those who are truly eligible. For those who are not eligible, obviously, they shouldn't have access to it. It seems like a sensible amendment to me. I am a cosponsor of that amendment.

Senator COATS raised his ideas today, and I think he has some good ideas that ought to be debated.

So my hope is we would be able to go back to where we were prior to filling the tree and to say let's have a discussion. It can be limited. I think there are a very limited number of amendments.

I see the distinguished Republican whip on the floor, and he indicated to me today there are something under 20 amendments offered by the Republican side. I don't know how many of those have actually been filed, but it seems to me we could have had a good debate on that and still should.

So my hope is that we can come up with a solution here. I do think it is going to require us providing some opportunity for other people to be engaged, and specifically those who want to get to a solution, which is a lot of people on this side of the aisle and that side of the aisle—both sides of the aisle. Let's sit down and talk. We are adults. We have been elected by millions of people to represent them, and it is our responsibility, indeed our commitment to them, we would sit down across the aisle and work these things out, as you would in any other relationship—in your marriage, in your business, with your neighbors.

We had some discussion about this yesterday, that for some reason in the Senate it seems we are unable to have even the most basic level of discussion and debate. So I am open to that. I had hoped to do it today. I put my ideas out there; parts of them have been accepted, and I appreciate that, but, frankly, not the way we had laid it out in my own amendment. I do believe, if we have the opportunity, if we were to back up and to actually solve this problem, meaning to provide what the President says he wants, which is a 3-month extension of long-term unemployment, we can sit down, roll up our sleeves as Republicans and Democrats, and come up with a better way to address what is a crisis in this country, which is more long-term unemployed people than ever in the history of our country.

Those people are hurting, and clearly the current system isn't working. So to just extend it is not the answer. The answer is to allow the Senate to do its job; that is, to reform these programs so they work for the people we represent.

The PRESIDING OFFICER. The majority leader.

Mr. REID. It is the same time and time again. Things are never quite

right. They want to offer amendments. We have been waiting here since Monday for pay-fors. The only pay-for we have heard realistically to take care of this is something everyone knows we disagree with—to take away health care benefits from the American people.

The proposal by my friend from Ohio is not a good proposal. It hurts people who are disabled, and that is the fact. We have stopped dual payments. That is what our amendment does.

This is something we have been going through—the American people have been going through now for years.

My friend worked with the senior Senator from New Hampshire on energy efficiency. Now, if that wasn't quite a show. I had conversations on numerous occasions: Yeah, we have it all taken care of. Republicans are trying to move forward on this.

It went on for weeks and weeks. We never got anything done.

So we are where we are. Democrats don't need a memo to tell them to have a good conscience about people who are disabled, to be compassionate about people who are unemployed. We don't need a memo. We know that people who are long-term unemployed are desperate for help. We are compassionate. We don't need a memo to tell us that.

The American people want to know where we stand. Are we going to extend unemployment benefits for people who have been out of work for a long time? That is the issue before this body. And we have bent over backward, through JACK REED, to come up with a proposal to pay for this, to get rid of this issue for this year. We have structural changes in this amendment. We have a pay-for which came from PAUL RYAN, the Republican Vice Presidential candidate this last election cycle. He is chairman of the Budget Committee. So I think we have done a yeoman's job through JACK REED, we need to move on, and that is what we are going to do.

If there is a proposal my friend has—and we know his expertise, but the problem with his expertise is it is never quite right. It is almost but not quite right.

So the time is now to fish or cut bait. And they can make all the motions they want to try to complain about “We didn't offer enough amendments. We need to be more like the Senate used to be.” Well, I know what the Senate used to be because I was a used-to-be Senator, and it doesn't work the way it used to not because of anything we do wrong but because of the obstruction of President Obama's agenda. Every day it is more obstruction.

Mr. CORNYN. Madam President, would the Senator yield for a question?

Mr. REID. Of course.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, I ask the distinguished majority leader whether it is the position of his caucus and his position personally that people ought to be able to collect unemployment compensation and disability benefits simultaneously?

Mr. REID. No. And that is why JACK REED's proposal stops it.

Mr. CORNYN. I would further ask the majority leader, it is my understanding that the amendment of the distinguished Senator from Ohio would discontinue the simultaneous collection of disability and unemployment benefits. But the majority leader objects to that amendment and instead is blocking that amendment and other amendments by the Republican side of the aisle by one which changes the effective date of the bill 1 day. In other words, it is purely a blocker amendment, has zero substance whatsoever, and does nothing to improve the underlying bill.

Mr. REID. Is there a question in all of this?

Mr. CORNYN. Isn't that right?

Mr. REID. Is what right?

Mr. CORNYN. What I just said.

Mr. REID. No, it is not right, because what the amendment of the Senator from Ohio does is hurt people who are disabled. Part of JACK REED's amendment stops people from drawing both benefits at the same time.

Mr. CORNYN. I would ask the distinguished majority leader one more question.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I would be happy to.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Is the majority leader aware there are 24 Republican amendments on file, almost all of which deal with the underlying bill in an attempt to either improve workforce education and training, provide other reforms to the unemployment compensation system, or otherwise help the economy recover so that people won't have to depend on unemployment insurance and they can get a job? Is the majority leader aware that there are those amendments and those ideas on this side of the aisle?

The PRESIDING OFFICER. The majority leader.

Mr. REID. I don't know the exact number, but there are always a lot of proposed amendments around. What I would say is this: Rather than continually denigrating our economy, our President, and, frankly, I believe, our country, I think we should have some more constructive things around here.

For example, we had today a conversation for 1½ hours with Chairman Bernanke. He is going to be there until the first of next month. It was a very good discussion. He talked about the vibrancy of this economy now. He said, as we have been saying here, it is not as good as it should be, but with a little bit of help, it would be on fire. Now, why isn't it on fire? Because of the obstruction over here.

As the Presiding Officer knows, the new Fed chair, Chairman Yellen, has also said unemployment benefits are a great impetus in helping the economy. For every \$1 put into the economy in unemployment benefits, we get \$1.50 back.

This bill recognizes that these benefits don't go on forever. That is why we make structural changes. We would be happy anytime to sit down and have a good discussion with the senior Senator from Texas and anyone else to talk about things we can do.

We have had a lot of programs that deal with job retraining. In 1998 when we did that, it wasn't a bad deal. Here it is all these many years later, and of course we need to sit down and talk about ways to improve retraining. This whole country needs that. That is also something Chairman Bernanke said today.

So I repeat, let's start being constructive around here, and instead of talking about how terrible things are, let's talk about how things are improving. We have had 8 million new jobs since Obama has been President. We have a lot of good things that have happened. Has it been perfect? Not even close to perfect.

Mr. MCCONNELL. Would the majority leader yield for a question?

Mr. REID. Of course.

Mr. MCCONNELL. Is it the majority leader's intent to allow votes on any Republican amendments?

Mr. REID. On what?

Mr. MCCONNELL. On the bill we were just discussing.

Mr. REID. This is Thursday. We have been waiting since Monday to get a proposal from the minority, the Republicans, as to what they believe would be a good way to pay for this.

Nothing, other than whack ObamaCare. So the answer is that we are where we are now. We have tried a number of different ways on many different pieces of legislation to say, OK, let's just do germane amendments. No. How about relevant amendments? No. How about having a specific number of amendments and giving the minority more than the majority? No, can't do that either. We want unlimited amendments on everything. As a result of that, we have continued obstruction which has taken place in this body for 5 years. It is time we get back to legislating the way we used to.

Mr. MCCONNELL. Is the answer to my question, I would say to the majority leader, no?

Mr. REID. The answer to the Senator's question is no.

Mr. MCCONNELL. No.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I wish to make two corrections quickly and then yield to my colleague from Indiana.

One is that the proposal I did offer had nothing to do with ObamaCare, as I thought the majority leader understood, and others do not, including the amendment from the Senator from New Hampshire. So we do have a number of amendments and a number of good ideas. We had a debate.

Second, it is in the President's budget. So if it is such a terrible proposal, I am surprised the President would have proposed it.

Mr. REID. Would my friend yield for a question?

Mr. PORTMAN. Of course.

Mr. REID. Does the Senator also understand that in the President's budget, he calls for revenue, does he not?

Mr. PORTMAN. Yes, he does. He calls for major tax increases.

Mr. REID. And my friend would also acknowledge that when Presidents submit these budgets, don't they propose a budget rather than nitpicking different pieces of the budget one at a time?

Mr. PORTMAN. The Senator is correct. After having put together a budget myself, I would say you have to stand by all those policies. And I think if we were to call on the Office of Management and Budget or the Treasury Department, they would tell you they stand by these proposals. So, yes, it is a package, but they put them in because they think they are good policy.

So my point is that we have some good ideas not related to ObamaCare, since that seems to be an objection by the majority leader, and I hope we can work something out. I do think there is an opportunity for us to do so. But I don't think we can do it unless there is a little bit of give-and-take and some discussion, at least, which we have not been able to have yet.

With that, I yield for my friend from Indiana.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Madam President, I will be brief. I know my colleagues probably have travel plans. But this is something we had earnestly hoped that by six of us supporting the motion to proceed, we would have the opportunity to offer an amendment, debate that amendment, and have our colleagues vote on that amendment.

For the majority leader to simply say—and I quote him: I have looked at these amendments that Republicans have offered, and none of them are reasonable.

Isn't that something this body is supposed to achieve by something called a vote? Do we have one person here who runs the place and says: I will decide whether your amendment is not reasonable. And if I decide your amendment is reasonable, along with all the other 23, then we won't have any vote or debate or the ability to offer any amendment whatsoever.

I thought the way we settle things here as to whether this body thought something was reasonable or helpful or might correct some of the inequities which have been talked about here was decided by a vote of 100 Senators. But it has been decided by the decision of one Senator who has the power to do what he is doing. But this just perpetuates.

The majority leader said he has been waiting since Monday for Republicans to offer a pay-for. I was down here Tuesday offering four options to pay for.

I know the majority leader doesn't sit in the office and come to the floor

when I come down to speak or turn on the television, but I think his staff would have told him: Well, Coats has four pay-fors.

And I said: I am not asking for all four, Mr. Leader. You select the one you think best fits the thoughts and ideas and values of your caucus.

So I put four out. The majority leader said we are delaying time. We have been waiting for nearly 2 days now for the majority leader to make up his mind in terms of what he wanted to do.

The three of us who were listed as surprise votes for the motion to proceed weren't even asked to be part of any negotiations. We were trying to look for a solution to the problem, come together and have something to offer to our colleagues to vote on, but we weren't even asked to be part of that.

So here we are. I am representing the people of Indiana. Their voice is shut down. I don't even have the ability to offer an amendment, which my constituents sent me here to do. They didn't send me here just to be told: Sit down and forget it; one person decides. So I am very disappointed.

With that, in the interest of time I ask unanimous consent to call up my amendment No. 2611.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Yes.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. REID. If he will just withhold—and he can offer his amendment—I do want to say this. We get nowhere with dueling amendments. We have learned that in the past. Dueling amendments don't do the trick.

The issue is pronounced, it is here before us, and we went a step further. In the past we haven't paid for this. Five times, President Bush signed bills extending unemployment benefits not paid for.

Again, we have done a good job reducing the debt. We have a lot more we can do, but we have reduced it almost \$3 trillion already. The issue now before us is are we going to extend benefits for people who have been unemployed for a long time. That is the question. We bent over backward to try to come up with a compromise, a bipartisan piece of legislation. I repeat, it is paid for with a PAUL RYAN pay-for. There are structural changes. It is a pretty good deal. I am very disappointed we are at a point now where we have been for 5 years. Nothing is ever quite good enough. They always want more amendments. They always want more amendments.

But the issue is before us. Is this body going to vote to extend unemployment benefits paid for with PAUL RYAN's pay-for and with structural changes or are they going to turn their back on people who are desperate?

Mr. COATS. Madam President, may I ask the majority leader to yield for just one question?

Mr. REID. Sure.

Mr. COATS. The majority leader just said this body gets nowhere by offering amendments. Does he mean throughout this year it is worthless, meaningless for Republicans to offer any amendments to any bill to try to make improvements to the bills or to try to make their voice heard or the voice of the people I represent, the people of Indiana, heard on this floor?

Mr. REID. My friend, the Senator from Indiana, is of those Senators who used to be here when the good old times were here. We didn't have "gotcha" amendments. Every amendment offered, with rare exception, is a "gotcha" amendment. That is not what we do here.

I have been waiting since Monday to get pay-fors as to how we can extend unemployment benefits for people. They come up with stuff that doesn't even pay for 3 months' worth of extensions. Amendments are important, but I think we have to go back to the time when Senator COATS was here the first time and start working together to get things done in this body.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Madam President, this is 100 percent different from the time I was here the first time. We were able to offer any amendment to any bill at any time and the majority leader, both Republicans and Democrats, allowed us to do that. This is the first time I have had the experience of not being able to offer an amendment.

I think I heard the majority leader object, but I was not sure. Did he object to my unanimous consent request?

The PRESIDING OFFICER (Mr. COONS). The objection was heard.

Mr. REID. I was there, just like my friend. Things were different then, they certainly were, because we did not have hundreds of filibusters that would take place. Filibuster was something that was used rarely. In those days would you ever filibuster the Secretary of Defense or all the other Cabinet officers? Of course you would not. That is why action had to be taken.

But what my Republican friends have to realize is that filibuster is not a right, it is a privilege. It has been abused. My friend can lecture me, and I am happy to listen to his many lectures, but I was here. I know how things used to work and what has gone on in the last 5 years would never have taken place in those days.

Mr. MCCONNELL. Will the majority leader yield for a question?

Mr. REID. Yes.

Mr. MCCONNELL. He brings up the Secretary of Defense frequently. Was the Secretary of Defense defeated or confirmed?

Mr. REID. No, he was only delayed while we had two wars going on in this country.

Mr. MCCONNELL. Has a member of the President's Cabinet ever been defeated on a filibuster in the history of the Senate?

Mr. REID. Mr. President, in response to the question of my friend, in fact what has happened—and we find this with the judges—they stall for weeks, months, and sometimes years. When the vote comes it is pretty good, but in the meantime they have done significant damage to this institution and our country by stalling and making it so the President of the United States has a very difficult time doing his job because he doesn't have his people there when he needs them.

Mr. MCCONNELL. I ask my friend, the majority leader, then is what he finds offensive the fact that there are debates about these matters? Since none of these members are being defeated, what is the issue? I am having a hard time understanding it. Is it the fact that there is controversy, that there is debate? Since none of them are being defeated, is he also suggesting we have no controversy about anybody sent by the President of the United States?

Mr. REID. Mr. President, of course that is a question that is a great big softball—of course not. We need debate. We need good, strong debate about nominations and everything else. But what we don't need is hours and days and weeks and months of obstruction. That is what we have here.

My friend, the Republican leader, is picturing to everyone within the sound of his voice something that doesn't exist. There has been obstruction that has been carried to an extent that no one ever dreamed would happen in this great Republic.

That is what the objection is. The objection is to obstruction. Was it only a debate when my Republican colleagues decided the DC Circuit—some say the most important court in this country, even, some say, more important than the Supreme Court—when they decided there were vacant seats there and for 5 years held up filling those seats? Is that a debate? No. It is obstruction.

If we turn to the dictionary and look up "obstruction," they would point right over here.

Mr. MCCONNELL. Will the majority leader yield for another question?

Since he has conceded that no Cabinet members have been defeated prior to the decision of the majority leader to break the rules of the Senate to change the rules of the Senate, is it not the case that 215 of President Barack Obama's judges have been confirmed and only 2 have been defeated?

Mr. REID. Mr. President, during the time we have been a country, and I don't know exactly long it has been, more than 230 years—I can't come up with it this second—there have been 23 district court nominees filibustered. Twenty of them have been during the 5 years of the Obama administration, and that example is throughout the government.

The American people know what is taking place in this body. They can try to paint over a picture that things are just fine, all we are doing is wanting a

little bit of debate. There has been stalling, obstruction that is untoward and never considered. I just can't imagine how my Republican colleagues can justify what they have done. But they do. I accept that.

But we have an issue before this body. Again, they are trying to divert attention and go to how many amendments, what are the rules. The issue before this body is whether the long-term unemployed get an extension of their benefits. As we speak, there are people all over this country who are desperate to be able to get \$300 a week to be able to survive for another week, hoping they will find a job. The sad part about that—my friends say we need to do something about making sure these people fill these vacant jobs. There are lots of places people find work. For every job opening there are three people unemployed trying to find a job.

I have answered the question to the best of my ability.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. REID. Mr. President, my friend from Indiana had a consent request? Oh, I wanted my friend from Indiana to know I was not trying to object to something he has a right to do.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, let me just say I share in the comments of my colleague from Indiana and my colleague from Ohio. The three of us voted in good faith to debate this bill. I did so because I thought we should try to debate this issue; that both sides, if they had an idea about how to pay for this in a responsible way, we should bring it forward. When I hear the majority leader say I have been waiting since Monday, I filed an amendment on Tuesday. That amendment is straightforward. That amendment is one that would fix fraud in our Tax Code that came to light in 2011 in a Treasury IG report. What it would simply require is those who seek the additional child tax credit to file a Social Security number just like those who seek the earned-income tax credit in this country.

Why is that? Because the investigations of this tax refund people receive found they were claiming it for people who, No. 1, were basically not authorized to work in this country but were claiming it and, second, for children who may not even exist. Investigations found that for children who do not even live in this country. So a commonsense amendment that—by the way, would it pay for it? It would pay for 3 months of unemployment insurance for American workers and for this issue we have before this Chamber. It would pay for it to fix the military retirement cuts to the COLAs—that also impacted our wounded warriors—that were done in the most recent budget that were unfair, that Members of both sides of the aisle have come together to say we should fix and agree it is unfair.

What else would it do? It would reduce the deficit. What I hear from the

majority leader is: I hear that idea. We have heard that before. You may have heard it before, but we have not been allowed a vote on it.

Are they so afraid of having a vote on something such as this that the people of New Hampshire whom I represent can't get a vote on, trying to fix this abuse in our Tax Code, on trying to solve this issue pending on the floor and to pay for it so we do not add to our \$17 trillion in debt?

By the way, is it so unreasonable? I happened to sign a letter from a Member of the Democratic conference who, after the Treasury IG report was issued that I am citing, was equally as concerned as I am about this abuse in the Tax Code, in fact, described it as improper payments and said it seemed reasonable to presume that unauthorized workers were not eligible for this tax credit and called on the Commissioner of the IRS—this is a respected Member of the Democratic conference who expressed concerns about it. That Member said: "We need to stop these unauthorized payments immediately."

That was in 2011 and we cannot even get a vote on this? We can reasonably disagree, but the only way we can express those disagreements in this body, as my colleagues have said, is to be allowed to vote and to be able to represent our States and to get votes on amendments.

With that, I will ask unanimous consent to call up my amendment No. 2603.

The PRESIDING OFFICER. Is there objection?

Mrs. BOXER. Reserving the right to object.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, talk about fiddling while Rome burns. If you are one of the 1.3 million people in this country, 222,000 in my State, whose house is burning down because they are going to lose the safety net of \$300 a week to feed their family, to take care of their kids, to heat their homes, and my colleague talks about letters? I will tell you about a letter I got from a woman who sets her thermostat at 55 degrees and she has a 2-year-old and a 1-year-old, and all they do on that side is complain that their amendments, they are so important—24 of them. They know they are all partisan.

We are trying to work on a bipartisan solution. Somebody explain to me why the Republicans never objected to extending unemployment so many times when George W. Bush was President. Not a one. It was fine.

So do we make economic policy by who is in the White House or by the needs of our people?

This idea of going after children is one of the worst ideas I have ever heard, and I am shocked. I am shocked. You are going to hurt children. You are going to take food out of their mouths. It is outrageous. If there are abuses, I say to my friend, put those people in jail.

If there were one corrupt Senator—and there could be and there might be and there was in the past—and every one of us got painted with that brush, which is what the Senator did in her speech, is to taint every poor child who happens to benefit from that credit. Let us not go down that partisan route. Let us support our leader and let us work through the weekend to come up with a plan. I think the majority leader has one.

I object.

The PRESIDING OFFICER. The objection is heard. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I would say, first of all, I voted in good faith, one of six Republicans, to debate this bill to solve this problem. I cannot get a vote. If the Senator from California objects to this amendment, then why don't we vote on it? This is nothing about protecting children—unless the Senator is trying to protect children who may not exist or trying to protect children who do not live in the United States of America. This is about protecting abuse within the Tax Code which, again—I have a letter from a Member of her caucus who recognized this problem as well, based on a Treasury IG report done during this administration. This amendment is about protecting the American taxpayer, and the American taxpayer needs some protection in this body when it comes to tax fraud.

Let me say that we need to be able to have votes on behalf of our States and on behalf of the American people, and if we disagree, let's vote them down. I don't see what the issue is unless they are worried it is going to pass because it just makes too much sense.

I have a parliamentary inquiry. Is it correct that no Senator is permitted to offer an amendment to the unemployment insurance bill while the majority leader's motion to commit with instructions with further amendments is pending?

The PRESIDING OFFICER. The Senator is correct.

Ms. AYOTTE. I have a further parliamentary inquiry. If a motion to table the Reid motion to commit with a further amendment is successful, would there still be Reid amendments pending that would prevent me from offering my amendment or any of my colleagues from offering their amendments which would pay for this and improve it and try to address the problems we are supposed to be debating on this floor?

The PRESIDING OFFICER. The Senator is correct.

Ms. AYOTTE. I have an important amendment, and that amendment would fix the abuse within the Tax Code that has been identified by a Treasury IG report and subsequent investigations. My amendment would pay for this 3-month unemployment extension for American workers—those who are struggling to find work. It is an amendment that would fix the unfair cuts to our military retirees and

wounded warriors. I am concerned about the \$17 trillion in debt and what it will do to the future of our children and this country, and this amendment would reduce the deficit as well.

I would ask for a vote on my amendment, amendment No. 2603, but in order for the Senate to consider my important amendment and amendments that my colleagues have talked about—and I hope amendments on the other side that we should be voting on—I move to table the pending Reid motion to commit with instructions, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is on agreeing to the motion.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Kansas (Mr. MORAN), and the Senator from Kentucky (Mr. PAUL).

The result was announced—yeas 42, nays 54, as follows:

[Rollcall Vote No. 3 Leg.]

YEAS—42

Alexander	Enzi	McCain
Ayotte	Fischer	McConnell
Barrasso	Flake	Murkowski
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	Manchin	Wicker

NAYS—54

Baldwin	Harkin	Murray
Baucus	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Heller	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Coons	Levin	Tester
Donnelly	Markey	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden

NOT VOTING—4

Casey	Moran
Coburn	Paul

The motion was rejected.

NOMINATION OF ROBERT LEON WILKINS TO BE U.S. CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA—MOTION TO PROCEED

Mr. REID. I now move to proceed to the motion to reconsider the vote by which cloture was not invoked on the nomination of Robert Leon Wilkins to be a U.S. Circuit Judge for the District of Columbia.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) and the Senator from California (Mrs. BOXER) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. MORAN), and the Senator from Kentucky (Mr. PAUL).

The PRESIDING OFFICER (Mr. MARKEY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 41, as follows:

[Rollcall Vote No. 4 Leg.]

YEAS—53

Baldwin	Heinrich	Nelson
Baucus	Heitkamp	Pryor
Begich	Hirono	Reed
Bennet	Johnson (SD)	Reid
Blumenthal	Kaine	Rockefeller
Booker	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Coons	Manchin	Tester
Donnelly	Markey	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden
Harkin	Murray	

NAYS—41

Alexander	Enzi	McConnell
Ayotte	Fischer	Murkowski
Barrasso	Flake	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rubio
Chambliss	Heller	Scott
Coats	Hoeven	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kirk	Vitter
Crapo	Lee	Wicker
Cruz	McCain	

NOT VOTING—6

Boxer	Coburn	Moran
Casey	Inhofe	Paul

The motion was agreed to.

Mr. PRYOR. Mr. President, I move to reconsider the vote.

Mr. LEVIN. Mr. President, I move to lay that motion upon the table.

The motion to lay upon the table was agreed to.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE SESSION

Mr. REID. Mr. President, I move to reconsider the vote by which cloture was not invoked on the Wilkins nomination.

I ask unanimous consent that the next votes be 10 minutes in duration.

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

The question is on agreeing to the motion.

Mr. SCOTT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Pennsylvania (Mr. CASEY) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. MORAN), and the Senator from Kentucky (Mr. PAUL).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 40, as follows:

[Rollcall Vote No. 5 Ex.]

YEAS—54

Baldwin	Heinrich	Murray
Baucus	Heitkamp	Nelson
Begich	Hirono	Pryor
Bennet	Johnson (SD)	Reed
Blumenthal	Kaine	Reid
Booker	King	Rockefeller
Brown	Klobuchar	Sanders
Cantwell	Landrieu	Schatz
Cardin	Leahy	Schumer
Carper	Levin	Shaheen
Coons	Manchin	Stabenow
Donnelly	Markey	Tester
Durbin	McCaskill	Udall (CO)
Feinstein	Menendez	Udall (NM)
Franken	Merkley	Warner
Gillibrand	Mikulski	Warren
Hagan	Murkowski	Whitehouse
Harkin	Murphy	Wyden

NAYS—40

Alexander	Enzi	McConnell
Ayotte	Fischer	Portman
Barrasso	Flake	Risch
Blunt	Graham	Roberts
Boozman	Grassley	Rubio
Burr	Hatch	Scott
Chambliss	Heller	Sessions
Coats	Hoeven	Shelby
Cochran	Isakson	Thune
Collins	Johanns	Toomey
Corker	Johnson (WI)	Vitter
Cornyn	Kirk	Wicker
Crapo	Lee	
Cruz	McCain	

NOT VOTING—6

Boxer	Coburn	Moran
Casey	Inhofe	Paul

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. This will be the last vote today. The next vote will be Monday, January 13, 2014, at 5:30 p.m.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Robert Leon Wilkins, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

Harry Reid, Patrick J. Leahy, Tom Udall, Mark Begich, Brian Schatz, Al Franken, Barbara Boxer, Richard J. Durbin, Christopher A. Coons, Tammy Baldwin, Debbie Stabenow, Benjamin L. Cardin, Sheldon Whitehouse, Patty Murray, Barbara A. Mikulski, Kirsten E. Gillibrand, Tom Harkin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Robert Leon Wilkins, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. HATCH (when his name was called). "Present."

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Pennsylvania (Mr. CASEY) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. MORAN), and the Senator from Kentucky (Mr. PAUL).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 55, nays 38, as follows:

[Rollcall Vote No. 6 Ex.]

YEAS—55

Baldwin	Heinrich	Nelson
Baucus	Heitkamp	Pryor
Begich	Hirono	Reed
Bennet	Johnson (SD)	Reid
Blumenthal	Kaine	Rockefeller
Booker	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Collins	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murkowski	Wyden
Hagan	Murphy	
Harkin	Murray	

NAYS—38

Alexander	Enzi	McConnell
Ayotte	Fischer	Portman
Barrasso	Flake	Risch
Blunt	Graham	Roberts
Boozman	Grassley	Rubio
Burr	Heller	Scott
Chambliss	Hoeven	Sessions
Coats	Isakson	Shelby
Cochran	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kirk	Vitter
Crapo	Lee	Wicker
Cruz	McCain	

ANSWERED "PRESENT"—1

Hatch

NOT VOTING—6

Boxer	Coburn	Moran
Casey	Inhofe	Paul

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 38, and one Senator responded "Present." Upon reconsideration, the motion is agreed to.

NOMINATION OF ROBERT LEON WILKINS TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of Robert Leon Wilkins, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

Mr. LEAHY. Mr. President, as we begin 2014, I hope we can set aside our differences and do what is best for this country by confirming qualified nominees to fill critical vacancies facing our Federal judiciary. We can do this today by voting to end the filibuster of Judge Robert Wilkins, who has been nominated to serve on the U.S. Court of Appeals for the DC Circuit. Judge Wilkins was nominated last June, and it is time that he received an up-or-down vote on his nomination. Last month, before we adjourned the Senate, we were able to confirm two other exceptional nominees to this court—Patricia Millett and Nina Pillard. Once Judge Wilkins is confirmed, the DC Circuit, which is often considered to be the second most important court in the Nation, will finally be operating at full strength. The American people deserve no less.

Judge Wilkins is an outstanding nominee. He was unanimously confirmed to the U.S. District Court for the District of Columbia less than 3 years ago. He has presided over hundreds of cases and issued significant decisions in various areas of the law, including in the fields of administrative and constitutional law. Prior to serving on the bench, he was a partner for nearly 10 years in private practice and served more than 10 years as a public defender in the District of Columbia.

During his time at the Public Defender Service, Judge Wilkins served as the lead plaintiff in a racial profiling case, which arose out of an incident in which he and three family members were stopped and detained while returning from a funeral in Chicago. This lawsuit led to landmark settlements that required systematic statewide compilation and publication of highway traffic stop-and-search data by race. These settlements inspired an Executive order by President Clinton, legislation in the House and Senate, and legislation in at least 28 States prohibiting racial profiling or requiring data collection.

Despite the progress made in the past several decades, the struggle to diversify our Federal bench continues. If confirmed, Judge Wilkins would be only the sixth African American to have ever served on the DC Circuit.

Judge Wilkins earned the ABA's highest possible rating of unanimously "well qualified." He also has the support of the National Bar Association, the Nation's largest professional association of African American lawyers and judges, as well as several other prominent legal organizations. I ask

unanimous consent to include a list of support in the RECORD.

I urge my fellow senators to end the filibuster on this outstanding nominee. This Nation will be better off with Judge Robert Wilkins serving on the DC Circuit.

I would also note that on December 31, 2013, before the new year, Chief Justice Roberts once again issued his annual year-end report on the Federal judiciary. In this report, he focused on the significant financial strain on our Federal courts. The cuts from sequestration have had a real impact for Americans seeking justice and pose real threats to the dedicated public servants who work in our Nation's Federal courts as well as to members of the public. I hope that we can return to regular order in our appropriations process and ensure that our courts have the resources they require. As the Chief noted, the Federal Judiciary's entire budget "consumes only the tiniest sliver of Federal revenues, just two-tenths of 1 percent of the Federal government's total outlays." We receive the benefit of the greatest judicial system in the world for less than 1 percent of our entire Federal budget. It makes no sense to indiscriminately cut services from our independent Federal judiciary. There are better and smarter ways to save taxpayer dollars.

Another threat facing our courts which is unaddressed in the Chief's year-end report are the continuing vacancies experienced by the Federal courts. Over the last year, the number of vacancies has hovered around 90 because obstruction in Congress has led to filibuster after filibuster of qualified nominees. And the unfortunate action taken by Republicans at the end of the first session of this Congress will only mean further delay in filling these vacancies—Republicans, for the first time ever, refused to allow any currently pending judicial nominees to be held over so that they could be ready for immediate action this year. For purely political reasons, Senate Republicans are forcing us to duplicate work this year that we already completed in 2013. In the jurisdiction of the Senate Judiciary Committee alone, more than 65 judicial and executive nominees were returned to the President and had to be renominated this week. It is a waste of taxpayer dollars and valuable resources that could be spent addressing the difficult issues facing our Nation. We must not take for granted that we have the greatest justice system in the world, and ensuring this continues requires the Senate to fulfill its constitutional duty of advice and consent.

Fortunately, due to the procedural posture of the nomination from last year, we did not have to send the nomination of Robert Wilkins to the U.S. Court of Appeals for the DC Circuit back to the President for renomination. I thank the majority leader for prioritizing this nomination in the first week of the second session of this Congress. I hope my fellow Senators

will join me today to end the filibuster of the nomination of this good man to serve on this important court.

VOTE EXPLANATION

• Mrs. BOXER. Mr. President, I was unable to attend the roll call vote on the motion to invoke cloture on the nomination of Robert Wilkins to be U.S. Circuit Judge for the D.C. Circuit. Had I been present for this vote and the two related procedural votes, I would have voted aye. •

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I ask unanimous consent that I be recognized to proceed as though in morning business for 15 minutes, but prior to that I be able to yield to Senator REED of Rhode Island for 5 minutes and that not be counted against my time; and that I then be recognized after he is done.

The PRESIDING OFFICER. Is there objection?

Without objection, the Senator from Michigan is recognized and yields to the Senator from Rhode Island.

UNEMPLOYMENT INSURANCE

Mr. REED. Mr. President, I wish to thank the Senator from Michigan, my chairman of the Armed Services Committee, and I simply wish to make a few comments about this afternoon's proceedings with respect to unemployment insurance. The reason we were here, and we can't lose sight of that, is that 1.3 million Americans, as of December 28, lost their extended unemployment benefits. They are without the modest support of roughly \$300 to \$350 a week. Every week, 73,000 more Americans lose this support. We are going to see this number grow and grow and grow and grow while we talk and talk and talk.

Along with Senator HELLER, we proposed a very straightforward mechanism: a 90 day extension and picking up retroactively those who had lost it, unpaid for, so we could work on some of the difficult issues my colleagues have all explored this afternoon.

In listening to my colleagues, we made the determination there was a sincere concern and desire on the part of my Republican colleagues particularly that any extension of benefits be paid for. Most frequently, we don't pay for these benefits. We have on occasion, but most times we consider it emergency spending. We go ahead and authorize the payments and we don't offset it. But the concern was raised repeatedly and very strenuously that these benefits should be paid for. Also, there were several proposals to do that.

So working closely with my colleagues, we considered the best approach for it was not simply to bring up the Reed-Heller bill, the 90 day extension, but to respond as best we could to these concerns. So the provision we brought up today is fully offset, but it goes beyond 90 days because the simple logic was that going through the travail of finding pay-fors is not something we want to do every

90 days. It is something we should do seriously but for as long as possible. So our provision would be able to carry these benefits through to the middle of November, and it required finding off-sets.

The other thing we have heard from our Republican colleagues is that we shouldn't use any revenue—no tax provisions. In the Democratic caucus we have seen this extension of extended unemployment insurance benefits come up so many times under Republican Presidents and Democratic Presidents completely unpaid for. But also in terms of seriously and thoughtfully balancing the way we pay for provisions, we have many times suggested, which I think is common sense, let's have a mix of revenue and other provisions—spending provisions. Let's do that; 50-50 or some fair combination. In fact, I think the American people would see that as the most sensible approach to doing the work of government. But once again we yielded to the perceptions and the demands, in some respects, that there be no revenue provisions in this bill.

As a result, we had to look for a series of pay-fors that didn't involve revenues. That was a deliberate attempt to reach across and to say: We hear you. You want it fully paid for, you want no spending, and you want provisions that will not involve revenue. So we proposed a major provision—an extension of the mandatory sequestration—that was included in the budget agreement and that had overwhelming support in the Senate—for a bit over an additional year, which gained us, roughly—and these are rough figures—about \$17 billion.

Then we took one of the provisions that was offered by my colleague Senator PORTMAN, who has been working very assiduously and very thoughtfully on these issues, with respect to the double collection of both SSDI benefits and unemployment compensation benefits and we tried to focus it and make it narrower, and that resulted in \$1 billion, giving us sufficient funds to carry this program through—if we voted today, starting as soon as the House passed it—all the way to the middle of November. That is where we are today.

We still are open to alternatives to try to deal with this issue. I know many of my colleagues on the Democratic side have a long list of revenue provisions. In fact, Chairman LEVIN has, through his work, a list of what many would call—many Americans—egregious loopholes that corporations enjoy. But certainly there are other ways to pay for this. But we are still trying to work through this.

We are still trying to find a bipartisan approach to deal with the issue of the moment, the crisis of the moment, and that is 1.4 million Americans today—and that number is growing—who worked hard and through no fault of their own lost their job and who are now struggling to get by with a modest \$300 or \$350 a week.

One final point. This is a crisis of the moment. I know some of my colleagues are talking about an issue—the issue of military pensions—that doesn't become effective, as I understand it, until 2015. There are other ways to deal with it. But that is a fair position to advance at any time, and I have great sympathy for that position.

I would hate to see other issues, systematic reform of our training programs—which takes time, effort, and focused attention by committees typically—essentially prevent a response to the immediate crisis of people who are without jobs, who are desperately looking, and now don't have very modest support to pay for their rent, pay for their heat, and provide some support for their families.

We are still engaged. We will have a vote Monday. I hope we can succeed on that procedural vote. Regardless, we are going to come back and back, because this number of Americans—growing each week by approximately 70,000—needs our response, not just our comments on the floor of the Senate.

I yield back.

The PRESIDING OFFICER. The Senator from Michigan.

IRAQ

Mr. LEVIN. Mr. President, the current situation in Iraq is deeply disturbing. The violence there is a human tragedy, and the resurgence of Al Qaeda-affiliated forces in Fallujah and elsewhere represents a threat not just to the people of Iraq but to our own security and that of our friends and allies in the region. So I very much share in concerns many of us have expressed about recent developments in Iraq.

The United States has announced it will expedite military assistance, including delivery of unmanned aerial vehicles and HELLFIRE missiles. That is appropriate. The administration has stepped up intelligence sharing to help Iraq security forces in their fight. That is appropriate. The administration is holding ongoing conversations with Iraq about other ways in which the United States might assist, and that is appropriate.

One form that assistance might take is in the sale of weapons such as attack helicopters to Iraq. The issue is not whether such aircraft would help Iraq fight violent extremists; they would. The question is whether the Maliki government would use those aircraft, for instance, only against violent extremists, and whether we receive credible assurances that such weapons will be used to target Iraq's real enemies and not to further sectarian political objectives. With credible assurances, it would be appropriate to provide Iraq such assistance.

What it is wrong to do is to blame the Obama administration for the political failures of Iraqi leaders. Blaming the administration for failures and decisions by the Iraqi Government ignores not only history, it also leads to policy approaches that would not be in our interest or in the interests of the Iraqi people.

For example, here is what Senator MCCAIN and Senator GRAHAM said recently:

When President Obama withdrew all U.S. forces from Iraq in 2011, over the objections of our military leaders and commanders on the ground, many of us predicted that the vacuum would be filled by America's enemies and would emerge as a threat to U.S. national security interests. Sadly, that reality is now clearer than ever.

That argument ignores some important history. First, it ignores the fact that the 2011 withdrawal date for U.S. forces in Iraq was not set by President Obama but by President Bush. In December of 2008, just before he left office, President Bush signed an agreement with the Iraqi Government that called for withdrawal of U.S. troops from Iraqi cities in 2009, and the complete withdrawal of U.S. forces by the end of 2011. President Bush himself, standing next to Prime Minister Maliki in Baghdad as they announced their agreement, said, "The agreement lays out a framework for the withdrawal of American forces in Iraq." So the 2011 withdrawal date was set by President Bush, not by President Obama.

As to whether our military commanders objected to our withdrawal from Iraq, here is what happened: While there was no mention from President Bush or Prime Minister Maliki when they announced their agreement of a U.S. troop presence after 2011, Secretary Gates and others discussed the possibility of some U.S. forces remaining in Iraq after 2011. Then, during 2011, the Obama administration entered into negotiations with the Iraqi Government with the goal of keeping some U.S. troops, in limited roles, in Iraq to assist Iraqi security forces after the 2011 withdrawal date set by President Bush. I and many other Members of Congress supported the idea of continuing a smaller, specialized U.S. military assistance force. While there was disagreement in the administration over the size of a residual force, what decided the issue wasn't how many troops would remain; rather, it was the Iraqi Government's refusal to agree to legal protections for U.S. troops, whatever their number. In the absence of such protections, it was the opinion of the military leaders that no U.S. forces should remain in Iraq, regardless of whether the number was 3,500 or 20,000.

At a November 2011 Armed Services Committee hearing, I asked General Dempsey, then Chairman of the Joint Chiefs of Staff, about the importance of legal protections for our troops as part of any agreement to keep troops in Iraq after 2011. This is what the questions and answers were:

Sen. Levin: Are you willing to have those forces remain without an agreement relative to immunity for those troops?

Gen. Dempsey: No, sir, I am not. . . . It was the recommendation, advice and strong belief of the Joint Chiefs that we should not leave service men and women there without protections.

Sen. Levin: And why is that?

Gen. Dempsey: Because the—of the many institutions in Iraq that are still evolving and immature. The Iraqi judicial system is certainly among those. And we did not believe it was—it was appropriate, prudent to leave service men and women without judicial protections in a country that still had the challenge, as we know it has, and a very immature judicial system.

Later in that same hearing, I asked General Dempsey if our commanders on the ground in Iraq shared that opinion. He responded:

It was the topic of many secure video teleconferences and engagements person to person. . . . I can state that they also believed we needed the protections, both General Austin and General Mattis, in order to leave our troops there.

Before our committee in February of 2013, General Austin, our commander on the ground in Iraq during the 2011 negotiations, testified that there were extensive discussions with Iraq about a continuing U.S. troop presence. He testified:

We worked with the Iraqi leadership all the way up until the point in time when they decided they weren't going to be able to give us the protections that we needed to keep our troops there.

As Secretary Panetta put it before our committee, the key moment in the negotiations was "once [the Iraqis] made the decision that they were not going to provide any immunities for any level of force that we would have there."

So our military leaders were very much unwilling to leave any U.S. forces on the ground in Iraq if they could be subjected to the vicissitudes of the Iraqi judicial system. It is therefore wrong to say that the withdrawal took place "over the objections of our military leaders." It was Iraq's refusal to grant important legal protections to our troops that decided the matter.

This criticism of the administration's Iraq policy also understates the importance of factors that have come to the forefront since the 2011 withdrawal. Foremost among these has been an Iraqi Government that has repeatedly pursued a sectarian agenda, disenfranchised Sunni Iraqis, failed to address Kurdish concerns over the status of Kirkuk and the hydrocarbons law, and alienated moderate Shia Iraqis who seek a more democratic and inclusive government. Prime Minister Maliki's governance shortfalls has stoked the sectarian tensions on which Al Qaeda and other extremist groups try to capitalize.

Many Members of Congress have made clear that it is extremely difficult to support more robust assistance to the Iraqi Government unless the Iraqi leadership places the good of their country ahead of sectarian politics and unless it produces a practical strategy for governing Iraq on a more inclusive and less sectarian basis.

For example, last October, I joined five colleagues—Senators MCCAIN, MENENDEZ, CORKER, INHOFE, and GRAHAM—in writing to President Obama,

expressing our concern about deteriorating conditions in Iraq.

I ask unanimous consent that our October 29, 2013, letter be printed in the RECORD.

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

U.S. SENATE,

Washington, DC, October 29, 2013.

Hon. BARACK OBAMA,
President of the United States,
The White House, Washington, DC.

DEAR PRESIDENT OBAMA: We are deeply concerned about the deteriorating situation in Iraq. As Iraqi Prime Minister Nouri al-Maliki visits Washington this week, we urge you to press him to formulate a comprehensive political and security strategy that can stabilize the country, enable Iraq to realize its vast potential, and help to safeguard our nation's enduring national security interests in Iraq.

By nearly every indicator, security conditions in Iraq have dramatically worsened over the past two years. Al-Qaeda in Iraq has returned with a vengeance: It has regenerated the manpower, terrorist infrastructure, resources, and safe havens to sustain and increase the tempo and intensity of attacks and to penetrate deeper into all parts of Iraq than at any time in recent years. Indeed, an analysis this month by the Washington Institute for Near East Policy found, "In 2010, the low point for the al-Qaeda effort in Iraq, car bombings declined to an average of 10 a month and multiple location attacks occurred only two or three times a year. In 2013, so far there has been an average of 68 car bombings a month and a multiple-location strike every 10 days." The United Nations estimates that more than 7,000 civilians have been killed in Iraq thus far this year—a level of violence not seen since the worst days of 2008.

What's worse, the deteriorating conflict in Syria has enabled al-Qaeda in Iraq to transform into the larger and more lethal Islamic State of Iraq and al-Sham (ISIS), which now has a major base for operations spanning both Iraq and Syria. As the situation in both countries grows worse, and as ISIS gathers strength, we are deeply concerned that Al-Qaeda could use its new safe haven in Iraq and Syria to launch attacks against U.S. interests and those of our friends and allies.

Unfortunately, Prime Minister Maliki's mismanagement of Iraqi politics is contributing to the recent surge of violence. By too often pursuing a sectarian and authoritarian agenda, Prime Minister Maliki and his allies are disenfranchising Sunni Iraqis, marginalizing Kurdish Iraqis, and alienating the many Shia Iraqis who have a democratic, inclusive, and pluralistic vision for their country. This failure of governance is driving many Sunni Iraqis into the arms of Al-Qaeda in Iraq and fueling the rise of violence, which in turn is radicalizing Shia Iraqi communities and leading many Shia militant groups to remobilize. These were the same conditions that drove Iraq toward civil war during the last decade, and we fear that fate could befall Iraq once again.

We therefore urge you to take the following steps as Prime Minister Maliki visits Washington:

First, we believe the Prime Minister's visit is an important opportunity to reengage with the American people about the continuing strategic importance of Iraq. Though the war in Iraq is over, Americans need to understand that the United States has an enduring national security interest in the development of a sovereign, stable, and democratic Iraq that can secure its own citizens

and territory, sustain its own economic growth, resolve its own internal disputes through inclusive and pluralistic politics, and cooperate as a strategic partner of the United States—a vision of our relationship that was best expressed in the 2008 Strategic Framework Agreement.

Second, we urge you to make clear to Prime Minister Maliki that the extent of Iran's malign influence in the Iraqi government is a serious problem in our bilateral relationship, especially for the Congress. Published reports demonstrate that the Iranian regime uses Iraqi airspace to transit military assistance into Syria to support Assad and his forces. Furthermore, attacks against the residents of Camp Ashraf in Iraq are reprehensible, especially because the Iraqi government pledged to protect these people. Prime Minister Maliki must understand that actions such as these need to stop. Not only do they make it difficult for Iraq's friends in the United States to build public support, especially in the Congress, to enhance our strategic partnership, but they also undermine Iraq's standing as a responsible member of the international community.

Third, we encourage you to step up our counterterrorism support for Iraq. It is in our national security interest to enhance the effectiveness of Iraq's security forces, especially through greater intelligence sharing. However, in addition to our aforementioned concerns, we must see more evidence from Prime Minister Maliki that U.S. security assistance and arms sales are part of a comprehensive Iraqi strategy that addresses the political sources of the current violence and seeks to bring lasting peace to the country.

This leads us to the final and most important point that we urge you to stress with Prime Minister Maliki: If he devises and implements a real governance strategy for Iraq, the United States is ready to provide the appropriate support to help that strategy succeed. Iraq's challenges will never be solved through security operations alone. Indeed, as the United States learned through its own hard experience in Iraq, applying security solutions to political problems will only make those problems worse.

It is essential that you urge Prime Minister Maliki to adopt a strategy to address Iraq's serious problems of governance. Such a strategy should unite Iraqis of every sect and ethnicity in a reformed constitutional order, based on the rule of law, which can give Iraqis a real stake in their nation's progress, marginalize Al-Qaeda in Iraq and other violent extremists, and bring lasting peace to the country. To be effective, an Iraqi political strategy should involve sharing greater national power and revenue with Sunni Iraqis, reconciling with Sunni leaders, and ending de-Baathification and other policies of blanket retribution. It should include agreements with the Kurdistan Regional Government to share hydrocarbon revenues and resolve territorial disputes. And it requires a clear commitment that the elections scheduled for next year will happen freely, fairly, and inclusively in all parts of Iraq, and that the necessary preparations will be taken.

If Prime Minister Maliki were to take actions such as these, he could cement his legacy as the leader who safeguarded his country's sovereignty and laid the foundation for the new Iraq. In this endeavor, Prime Minister Maliki and our other Iraqi partners would have our support, including appropriate security assistance, and we would encourage you to provide U.S. diplomatic support at the highest levels to help Iraqis reach the necessary political agreements before the 2014 elections. However, if Prime Minister Maliki continues to marginalize the Kurds, alienate many Shia, and treat large

numbers of Sunnis as terrorists, no amount of security assistance will be able to bring stability and security to Iraq. That is not a legacy we want for Prime Minister Maliki, and that is not an outcome that would serve America's national interests.

Sincerely,

CARL LEVIN.
JOHN MCCAIN.
ROBERT MENENDEZ.
BOB CORKER.
JAMES M. INHOFE.
LINDSEY GRAHAM.

Mr. LEVIN. In our letter, written as Prime Minister Maliki was visiting Washington, we supported an increase in support for Iraq's counterterrorism efforts. But we made clear that the Iraqi Government must provide a practical plan for using such aid and provide assurances relative to whom advanced weapons would be used against. We wrote President Obama as follows:

It is in our national security interest to enhance the effectiveness of Iraq's security forces, especially through greater intelligence sharing. However . . . we must see more evidence from Prime Minister Maliki that U.S. security assistance and arms sales are part of a comprehensive Iraqi strategy that addresses the political sources of the current violence and seeks to bring lasting peace to the country.

We further wrote:

This leads us to the final and most important point that we urge you to stress with Prime Minister Maliki: If he devises and implements a real governance strategy for Iraq, the United States is ready to provide the appropriate support to help that strategy succeed.

And:

If Prime Minister Maliki continues to marginalize the Kurds, alienate many Shia, and treat large numbers of Sunnis as terrorists, no amount of security assistance will be able to bring stability and security to Iraq.

It is a tragedy for the Iraqi people and a real security concern for the United States that Prime Minister Maliki has yet to produce a strategy for broadly based governance in Iraq. We should not forget the 2011 withdrawal date for American troops from Iraq was negotiated by President Bush. We should not forget the decision to reject an ongoing U.S. troop presence after 2011 was Iraq's, because of Iraq's refusal to assure us that our troops would have protections from Iraqi courts and prosecution. We should not forget that our military leaders supported the decision not to leave our troops in Iraq without legal protections from Iraqi prosecution. We should not forget that while an ongoing relationship is in our interests, no amount of military equipment from us will protect the Iraqi people if their government continues to place sectarian goals ahead of sound governance.

So we should use opportunities to assist Iraq in its struggle against violent extremism and for stability and security, but Iraq's fate ultimately rests with its people and their leaders.

I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of Colorado). The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent that when I conclude my remarks, Senator MURKOWSKI of Alaska be recognized.

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

Mr. SESSIONS. Mr. President, I have been honored to serve with Senator LEVIN on the Armed Services Committee. He does an excellent job. He has spent a lot of time and many hours working to try to help us be successful in Iraq and other areas of national defense.

I think Generals Dempsey and Austin were right to say we could not keep our troops there unless they had immunity from local prosecutions. But as I recall the net feeling about the President's decision to withdraw from continued negotiations on this contentious issue, the military felt this was not wise—at least many of them did—and they believed that had we continued to pursue negotiations, we may have been able to reach the kind of agreement which would allow us to help the Iraqi Government be stable and successful. Pulling out as we did always seemed to me to be too rapid, too precipitous, and created dangers which could place at risk that which our soldiers fought and died for. I do believe that is what happened. It is a tragic thing.

I was in Falluja, not long after that bitter battle. We had hundreds wounded and almost 100 killed. The Marines performed with such valor and courage. It was one of the great, courageous performances of the U.S. Marine Corps. It is sad, sad to me to see that today Al Qaeda is flying its flag in parts of that city. It is a tragedy. It did not maintain the faith that we ought to have maintained with those that we in Congress directed to go out and fight this war and to be successful. Maybe yet something can be done successfully to deal with this situation, which I feel deeply about.

UNEMPLOYMENT INSURANCE

Mr. SESSIONS. I am here to share some thoughts about the remarks delivered today by President Obama on the growing problem of poverty and our chronic unemployment that has occurred during the 6 years of his Presidency, after he has declared that the recession is over and was over. Just this week the Senate majority leader, HARRY REID, said that “the rich keep getting richer and the poor keep getting poorer and the middle class is under siege.”

Wages are not doing well. Americans in large numbers are not doing well, and they are hurting. Washington Democrats, led by the President, are now proposing increased unemployment insurance and new wage-price controls, wage controls to mandate wages that have to be paid, to treat the consequences of a failed economy—a stagnant, slow-growth economy that is not creating jobs. These words and actions represent an admission that the

White House economic agenda has been a disaster for poor and middle class people. It has not worked.

I know he believed it would work. I know he has advocated these policies. I know he promised that they would work. But they are not working. Worst still, the President remains fully committed to the policy regime that he has been advocating, and that is not working. These policies have failed, not just for the last 5 years; they have failed for the last 50 years. They will never work. The President and Majority Leader REID are correct, a nervous American business community is hoarding profits because they don't know what the future is going to be like. Those struggling to get by are feeling the results of corporate cost cutting and the policies that we are seeing executed by the government are impacting this situation negatively. They just are.

I know the people proposing these solutions think they are caring about people who are hurting today. But if we care about them, we will use our heads as well as our hearts, and we will think through as to how to make growth occur in our economy, how to help jobs be created, how to have wages rise instead of stagnating or declining.

Mr. President, \$16 trillion has been spent fighting poverty since the war on poverty began 50 years ago, yet where do we stand today? Mr. President, 47 million Americans are on food stamps, 91.5 million are outside the labor force not working, and 46 million are living in poverty. In low-income communities the pain is especially severe. For example, in the city of Baltimore, 1 in 3 residents receives food stamps. In Chicago, 51 percent of the city's children live in a single-parent family. In Detroit, almost 1 in 3 households had not had a single person working at any time throughout the year—almost 1 in 3 households. The city's violent crime rate is among the worst in the country. More than half of all Detroit children live in poverty.

The welfare bureaucracy that the left is determined to defend and expand is failing our fellow Americans. It is just not working. We can do better. We have to do better. No longer can we define compassion by how much money we spend on poverty but by how many people we lift out of poverty.

The amount of money State and Federal governments spend on the welfare bureaucracy each year amounts to more than \$1 trillion. That is a huge sum. It is twice the Defense Department budget. If all these funds were converted to cash and mailed to every household in poverty, it would equate to \$60,000 per household. Yet as the President now admits, chronic poverty and a widening income gap is the new normal.

We have huge bureaucracies, huge multiple conflicting programs, and programs that are not working and are not helping the people we are supposed to help. They just are not.

Isn't it time that we broke from decades of policies that are proven not to

work? Imagine how much better it would be if we combined dozens of overlapping welfare programs into a single credit with better oversight standards focused on the goal of helping people become financially self-sufficient. We need fresh approaches. We have to have fresh approaches. I believe it will happen. The sooner it happens the better off this country will be and the better off poor people will be.

But all we get from the White House are the stale policies of yesterday. What is the agenda the President persists in pushing? Consider the cornerstones of the President's economic agenda, the things he has been pushing in the Senate and the Congress and advocating unilaterally through the powers of the executive President—some beyond all law, it seems to me. These are the things he has consistently advocated for. He wants a government health care takeover, and that is proven to be a job killer. It is killing jobs and two-thirds of the jobs this year that have been created were part-time and in large part that has been a reaction to the Affordable Care Act.

What else? He has a hostility, a consistent hostility to the production of American energy, which makes the country more wealthy, to produce our own energy rather than transferring our wealth abroad, to buy energy from abroad. It creates jobs in America, high-paying jobs.

We have proposals for more and more taxes and more and more regulations that make it more difficult for U.S. workers to compete in the global marketplace. It makes it harder for their companies to be able to export and therefore create more American jobs.

We have a lawless immigration policy that undermines American workers and their wages. It just does. They can say whatever they want to say, but the bill that passed the Senate, the comprehensive immigration bill, would have doubled the number of guest workers. Some say: Well, Jeff, they are just going to be agricultural workers. That is not so. Only a small number are going to be agricultural workers. They are going to be a million-plus workers traveling around the country taking jobs all over America—twice as many lawfully as would be the case under current law. This is supposed to be immigration reform? This is supposed to help American workers find a job or have a pay raise?

We have a weak trade policy. We have to stand up for the American workers on the world stage and make sure that our trading partners are accepting our products like we accept their products, and if they do not, we have to defend the interests of the American worker. That is the way to help them have more jobs and better pay.

We have a welfare bureaucracy that penalizes work. The President is proposing more massive spending, creating more debt. He has had the greatest debt increases in the history in our

country. That is destroying and weakening growth in America. It places a cloud over the American economy, as experts have told us.

These policies have been the order of the day for 5 years. That is what we heard. We need to spend more, we need to invest more, and we need to tax more. We have had more regulations than we have ever had in American history. We have had trillion dollar deficits the likes of which we have never seen before, and people wonder why the economy is not doing well.

We blocked oil production in the gulf for an inordinate period of time and are only slowly allowing that to occur. We blocked a Canadian pipeline that would create thousands of American jobs. We blocked energy production on Federal lands. We make it harder for energy production on private lands to occur, and we wonder why we cannot create sufficient jobs and growth. We need lower-cost energy, cheaper energy. That is good for the economy. Falling natural gas prices have been a help because of new techniques in the production of natural gas.

These statist, leftist policies have been tried in America before, and they have been tried throughout the world for decades, and they will never work. Taxes, regulating, more government, and taking over the health care industry will not create prosperity and jobs in America. It just won't. If it would, we would be doing so much better.

Since the President has entered office we have added an incredible \$7 trillion to the debt of the United States, and what do we have to show for that? Real wages are lower today than they were in 1999. Take-home pay has fallen for 5 consecutive years. Average household wealth is 60 percent lower today than it was in 2007; 1.3 million fewer people are working today than in 2007. Have we had a recovery? We have fewer people working today than we had 6 years ago, and every month we add 150,000 or more people, basically, to the age cohort of Americans that could be working, because the population is increasing that much. So you have to create real jobs to stay ahead of just normal population growth. There is 1.3 million fewer people working today, even though the population has grown by 14.5 million. There are 1.3 million fewer people who are working today than in 2007, even though the population has grown 14.5 million. That is not good.

So the President is right to be worried about the health of the American middle class and lower-income workers in America. It sure has not been going well. I know he thought his statist ideas would work, and he pushed them steadfastly. He had a Senate that rubber stamped for 2 years what he wanted, including a \$800 billion stimulus bill that was supposed to create jobs and prosperity in America, every penny of that borrowed.

If we continue down this road, I fear we are going to sentence an entire generation of young Americans to poverty,

joblessness, and stagnant economic growth in our economy. Majority Leader REID said this week that, "We should realize that today there is only one job available for three people seeking a job. Think about it."

I agree that we absolutely must think about that. We should think seriously about it. My first thought is this. Since three people are looking for every one job that is open, then why has the President embraced an immigration bill that would double the flow of guest workers into America? They will take jobs that would be available for American workers. Why? That is what I think about.

As David Cameron, the prime minister of the United Kingdom, said recently: Immigration cannot be a substitute for training our own workforce. Is there something wrong with him saying that? Isn't that an honest, correct statement, speaking for the interest of the average Briton?

We need to help struggling Americans get off welfare, off unemployment, and into good-paying jobs.

We have a loose labor market. We don't have a tight labor market. Byron York recently wrote an excellent column. He showed that the very same companies that signed letters to the President and the Congress demanding more guest workers are laying off American workers by the thousands. Big companies are signing letters that demand more workers, and they are laying off thousands of workers. It is a fact. He listed them. There were 10 or 15 companies. Some of them laid off thousands of people the very year they wrote to this Congress demanding more foreign workers. So now we have to extend unemployment benefits because people can't find jobs. We have to pass a law to set the wage so the wage can be higher because it is not going up through the natural free market as it should if we had a normal market for labor.

Whom do we work for? I know who I work for, and that is the hard-working people of Alabama and the United States. I don't work for the masters of the universe. They are demanding more workers from Congress when millions of Americans are unemployed.

America is not an oligarchy. House Republicans need to firmly tell this President that we work for the American people. We reject any immigration plan that puts special interests or corporate interests before working Americans. They need to say: We are going to defend the working people of this country. They are not being defended in the Senate by the Democratic majority, that is for sure, with regard to the immigration policy.

A small group of CEOs don't get to set immigration policy for the country, no matter how much money they have. How many ads do they buy? We are not going to enrich the political class at the expense of the middle class, and we will reject the immigration bill that passed the Senate.

That is one of the things we could do to help improve job prospects for Americans. It wouldn't cost us a dime. We wouldn't have to borrow money. It would actually get people off welfare and food stamps. It would put them back into the workforce, and put us on a better path.

If we want to reverse the middle-class decline, we need a new economic vision. We need concrete steps to restore opportunity to the American people without adding a penny to the national debt. We need policies that work to create prosperity without borrowing and creating more debt. We just have to do that.

What are some of the things that we can do? Produce more American energy. We can turn the welfare office into a job-training center. We can do this. We are going to have to do this. We are going to have to move people from dependence to independence. We need to streamline the Tax Code and make it more growth oriented, which will help us to be more competitive worldwide. We need to eliminate every Washington regulation that is not needed. These are regulations that kill jobs and kill competitiveness.

We need to enforce trade rules with our partners that defend the legitimate interest of U.S. workers. We need to enforce an immigration policy that serves the national interest—the people's interest—and protects jobs for Americans. We need to make our government leaner and more accountable. Our government needs to do more for less just like good businesses and good corporations and good companies are doing all over America. We need to do that with our government. That will help the economy.

We need to balance the Federal budget, restore the confidence of the American people, the world financial community, the vitality and the future of America, and spare our children from a lifetime of debt.

These are all positive steps that are true to our constitutional heritage and our legacy of freedom and opportunity. Those are the things we should be doing and we can do. They are all steps that will create more jobs and more growth without borrowing money, and these are all steps that will lift millions out of poverty, and help struggling Americans realize the dream of financial independence.

I don't know what the President was thinking when he talked about a few little promise zones—is that what he called them—around the country. This is somehow going to deal with the unemployment problem in America?

He announced this today. I haven't had a chance to study it yet, but these are just a few spots on the map of the country. This is not going to have any kind of systemic impact on our declining growth and the weak recovery we are seeing today. If the recovery doesn't exceed 2 percent GDP growth per year, it will not create jobs faster than the population grows.

I am afraid we are not in a good position there. We are not seeing the growth that we had, and experts are predicting slow growth in the years to come. We have to get off the path we are on and get on the path to growth, job creation, and prosperity. We have to make sure our American citizens are trained, skilled, and moved into good jobs so they can be independent and take care of their families without being dependent on the government of the United States.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

UNEMPLOYMENT COMPENSATION

Ms. MURKOWSKI. Mr. President, it has been a disappointing week here in the Senate. I started out the week feeling pretty good and optimistic. I had a major presentation before the Brookings Institution. I talked about the enormous potential in this country for energy production and the fact that we are at the highest level of energy production domestically than we have been in 20 years and what great prospects we have for that. When we talk about jobs and economic opportunity, it is really one of the bright spots out there.

Of course, the debate this week has been over unemployment compensation and the extension, initially proposed by the President to be a 3-month extension—an emergency, temporary extension. I was one of six Republicans who came together and said: This is an important conversation for us to be having at this particular point in time.

As we know, the long-term employment benefits expired on December 28, 2013. It impacted over 1 million Americans around the country. In my home State of Alaska about 6,500 people lost long-term benefits at the end of the year, and it was one of these cold turkey things. Those who still had eligibility for certain benefits were cut off hard. There was no tapering down. This is hard.

Back here in Washington, DC, we have been living with some pretty cold weather. It is cold weather all the time in Alaska at this time of the year. It is hard to be out of work. It is expensive to keep your homes heated. It is expensive to live there, and so I recognize that the safety nets we put in place are important. It is important for us to have discussions and debates so we can argue and compromise on the issue of long-term employment benefits. That is a conversation we should have. I wanted to have that debate.

I wanted the opportunity for full-on amendments so we could bring up good ideas, such as, good ideas about reform and perhaps tying benefits to job training, retooling, giving people that opportunity to move forward, and debate about how we pay for it. There have been times when we extended long-term unemployment benefits with an offset, and then there have been times

when we extended it on an emergency basis with no offset. But let's talk about it, let's debate it, and let's put up some amendments.

I was part of that group that really thought we would not only be able to talk, but that we would actually be able to weigh in as Members representing our States, presenting our ideas, and speaking for our constituents on issues that are very important around the country. Usually in a body such as the Senate, actions don't happen unless there is an opportunity to vote on issues.

So this afternoon when I listened to the majority leader's statement, he said very clearly that we weren't going to have any amendments on the Emergency Unemployment Compensation Extension Act. In fact, his words were: We get nowhere with doing amendments. I find that so disturbing.

I have only been in the Senate for 10 years, but what I have seen in my 10 years is a change in the process—a change in an institution where we are no longer taking the good ideas from this side and the good ideas from the other side through an amendment process—or even from a committee process for that matter—and building better policy based on the good ideas that we all have.

Why would we be afraid to vote on amendments? They may take us a little bit longer throughout the day to go through. It disrupts our schedules. My schedule is to work for the people of Alaska, and if that business isn't conducted here through debate and voting, then what is it? What is it?

I was really quite discouraged after the exchange on the floor earlier. Colleagues have worked hard to come up with some good proposals. These are not "gotcha" amendments as was suggested by the majority leader.

I think the proposal of the Senator from Ohio—a proposal that is actually contained in the President's budget proposal—was absolutely legitimate. So to suggest that it is an amendment without merit is not fair.

At the end of the day, don't we judge the merit of an amendment, of an idea or of a proposal by presenting it to the body for a vote?

If we truly are at that point where we are simply not going to amend bills, that we are simply going to vote straight up or down on a bill that has been presented to us—probably not even out of the committee process but more likely from the majority leader's chambers—that is a tough place for us to be as a body. That is not what this process is all about.

The minority leader reminded us yesterday that we can do better. We can do better as an institution, but we sure didn't demonstrate that today.

I want to work with my colleagues on the issue of unemployment compensation. I want to be able to recognize that compassion that we show for other Americans who are dealing with great difficulty right now. I want to

try to move this country forward with policies that are good and strong and create those jobs.

ENERGY

When I started my comments, I talked about energy production being that bright light. Look at what is happening in the State of North Dakota where, boy, anybody who wants a job can get one. In fact, they can get two or three jobs.

They are ground zero in this type of oil revolution. Their unemployment rate was 2.7 percent last October. There has been a lot of back-and-forth going on about Keystone and its potential for providing direct jobs, direct and indirect end use jobs around the country—42,000 jobs around the country. Wouldn't that be helpful?

When we talk about our opportunities in this country, we need to be putting in place policies that help advance jobs and job creation and the wealth then that comes with it. We can and must be doing more.

One of the areas we need to address is where this administration, in my view, has seen some real policy failures; that is, in restricting access to Federal lands for resource development, blocking and slowing the permitting process. We need to be doing more. The President has touted the gains made in energy production. But I think it is important to recognize that most of those gains have been on private and State lands. The Presiding Officer and I know there are enormous resources on our Federal lands. Let's access them. Let's access them safely and in an environmentally responsible way but in a way that is going to help our economy, help the job situation in this country. I feel we can do so much more. I am hopeful again that we will, in this body, in this institution, be able to work together to solve some of the issues that confront us. But, again, I am disappointed.

I did not come to the floor this evening to talk about the comments made earlier on where we are in the amendment process and not being able to advance an amendment process. But my colleagues can tell I care deeply about this institution. I care deeply about our responsibility to govern around here. I am not convinced we are governing to our ability. We need to make some changes, and it only comes when we acknowledge that those changes have to come and that co-operation has to come from both sides.

EMERGENCY CONNECTOR ROAD

Tonight I come to the floor to talk about a decision that came out of the Department of Interior the day before Christmas Eve. This is a decision that in my view is absolutely unconscionable, and it is a decision that was made by the Secretary of the Interior the afternoon of December 23, in which she rejected a medical emergency connector road between two very remote Alaskan communities, the community of King Cove and Cold Bay.

I have thought long and hard about my public comments to my colleagues

in the Senate because I have spoken out about this at home and I was very direct. I was very direct about my anger, my disappointment, and my frustration. I recognize I have to work with folks in this administration, and when we are talking about the Secretary of the Interior, I recognize she is effectively Alaska's landlord. I need to be able to figure out a way to get along with her. But I have to tell my colleagues that this was absolutely a heartless decision by Secretary Jewell. It was a decision that she alone made, and it will only serve to endanger the Alaskan Native village residents of King Cove.

With the decision the Secretary made, she has put the interests of certain environmental groups and the alleged peace and comfort of the birds, the waterfowl in the Izembek National Wildlife Refuge above the lives of hundreds of Alaskans, because 950 Alaskans live in King Cove. By the Secretary's act of denying this short road needed to ensure the people of King Cove reliable and safe access to an all-weather airport in nearby Cold Bay, Secretary Jewell has effectively turned her back on the Aleut people of western Alaska. She has discarded her duty to uphold the trust responsibility the Federal Government owes to its Native peoples.

The uncle of the Presiding Officer served as Secretary of the Interior. He knew full well that trust responsibility. It is a high trust and the Secretary has turned her back on the Native people out in King Cove.

To add insult to what could very well be real injury or even death, Secretary Jewell did this on the day before Christmas Eve. On the day before Christmas Eve, I received a voice mail message from the Secretary telling me that she later in that afternoon was going to deny the road to King Cove. What was I doing? I was doing the exact same thing most of the people around me were doing—we were at the last minute getting ready for Christmas. I was in the parking lot of a Fred Meyer store going inside to get Scotch tape and wrapping paper.

The decision made by the Secretary is one that goes beyond building a 10-mile, one-lane, gravel, noncommercial-use road between King Cove and Cold Bay. This decision makes clear to us in Alaska that our lives—the lives of the people, the human beings who are there—just don't seem to matter to the Secretary. It is clear to me that either she does not understand or she does not care about the most basic needs of our remote residents, and it is quite clear that we have, once again, received unfair treatment at the hands of our Federal Government.

Sometimes it just feels as though those on the outside, whether it is the Federal Government, back here, 4,000 miles away from home, that there is this sense that Alaskans need to be protected from themselves. Quite honestly, that is offensive. Quite frankly, I

have a very hard time believing that if this same situation occurred somewhere in the lower 48, the decision would be the same. The fact is we are out of sight, we are out of mind. There are only 720,000 people in Alaska. There are only 950 people, or thereabouts, in King Cove. Who is going to be upset? Well, I am upset. I am upset. Not only have the people of King Cove been wronged, but the people of Alaska have been wronged. This is not a decision that is going to just go away because we all got caught up in the Christmas holidays. This is not going to be something the people of Alaska or this Senator will forget, because we are not done.

I have been to this floor many times—many times—in fact, I think the Presiding Officer has been in the chair on previous occasions—when I have come to call attention to this life-saving road and the land exchange that was approved by Congress, signed into law by the President. I feel as though I have told this story so many times I don't need to remind folks, but I am going to provide a brief refresher.

The recent story of King Cove actually started pretty well. Congress came together almost 5 years ago to give the Interior Secretary reason and authority to act in the public interest when it comes to providing access. But as is so often the case, this has become yet another terrible example of the interests of our people put at risk by their own Federal Government. So back in 2009 we passed—I introduced legislation—we passed legislation that proposed to add more than 56,000 acres of State and tribal land to the Izembek Refuge in exchange for a 206-acre road corridor through a corner of the refuge. Again, I wish to repeat the numbers because some people say I must have forgotten a zero: In exchange for 56,000 acres of State and tribal land, a 206-acre road corridor. In addition to the fact that this is basically a 300-to-1 exchange that was offered, there was agreement that this road would be so limited—so limited as to have an infinitesimally small impact on the refuge. The people of King Cove are not insensitive to the fact that this is a very rich ecosystem out there. This is a very rich area. This is where the birds come through. They have no interest in harming or damaging the refuge.

So the agreement was for a one-lane, between 10 and 11 miles long, gravel road, severely restricted by law—restricted by law; not just an agreement where the mayor says, oh, during my tenure, we are not going to use it for commercial purposes. This is in law: noncommercial purposes, one-lane, 11-mile-long gravel road. In addition, there were going to be roping corridors so that if a vehicle is on the road, it wouldn't be able to go off the road and onto the refuge and lay tire marks or impact the refuge at all.

The Department of Interior EIS clearly showed that the actual acreage inside the refuge to be impacted by fill

material was just around 2.7 acres. Again, think about the exchange. They are giving up 56,000 acres in exchange for a 206-acre road corridor and, of that, the impact by fill material is just about 2.7 acres. So consider also that the exchange would have added 2,300 acres of eelgrass beds to the refuge.

This is prime habitat and feed for the black brant, and this was something that clearly Secretary Jewell felt was very valuable because she chose to place higher value on those black brants than she did on human and wildlife values. That 2,300 acres, then, is about 20 times more than the eelgrass that the EIS said might have been impacted by erosion as a result of the road. So the rejection of this exchange just dumbfounds me. I don't understand it.

The State of Alaska and the local tribal groups were willing to give up 56,000 acres of land. Keep in mind, these are lands that were given to them under the Native Land Claims Settlement Act. These lands represent who they are, and they are willing to give up 56,000 acres of it for a lousy one-lane, 11-mile gravel, noncommercial-use road. That is how much this road meant to them, because it was more than a road. It was a lifesaving connector. It was a way for them to get to an all-weather airport, the second longest runway in the State of Alaska that was built during World War II; an amazing runway, actually, that isn't encumbered by the topography and the weather as the King Cove Airport is.

So you have a people who are desperate for a solution, so desperate for their solution that they are willing to give up their lands. The most prized thing the Native people have in our State are the lands around them, and they are willing to exchange them for a small road corridor—a 300 to 1 exchange—and the proposed land that would have been provided to the Federal Government is pristine land that is valuable for the waterfowl, for the wildlife, certainly would enhance and benefit the refuge.

But Secretary Jewell said no to this. She said no to this 300 to 1 exchange—an exchange that would enhance the habitat for the birds she wants to protect. It really makes you wonder: Has there ever been such a lopsided land exchange that has been rejected by the Federal Government?

The former head of the U.S. Fish and Wildlife Service, Dale Hall, was the one who largely picked the lands and had approved of this exchange back in 2006—long before this legislation was ever introduced. So the Federal agencies, the Fish and Wildlife Service, and the head of the Fish and Wildlife Service had looked at all this and said: OK, in order to get this corridor, there is going to have to be some exchange, so let's figure out what it is going to be. He gave his blessing to that back in 2006.

But what this does speak to is how strongly Alaskans feel about pro-

tecting the health and safety of our residents, and rightly so. I would submit to you, Mr. President, if Secretary Jewell and the U.S. Fish and Wildlife Service truly had—truly had—the best interests of both the human residents and the birds of the Izembek Refuge in mind, they would have recognized that adding 56,000 acres, while taking out just 206 acres—and, then again, of that, the amount that would have actually been impacted by fill is 2.7 acres—I think they would provide far greater benefit to the refuge than any small, single-lane, gravel, noncommercial road ever possibly could subtract.

The legislation directed the U.S. Fish and Wildlife Service to conduct an EIS for the road. So the 2009 legislation that passed the House, that passed the Senate, that was signed into law by the President, directed Fish and Wildlife to conduct an EIS. That agency prepared a faulty EIS. They failed to adhere to the underlying law, choosing a “no action” alternative and failing to adequately account for health and human safety when selecting the preferred alternative. This is more evidence of systematic disregard for the well-being of the Aleut who have lived in this region for thousands of years.

I also want to touch very briefly upon Interior's trust responsibility to Alaska Native peoples. The Assistant Secretary for Indian Affairs, Kevin Washburn, went to King Cove. He visited. He actually spent 2 days there. In fact, they actually had some pretty stinky weather when he was there, and I think he saw firsthand what the residents of King Cove deal with in getting in and out. The Assistant Secretary wrote a report for Secretary Jewell. It was not made public until after the Secretary announced her decision, which I think was unfortunate. But again, back to the trust responsibility—the responsibility that the Federal Government has to protect the health and safety of Native Americans.

But here you have the Fish and Wildlife Service, you have Assistant Secretary Washburn, and now, finally, Secretary Jewell, who had the opportunity to encourage or actually make a decision that would improve the lives of the residents of King Cove. They turned their backs on these people, and they diminished the hopes of these first peoples.

The EIS, which recommended no action—no action—to help the people of King Cove has a clear negative impact on the health and safety of Alaska Natives who live in that village. The official report that was prepared by Mr. Washburn regarding his visit to King Cove, I believe, was inadequate—wholly inadequate—and, quite frankly, very weak.

He, the Assistant Secretary, is viewed as a leading legal scholar on Native trust responsibility. I truly have high hopes for him because I believe that his heart clearly is in that right place. But his report falls woefully short of his duty to the Aleut people, and I expected more of him—truly

I did—and I know the people of King Cove deserve better.

The health and safety of the people of King Cove is not some speculative issue. We are not just talking about, oh, the weather is bad there or somebody might get hurt. The fact of the matter is that since 1980, 18 people have died, and they have died because of medevac delays or because of the dangers connected with the medevac flights out of the fishing village.

It is not easy to get in and out of King Cove. They have an airstrip, yes, they do, but they are surrounded on three sides by mountains, and a valley on one and the ocean on another. The Coast Guard describes medevacs into King Cove as one of the more frightening, more challenging operations that the Coast Guard is tasked to do. You might say, why is the Coast Guard doing medevacs? Well, because medevac flights from Anchorage—some 600 miles away—cannot get in. They say: The risk to us to fly in for somebody who is in the midst of a difficult labor and needs to get out to the nearest hospital—which is Anchorage, 600 miles away—is too great or we are not willing to risk our lives. So whom do you call? You call the Coast Guard.

In 2012, the Coast Guard was called in, I believe, five times, at a cost of up to \$210,000 to the taxpayers per trip, to bring in a crew to medevac that individual out. So if you can fly in—if the Coast Guard is able to do it, they will be there. But, in the meantime, you have had people die, and you have had planes crash.

If you cannot get out, the alternative is—because there is no road; there is no 10-mile, one-lane, gravel, noncommercial-use connector road—you can go across the water. Think about it. If the weather is bad enough up in the air, think about what it is doing down in that ocean. It is pretty tough.

So you can come across the water for hours in 15-, 20-foot seas, but then, once you get over to Cold Bay, it is not like they can just load you into a nice airplane on the runway there. You have to get docked, and up off the dock to get to the airport.

The fact of the matter is King Cove and Cold Bay—it is a little bit rustic out there. What is in this picture I have in the Chamber is probably a little difficult to see. This is the top of the dock at night. This is about a 20-foot drop to the ocean here. You have metal ladders that you climb up, if you are able. But if you are able, you probably do not need to be medevaced out. A person with a heart condition, how is he climbing up this metal ladder—as the waves are crashing against him in the dark and in the wind? What you are seeing here is basically a sled that has been hoisted up on a crane, swinging around in the wind in the dark.

I do not have the picture here of the elder who had suffered a heart condition and could not make it up the steps. They could not hoist him up. They put him in a crab pot and hauled

him up by crane on to the top of the dock so that they could then take him to the airport, where he was safely evacuated out and made it to Anchorage.

As I say, when we are talking about the health and safety of the people of King Cove, it is not speculative. People are dying. People have died. People are afraid to fly. The testimony that the Secretary heard, that my colleagues have heard—as the people of King Cove have come back, they have said: Enough.

The Secretary, in her visit to King Cove in August, stood before the schoolchildren there at an assembly—and she is very good with children, and it was good to watch the exchange—but those children spoke up to her and told her why they needed a road out of King Cove. To hear a child say: We need a road so that I am not afraid to fly and because I don't want anyone to die. This is an issue, again, where the stories we have heard, the Secretary has heard—because I was there with her; we heard the stories together—they are heartwrenching. They bring tears to your eyes. The people, the families who have lived with this have been devastated. The Secretary heard all this, and yet it seems that she has just chosen to ignore the voices of those children, the stories of those elders, the pictures of an elder being hauled up in a crab pot so he can make a medevac to Anchorage.

I want my colleagues to know here in the Senate, as well as the administration, that I am not going to let this issue die. There is a simple reason why. Because I am not willing to let anyone in King Cove suffer or die because they do not have emergency access out of their village.

This decision rested squarely on the shoulders of Secretary Jewell, who then announced this devastating news only hours before Christmas Eve—a heartless decision delivered at a heartless time. The Secretary said to me that there is no good time to deliver bad news, and I would agree. But the timing of this decision was solely hers. There was no deadline within which she had to act. She chose to announce it on Monday afternoon, at 3 p.m., Washington, DC time, knowing that everyone was going to be skating out of here for the holidays, hoping that everyone was going to be distracted with their family events, hoping that no one was going to be watching. She knew that the people of King Cove would be upset. She knew that I would be upset—but less than a thousand people, she thinks. That is not how you do things. It is not how you do things.

The people of King Cove are without hope right now for one reason; and that is because of this decision from the Secretary. I have come here to tell the Senate what happened to them in what was supposed to be—what was supposed to be—a season of joy and celebration. I truthfully cannot use strong enough words to show the depth of my anger for this decision.

I cannot fathom why she came to it, why she was willing to sign her name to it. But I, for one, never thought that we would see a day where, under the guise of making a public interest determination, a Cabinet Secretary would so blatantly disregard the public's health and safety. But we have.

So the question now is, does it stand? Are we going to do what we know is right and make sure that those who live in King Cove are protected? I have my answer. I am going to stand in solidarity with the people of King Cove and others in Alaska and across the country whose well-being is put at risk by misguided government decisions, devoid of proper balance between human and wildlife considerations.

I have not yet identified every opportunity I may have to draw attention to, resist, and seek redress from Secretary Jewell's bad decision.

An obvious and perhaps an easy step would be to introduce yet another bill. But I am not willing to concede that the last word has been spoken on the law, the law we enacted in 2009. That law passed after a great deal of effort. There was debate. There was significant compromise as I have outlined. But that was a law we had all negotiated. I do not believe that law has been properly implemented. Who knows how and whether the courts may address that injustice.

A messaging bill might get some attention. But I am concerned that its immediate consequence may be to legitimize in the eyes of many a bad decision we should be fighting rather than accepting. I think the people of King Cove deserve better.

The Department of Interior needs more balance. The U.S. Fish and Wildlife Service needs better direction. I am not ruling out any possible remedy. In this case, Alaskans have been made the victim. But I think that all Americans are at risk from this kind of unbalanced decisionmaking. I pledge to my colleagues and my constituents that I am going to keep fighting for what is right, both morally and legally.

This fight is not over. Again, the attention is drawn to the residents of King Cove and a small connector road in a very remote part of our country. But I do think it is emblematic of the bigger struggle, the bigger fight we are seeing as a State with our own agencies, with our own Federal Government.

I have taken a great deal of time this evening. I appreciate the Presiding Officer's attention as I have made my case. I am certain the administration is listening to my words as well. As I indicated at the outset, in Alaska we have no choice but to figure out how we deal with our agencies because they consume, they occupy so much of how we are even able to move forward as a State. I will continue to do what I can to work with this administration in a manner that is going to benefit the people whom I work for. But I will always put the health and safety and best interests of Alaskans first.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

UNEMPLOYMENT INSURANCE

Mr. REID. Mr. President, today has been an eventful day on the unemployment compensation front. We began the day working with Republican colleagues to put together what we thought was an amendment they would join us in pushing forward. But surprisingly and disappointingly to me, those whom we worked with were unable to join on the amendment.

I am disappointed for a number of reasons, not the least of which is we gave the Republicans what they wanted. It is entirely paid for. The amendment made structural reforms in the unemployment compensation bill, which is something they said they wanted. The amendment includes a proposal, much like that advocated by Senator PORTMAN, that would prevent people from collecting both unemployment insurance and disability insurance at the same time.

Our amendment includes an offset that is PAUL RYAN's offset. It was the same thing we used in the Murray-Ryan budget agreement this body supported a few weeks ago.

So it is totally paid for with something PAUL RYAN suggested and we adopted a short period of time ago. It makes structural reforms they said they wanted—maybe not all of them, but it made structural reforms. It is hard to understand why they cannot take yes for an answer. Maybe it is because they do not want the legislation passed. It is possible.

But I have not given up. I have discussions with a number of Republican colleagues this evening. They said they are going to try to come up with something else. I certainly hope that is the case. We need to understand that there are 1.4 million Americans hurting. It is hard for me to comprehend why something that meets the outlines of what we understood they wanted is not good enough.

Maybe they do not like it because it does not give them an opportunity to—I withdraw that. I think we have had enough talk here today. I am not going to add to that. All I wish to close the Senate with tonight is it is very unfortunate for a lot of people who are truly hurting.

It is paid for with something that is certainly standard around here. We won't be able to use that anymore. States won't be able to use the same money anymore, but it doesn't affect the budget in any way. It doesn't raise the deficit one penny. It sounds as if it is a very good deal to help 1.4 million people.

Explain to somebody who is on long-term unemployment in the State of Colorado, State of Illinois, State of anyplace, and they will say they didn't vote for this because they didn't get to offer unlimited amendments, even though there was a proposal that wouldn't run up the deficit one penny. It was all paid for. It is hard for me to comprehend that. We could explain it to someone, but it is their job to explain it, not mine. My explanation is that it is something the American people want, need, and should have.

MORNING BUSINESS

Mr. REID. Mr. President, I ask that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

VERMONT ARMY NATIONAL GUARD AWARD

Mr. LEAHY. Mr. President, as the U.S. mission in Afghanistan winds down this year, one thing can be said with certainty: The dedication and service our men and women in uniform is unparalleled. It will truly be with the thanks of a grateful nation that our troops will finally withdraw from Afghanistan by year's end.

This weekend, that appreciation will be front and center in Vermont, when the 3rd Battalion, 172nd Infantry Regiment, Mountain, will receive the Valorous Unit Award for extraordinary heroism in action, against an armed enemy of the United States, during their 2010 deployment to Afghanistan. The Mountain Battalion, as they are known, led Task Force Avalanche in Paktia, a province in western Afghanistan, and they were responsible for security in an area the size of Delaware so that aid and development efforts could go forward.

In the best tradition of the ever ready Green Mountain Boys, the Mountain Battalion knows a thing or two about operating in mountainous terrain. They are the only unit in the U.S. Army specifically designed to neutralize the enemy in a mountainous terrain—expertise that proved invaluable as they supported seven forward operating bases and combat outposts spread throughout the mountains of Paktia. Upon their arrival in 2010, in advance of the parliamentary elections, they found many unsecured roads and zones. The men and women of the Mountain Battalion helped to neutralize supply lines and occupied formerly safe zones to provide a level of security during the election that increased voter turnout in those districts by 15 percent. In large part because of their efforts, Paktia province held the distinction of being the only province that cycle with zero civilian casualties during the election.

Throughout their deployment, the men and women of Task Force Ava-

lanche formed close partnerships with their counterparts in the Afghan National Security Force, living and operating together. They credit success in increasing proficiency and dedication of these forces in Paktia to the close relationship they forged. When the area of operations was hit hard by flooding, it was the Mountain Battalion and their Afghan partners who were there to respond for the civilians facing devastation. They even dispatched a platoon across the border to Pakistan to help flood victims—a border more often in the news for the crossing of foreign fighters and the Haqqani Network. The Task Force trained more than 50 Afghan National Army medics, who in turn provided care to U.S. personnel as well. These medics are just one part of the lasting contribution left by the Mountain Battalion in Paktia.

Also remaining in Afghanistan as a testament to their valor are 2 schools, 4 mosques, a community center, and 22 other projects. The Mountain Battalion is estimated to have contributed \$700,000 into the local economy in money and jobs, and it is further estimated that almost 30,000 Afghans were beneficiaries of humanitarian assistance alone after the floods. Despite having been one of the most chaotic provinces in Afghanistan, our Green Mountain Boys left Paktia a better place for the people who live there, and they did so in partnership with the people who live there.

Through 5 months in Paktia, these men and women led 4,300 combat patrols, 9 air assault operations, and 65 named operations. A total of 600 individuals were awarded combat badges, 26 individuals were awarded the Purple Heart, and, tragically, 2 of these brave soldiers sacrificed their lives. Those who returned home brought with them the wisdom and experience of their deployment. As a Vermonter, I could not be more proud of these men and women. They and the mission they so ably performed help define what valor means.

Importantly, this incredible unit is a National Guard unit. Made up of citizen soldiers from Vermont, Maine, and New Hampshire, the men and women of the 3rd Battalion, 172nd Infantry Regiment, Mountain returned from their distinguished service and went back to their jobs and their neighborhoods throughout Vermont and New England. This story was duplicated repeatedly in Afghanistan and also in Iraq. Because of soldiers like these, today's National Guard is a ready and reliable component of America's fighting force, indistinguishable on the battlefield from their Active Duty counterparts, and trusted with essential missions.

I congratulate the Mountain Battalion of the Vermont National Guard on the Valorous Unit Award. You make us proud. You have given us and you have renewed and built upon an incredible legacy.

TRIBUTE TO LOIS MCCLURE

Mr. LEAHY. Mr. President, I would like to take this opportunity to commemorate the outstanding achievements of Ms. Lois McClure, voted the 2013 Vermonter of the Year by The Burlington Free Press.

I am honored to count Lois among my closest friends. Marcelle and I are constantly inspired by her deep and sustained commitment to Vermont and to those of us who call it home.

As I have worked in public service, I have often looked for guidance in the breadth and depth of Lois McClure's philanthropic work. Year after year, Lois has found just the right points of leverage for her work to make Vermont a better place.

Lois McClure continues to build on a legacy of support for the arts, cultural and historic preservation, and environmental conservation, and yet her most meaningful work may be the help that she has provided Vermonters confronting serious medical problems. Whether or not they recognize it, many, many Vermonters have Lois in their corner as they fight back against cancer and other serious illness.

The Leahy Center for Lake Champlain, the Lake Champlain Maritime Museum, the Visiting Nurses Association, the American Cancer Society of Vermont, Fletcher Allen Health Care, and many other Vermont institutions are able to better serve Vermonters today because of Lois's commitment.

I ask unanimous consent to have printed in the RECORD an article about this exceptional Vermonter who has dedicated her life to improving her community and the lives of those around her.

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

[From the Burlington Free Press, Dec. 31, 2013]

2013 VERMONTER OF THE YEAR: LOIS MCCLURE

The true measure of an act of philanthropy can be taken in the lasting impact of what the initial donation set in motion.

Years after the act of giving, the efforts and institutions Lois McClure has chosen to support continue their good work.

McClure's engagement reflects a broad range, many with a common theme a focus on building a better life for people of all ages in her community.

For her life-long commitment to enriching people's lives in ways big and small, the Burlington Free Press editorial board names philanthropist Lois McClure 2013 Vermonter of the Year.

Over the years, McClure has built a legacy of generosity and caring, started decades ago with her late husband, J. Warren "Mac" McClure, former owner of the Burlington Free Press who sold the newspaper to the Gannett Co. in 1971.

The McClure name can be seen on buildings throughout Burlington and the surrounding area speaking to the long record of giving for which this couple has long been known in this community.

Lois McClure carried on the work after her husband's death in 2004, and clearly made her own mark on her friends and neighbors, as well as people who may never have heard her name. These are just some of McClure's good works.

She continues to serve as a director of the J. Warren and Lois McClure Foundation founded in 1995, which focuses on improving access for Vermonters to higher education and life-long learning.

She is a major benefactor of the ECHO Lake Aquarium and Science Center—Leahy Center for Lake Champlain on the Burlington waterfront, a wonderland to children, especially, who explore what lies beneath the waters of the lake.

The Lake Champlain Maritime Museum named its schooner Lois McClure in honor of her support for the effort to build a replica of a sailing canal boat that plied the Broad Lake in the early 1860s.

McClure, along with her husband, have long been enthusiastic supporters of the Shelburne Museum, and she has made generous gifts to organizations ranging from the Burlington Community Land Trust to the Vermont Historical Society.

Following a \$1 million donation to the Visiting Nurse Association in 2006, McClure told the Free Press, "I get a kick out of donating money and seeing that money make a difference." Yet among all her giving, the realization of a temporary home for cancer patients and their families who are receiving treatment at near-by Fletcher Allen Health Care perhaps became McClure's signature project.

The American Cancer Society's Hope Lodge opened in Burlington in 2008, named the Lois McClure-Bee Tabakin Building in honor of McClure and her long-time friend who each lost a daughter to cancer.

The call for nominations for Vermonter of the Year asked readers to "Think of someone who has made a difference this year or through a lifetime of work; someone who stepped up in a time of need or proved to be a leader; someone whose acts or accomplishments embodied the best of Vermont."

McClure has been nominated by readers many times over the years. In 2006, Jane Osborne McKnight wrote in a particularly telling nominating letter, "I have never met Lois, but have admired her good works for many years. . . . She has personally enriched our cultural life in Vermont and furthered our understanding of Vermont history. These are good deeds that will be felt, undoubtedly, for many generations."

McClure has lived a life that embodies the best qualities of a Vermonter who looks out for her neighbor and lives for the betterment of her community.

The Burlington Free Press' imminent departure from the College Street building it has occupied since the 1830s creates an appropriate occasion to give McClure the applause she deserves. The paper once owned by McClure's family is moving soon into new quarters on Bank Street.

McClure has built a legacy of making a real difference to many people.

The Burlington Free Press names Lois McClure—a friend to Vermonters, today and for generations to come—2013 Vermonter of the Year.

HONORING OUR ARMED FORCES

CHIEF WARRANT OFFICER TWO RANDY L. BILLINGS

Mr. COBURN. Mr. President, on December 19, 2013, Chief Warrant Officer Two Billings gave the ultimate sacrifice to our country while serving as a U.S. Army UH-60 Blackhawk helicopter pilot in support of the International Security Assistance Force in Afghanistan. Chief Warrant Officer Two Billings' sacrifice brings great credit upon his family, his home State

of Oklahoma, and his country. On January 9, 2014, a U.S. flag was flown above the U.S. Capitol in honor of CW2 Randy L. Billings and for his sacrifice to our Country."

ADDITIONAL STATEMENTS

HOCKEY WEEK IN FAIRBANKS

• Mr. BEGICH. Mr. President, I wish to recognize Hockey Week in Fairbanks, a terrific annual celebration that takes place every winter. It has become so popular it will run for 10 days, from January 31 to February 9, 2014. During our long Alaskan winters, we welcome entertainment that celebrations like this offer and the outdoor and indoor activity that hockey represents.

Ice hockey has long been a popular sport all over Alaska, with leagues that run all year for players of all age groups. Due to the commitment and interest of players, coaches, and boosters, a Fairbanks Hockey Hall of Fame was established to honor those who helped develop the sport in Interior Alaska. Because of the foresight and enthusiasm of the hall's board, they also sponsor hockey week.

The activities during 2014 hockey week are varied. There is the popular "Wear Your Jersey to School Day," tournaments for youth, puck shooting, a contest for the best backyard rink, ice sculptures with hockey themes, and much more. Typical of the civic spirit of the organizers and partisans, they sponsor reading programs in elementary schools and conduct blood donation drives as well, during the week.

This year, the organizers have attracted a major exhibit. The outreach program of the Hockey Hall of Fame in Toronto will send artifacts from its collection to be on display in Fairbanks and, later, in Anchorage. Fans will see jerseys, sticks, skates, and many other items belonging to some of the greats who have played professionally.

Each year, the celebration seems to top the previous year's. One of the reasons it does is because of the major force behind the event: Randy Zarnke, the president of the Fairbanks Hockey Hall of Fame. The year after he wrote a book about Fairbanks hockey pioneers in 2005, he started this remarkable celebration. I am happy to add my thanks for his leadership.●

TRIBUTE TO MARIE AND JOHN NOLAN

• Mr. JOHANNES. Mr. President, I wish to congratulate Marie and John "Jack" Nolan of Lincoln, NE, on their 70th wedding anniversary. Their commitment to one another and their devotion to family and faith are an inspiration.

Jack Nolan and Marie Barrett met in Pennington, NJ, where Jack and Marie's brothers were classmates at Pennington Prep School. Jack and

Marie became friends and then started to date. They kept dating as Jack left for college to play center for Temple University's football team in Philadelphia, PA. After the bombing of Pearl Harbor on December 7, 1941, and the U.S. entrance into the war, Jack volunteered for Army Air Forces Aviation. In an instant, Jack was no longer playing football for Temple but, rather, beginning his primary training in San Antonio, Texas.

Jack's move to San Antonio would be the first of many moves to follow. After completing flight school and additional trainings, he was sent to B-25 bomber school in Greenville, SC. During this time, Jack and Marie wrote letters and remained devoted to one another. Jack knew that he would soon be sent overseas to fight in World War II, but he had one last thing to do at home: marry Marie. Marie travelled on a troop train to Greenville, SC, and married Jack on January 6, 1944. Three weeks later, Jack was sent to fight in New Guinea.

After his service in New Guinea, Jack and Marie were moved to Pampa, TX, and then to Enid, OK, where he taught others to fly the B-25 bombers. World War II ended while they were living in Enid. After the war, Jack remained in the Air Force, continuing his service to our great Nation. I am told that Marie and Jack like to reminisce about their more than 20 moves throughout his military career. They lived in numerous places across the United States, and Jack spent more than a year in Japan. Marie's support of Jack and his military service was unwavering. She remained focused on her husband, faith, and growing family.

His last assignment was at Richards-Gebaur Air Force Base in Kansas City, MO. After his retirement from the Air Force in the early 1960s, Marie and Jack remained in Kansas City. Jack coordinated emergency preparedness for the Federal Reserve Bank of Kansas City. Marie served as a church secretary at St. Elizabeth Catholic Church in Kansas City. They called Kansas City home for 30 years.

Since 1990, they have lived in Lincoln, NE. Being active in their church and community and helping others has always been of great importance to them. Marie and Jack have been blessed with four children, six grandchildren and four great-grandchildren. The family has shared that they are grateful for Jack and Marie's relentless love, example of faith in action, and encouragement. Their partnership as husband and wife sets a great example for others to follow. Congratulations to Marie and Jack on seventy years of marriage. May God bless them always.●

REMEMBERING RICHARD E. GUTTING

● Ms. MURKOWSKI. Mr. President, today I wish to recognize a man who, although not a constituent, was very important to my State. Richard E.

Gutting Jr., who died on Christmas Eve, spent over 40 years working in and for the commercial seafood industry. As many of my colleagues are aware, the seafood harvesting and processing industry is the largest private sector employer in Alaska. The seafood industry is crucial to the economic health of Alaska and employs more than 63,000 workers in my State, and overall Alaska's fisheries support over 165,000 American jobs.

The successful development and growth of the modern U.S. seafood industry is the result of the hard work of many individuals, and Dick played an important role in many key areas. He was recognized as the foremost U.S. expert on seafood safety and trade policies, and he continued to dedicate his time and energy to the seafood industry right until the weeks before he passed, publishing a daily update on seafood trade developments.

Dick's long career in both government and the private sector coincided with a period of rapid development and expansion of my State's seafood industry. In the 1960s we were focused mostly on salmon and watched as foreign fleets took a wide variety of marine resources from the waters off our shores. The passage of the Fishery Conservation and Management Act—now the Magnuson-Stevens Fishery Conservation and Management Act—on which Dick provided advice and counsel, was a crucial step in allowing U.S. citizens to utilize the fisheries resources just off our shores. His work at the National Oceanic and Atmospheric Administration, NOAA, at the National Fisheries Institute, NFI, and in private law practice helped not just Alaskans but the seafood industry throughout the country.

During his long tenure at NFI, Dick frequently testified before Congress on issues of great importance to the Nation's commercial seafood industry. His legal and policy insights, combined with his calm demeanor, made him a valued advisor to ocean policy leaders such as Senator Ted Stevens, Congressman DON YOUNG, and my father, Senator Frank Murkowski, as they crafted legislation necessary to develop U.S. fisheries while also promoting the consumption of seafood. He also helped mentor an entire generation of both governmental and private sector policy leaders in the commercial seafood industry. Many of those people are now in significant positions in government, academia and the private sector, and they continue to benefit from what they learned from Dick.

Above all, Dick loved seafood, and he loved to share his passion for promoting seafood throughout the country and the world. That is something that as an Alaskan I understand very well, and I appreciate his contributions to my State and to the country.

Although Dick is no longer with us, we are left with his many contributions to the responsible growth of the domestic seafood industry. Our system

of fishery management and our robust global trade in seafood products have in many ways been shaped by Dick's four decades of work. These professional achievements, combined with the love and admiration of family and friends, form a legacy that anyone would be proud to leave behind. He will be missed by many Alaskans and by the entire seafood industry.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:04 p.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. 724. An act to amend the Clean Air Act to remove the requirement for dealer certification of new light-duty motor vehicles.

H.R. 3527. An act to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

H.R. 3628. An act to eliminate certain unnecessary reporting requirements and consolidate or modify others, and for other purposes.

ENROLLED BILL SIGNED

At 2:17 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker had signed the following enrolled bill:

H.R. 667. An act to redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES REFERRED

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

H.R. 724. An act to amend the Clean Air Act to remove the requirement for dealer certification of new light-duty motor vehicles; to the Committee on Environment and Public Works.

H.R. 3628. An act to eliminate certain unnecessary reporting requirements and consolidate or modify others, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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-4193. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to a proposed permanent transfer of major defense equipment to a Middle Eastern country (OSS 2013-1926); to the Committee on Foreign Relations.

EC-4194. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel (OSS-2013-1936); to the Committee on Foreign Relations.

EC-4195. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel (OSS-2013-1935); to the Committee on Foreign Relations.

EC-4196. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period August 1, 2013 through September 30, 2013; to the Committee on Foreign Relations.

EC-4197. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 13-166); to the Committee on Foreign Relations.

EC-4198. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 13-158); to the Committee on Foreign Relations.

EC-4199. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013-0202—2013-0204); to the Committee on Foreign Relations.

EC-4200. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Amendment to the International Traffic in Arms Regulations: Third Rule Implementing Export Control Reform" (RIN1400-AD46) received during adjournment of the Senate in the Office of the President of the Senate on January 2, 2014; to the Committee on Foreign Relations.

EC-4201. A communication from the President of the United States to the President Pro Tempore of the United States Senate, transmitting, consistent with the War Powers Act, a report relative to the deployment of U.S. forces to support the security of U.S. personnel and our Embassy in South Sudan; to the Committee on Foreign Relations.

EC-4202. A communication from the Secretary of Homeland Security, transmitting,

pursuant to law, a report relative to a violation of the Antideficiency Act that occurred in the Office of the Federal Coordinator for Gulf Coast Rebuilding (OFCGCR) appropriation, Treasury Appropriation Fund Symbol 7090116; to the Committee on Appropriations.

EC-4203. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2,5-Furandione, polymer with ethenylbenzene, reaction products with polyethylene-polypropylene glycol 2-aminopropyl Me ether; Tolerance Exemption" (FRL No. 9902-90) received during adjournment of the Senate in the Office of the President of the Senate on December 27, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4204. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Copper Sulfate Pentahydrate; Exemption from the Requirement of a Tolerance" (FRL No. 9904-30) received during adjournment of the Senate in the Office of the President of the Senate on December 27, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4205. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Isoprazam; Pesticide Tolerances" (FRL No. 9903-53) received during adjournment of the Senate in the Office of the President of the Senate on December 27, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4206. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Extension of Tolerances for Emergency Exemptions (Multiple Chemicals)" (FRL No. 9904-15) received during adjournment of the Senate in the Office of the President of the Senate on December 27, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4207. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Photovoltaic Devices" ((RIN0750-A118) (DFARS Case 2014-D006)) received during adjournment of the Senate in the Office of the President of the Senate on December 27, 2013; to the Committee on Armed Services.

EC-4208. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Trade Agreements Thresholds" ((RIN0750-A117) (DFARS Case 2013-D032)) received during adjournment of the Senate in the Office of the President of the Senate on December 27, 2013; to the Committee on Armed Services.

EC-4209. A communication from the Assistant Secretary of Defense (Special Operations/Low-Intensity Conflict), transmitting, pursuant to law, the fiscal year 2013 annual report on the Regional Defense Combating Terrorism Fellowship Program; to the Committee on Armed Services.

EC-4210. A communication from the Assistant Secretary of the Army (Acquisition, Logistics and Technology), transmitting, pursuant to law, an annual report relative to the Department's Chemical Demilitarization Program (CDP); to the Committee on Armed Services.

EC-4211. A communication from the Acting Deputy Secretary, Department of the Treas-

ury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-4212. A communication from the Acting Deputy Secretary, Department of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to blocking property of the Government of the Russian Federation relating to the disposition of highly enriched uranium extracted from nuclear weapons that was declared in Executive Order 13617 of June 25, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-4213. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 12947 with respect to terrorists who threaten to disrupt the Middle East peace process; to the Committee on Banking, Housing, and Urban Affairs.

EC-4214. A communication from the Deputy Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Removal of Certain References to Credit Ratings Under the Investment Company Act" (RIN3235-AL02) received during adjournment of the Senate in the Office of the President of the Senate on December 27, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-4215. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Appraisals for Higher-Priced Mortgage Loans" ((RIN3170-AA11) (Docket No. CFPB-2013-0020)) received in the Office of the President of the Senate on January 6, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-4216. A communication from the Acting Deputy Secretary, Department of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-4217. A communication from the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the Office of the Comptroller's 2012 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-4218. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ireland; to the Committee on Banking, Housing, and Urban Affairs.

EC-4219. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Russia; to the Committee on Banking, Housing, and Urban Affairs.

EC-4220. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the United Arab Emirates; to the Committee on Banking, Housing, and Urban Affairs.

EC-4221. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending (Regulation Z): Adjustment to Asset-Size Exemption Threshold" (12 CFR Part 1026) received in the Office of the President of the Senate on January 6, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-4222. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Home Mortgage Disclosure (Regulation C): Adjustment to Asset-Size Exemption Threshold" (12 CFR Part 1003) received during adjournment of the Senate in the Office of the President of the Senate on January 3, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-4223. A communication from the Deputy Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Removal of Certain References to Credit Ratings Under the Securities and Exchange Act of 1934" (RIN3235-AL14) received during adjournment of the Senate in the Office of the President of the Senate on December 27, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-4224. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Prohibitions and Restrictions on Proprietary Trading and Certain Interests In and Relationships With, Hedge Funds and Private Equity Funds" (RIN3235-AL07) received during adjournment of the Senate in the Office of the President of the Senate on December 27, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

* Jessica Garfola Wright, of Pennsylvania, to be Under Secretary of Defense for Personnel and Readiness.

* Jo Ann Rooney, of Massachusetts, to be Under Secretary of the Navy.

* Jamie Michael Morin, of Michigan, to be Director of Cost Assessment and Program Evaluation, Department of Defense.

* Frank G. Klotz, of Virginia, to be Under Secretary for Nuclear Security.

By Mr. LEAHY for the Committee on the Judiciary.

Robert L. Hobbs, of Texas, to be United States Marshal for the Eastern District of Texas for the term of four years.

Gary Blankinship, of Texas, to be United States Marshal for the Southern District of Texas for the term of four years.

Amos Rojas, Jr., of Florida, to be United States Marshal for the Southern District of Florida for the term of four years.

Peter C. Tobin, of Ohio, to be United States Marshal for the Southern District of Ohio for a term of four years.

Kevin W. Techau, of Iowa, to be United States Attorney for the Northern District of Iowa for the term of four years.

Andrew Mark Luger, of Minnesota, to be United States Attorney for the District of Minnesota for the term of four years.

* Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Ms. KLOBUCHAR (for herself, Mr. HOEVEN, and Mr. JOHNSON of South Dakota):

S. 1899. A bill to amend the Internal Revenue Code of 1986 to provide a consumer renewable credit for a utility that sells renewable power, and for other purposes; to the Committee on Finance.

By Mr. BAUCUS (for himself and Mr. HATCH):

S. 1900. A bill to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Mr. CORKER):

S. 1901. A bill to authorize the President to extend the term of the nuclear energy agreement with the Republic of Korea until March 19, 2016; to the Committee on Foreign Relations.

By Mr. BARRASSO (for himself, Mr. JOHANNES, Mr. COBURN, Mr. COCHRAN, Mr. ISAKSON, Mr. MORAN, Mr. HATCH, Mrs. FISCHER, Mr. SCOTT, and Mr. BURR):

S. 1902. A bill to require notification of individuals of breaches of personally identifiable information through Exchanges under the Patient Protection and Affordable Care Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER:

S. 1903. A bill to provide greater fee disclosures for consumers who have prepaid cards, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEE:

S. 1904. A bill to amend the eligibility requirements for funding under title IV of the Higher Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MANCHIN (for himself and Mr. HOEVEN):

S. 1905. A bill to provide direction to the Administrator of the Environmental Protection Agency regarding the establishment of standards for emissions of any greenhouse gas from fossil fuel-fired electric utility generating units, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WARNER (for himself, Mr. CORNYN, and Mr. KAINE):

S. 1906. A bill to establish the Office of Net Assessment within the Department of Defense; to the Committee on Armed Services.

By Mr. KIRK (for himself, Mr. CRAPO, Mr. MORAN, Mr. TOOMEY, Mr. BARRASSO, Mr. ENZI, and Mr. WICKER):

S. 1907. A bill to amend a provision of the Bank Holding Company Act of 1965 regarding prohibitions on investments in certain funds to clarify that such provision shall not be construed to require the divestiture of certain collateralized debt obligations backed by trust-preferred securities or debt securities of collateralized loan obligations; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CORNYN (for himself, Mr. THUNE, Mr. VITTER, Mr. PORTMAN, Mr. ENZI, Mr. ROBERTS, Mr. GRAHAM, Mr. BURR, Mr. CRAPO, Mr. COCHRAN, Mr. BOOZMAN, Mr. INHOFE, and Mr. JOHANNES):

S. 1908. A bill to allow reciprocity for the carrying of certain concealed firearms; to the Committee on the Judiciary.

By Mr. SCOTT (for himself and Mr. ALEXANDER):

S. 1909. A bill to expand opportunity through greater choice in education, and for

other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ALEXANDER (for himself and Mr. CORKER):

S. 1910. A bill to award a Congressional Gold Medal to Pat Summitt, in recognition of her remarkable career as an unparalleled figure in women's team sports, and for her courage in speaking out openly and courageously about her battle with Alzheimer's; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCOTT (for himself, Mr. BURR, and Mr. COBURN):

S. 1911. A bill to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MANCHIN (for himself and Mr. WICKER):

S. 1912. A bill to clarify that certain banking entities are not required to divest from collateralized debt obligations backed by trust preferred securities under the Volcker Rule; to the Committee on Banking, Housing, and Urban Affairs.

ADDITIONAL COSPONSORS

S. 41

At the request of Ms. CANTWELL, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 41, a bill to provide a permanent deduction for State and local general sales taxes.

S. 127

At the request of Mr. HELLER, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 127, a bill to provide a permanent deduction for State and local general sales taxes.

S. 217

At the request of Mrs. MURRAY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 217, a bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from coeducational elementary schools and secondary schools on such schools' athletic programs, and for other purposes.

S. 946

At the request of Mr. WICKER, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 946, a bill to prohibit taxpayer funded abortions, and for other purposes.

S. 1174

At the request of Mr. BLUMENTHAL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1174, a bill to award a Congressional Gold Medal to the 65th Infantry Regiment, known as the Borinqueneers.

S. 1306

At the request of Mr. REED, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1306, a bill to amend the Elementary and Secondary Education Act of 1965 in order to improve environmental literacy to better prepare students for postsecondary education and careers, and for other purposes.

S. 1383

At the request of Mr. BLUMENTHAL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1383, a bill to provide subsidized employment for unemployed, low-income adults, provide summer employment and year-round employment opportunities for low-income youth, and carry out work-related and educational strategies and activities of demonstrated effectiveness, and for other purposes.

S. 1406

At the request of Ms. AYOTTE, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1406, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1410

At the request of Mr. DURBIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1410, a bill to focus limited Federal resources on the most serious offenders.

S. 1431

At the request of Mr. WYDEN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1431, a bill to permanently extend the Internet Tax Freedom Act.

S. 1590

At the request of Mr. ALEXANDER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1590, a bill to amend the Patient Protection and Affordable Care Act to require transparency in the operation of American Health Benefit Exchanges.

S. 1719

At the request of Mrs. MURRAY, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1719, a bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

S. 1733

At the request of Ms. KLOBUCHAR, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1733, a bill to stop exploitation through trafficking.

S. 1737

At the request of Mr. HARKIN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1737, a bill to provide for an increase in the Federal minimum wage and to amend the Internal Revenue Code of 1986 to extend increased expensing limitations and the treatment of certain real property as section 179 property.

S. 1798

At the request of Mr. WARNER, the names of the Senator from Ohio (Mr. BROWN), the Senator from Connecticut (Mr. MURPHY) and the Senator from

Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1798, a bill to ensure that emergency services volunteers are not counted as full-time employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

S. 1846

At the request of Mr. MENENDEZ, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1846, a bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

S. 1848

At the request of Mr. ROBERTS, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1848, a bill to amend section 1303(b)(3) of Public Law 111-148 concerning the notice requirements regarding the extent of health plan coverage of abortion and abortion premium surcharges.

S. 1881

At the request of Mr. MCCONNELL, his name was added as a cosponsor of S. 1881, a bill to expand sanctions imposed with respect to Iran and to impose additional sanctions with respect to Iran, and for other purposes.

At the request of Mr. MENENDEZ, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Idaho (Mr. CRAPO), the Senator from Alabama (Mr. SHELBY) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 1881, *supra*.

S. RES. 317

At the request of Mr. SESSIONS, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. Res. 317, a resolution expressing the sense of the Senate on the continuing relationship between the United States and Georgia.

AMENDMENT NO. 2603

At the request of Ms. AYOTTE, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 2603 intended to be proposed to S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

AMENDMENT NO. 2608

At the request of Mr. BLUMENTHAL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2608 intended to be proposed to S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

AMENDMENT NO. 2613

At the request of Mr. PORTMAN, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of amendment No. 2613 intended to be proposed to S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

AMENDMENT NO. 2626

At the request of Mr. SESSIONS, the names of the Senator from Arkansas

(Mr. BOOZMAN), the Senator from Utah (Mr. LEE) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of amendment No. 2626 intended to be proposed to S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BAUCUS (for himself and Mr. HATCH):

S. 1900. A bill to establish congressional trade negotiating objectives and enhanced consultation requirements for trade negotiations, to provide for consideration of trade agreements, and for other purposes; to the Committee on Finance.

Mr. BAUCUS. Mr. President, 52 years ago, in 1962, President John Kennedy signed the Trade Expansion Act into law. At the signing he spoke about the importance of trade to the United States and its partners abroad, on how it helps secure our preeminence in a global economy.

Here is what he said:

We now have the means to make certain that we build our strength together and that we can maintain this preeminence.

His words still ring true today. International trade is a cornerstone of our economy.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, my friend from Montana is absolutely right. International trade is crucial to America's economy. Last year exports supported 9.8 million American jobs, including 25 percent of all manufacturing jobs.

Jobs created through trade are good jobs. On average, U.S. plants that export overseas pay their workers up to 18 percent more than nonexporting plants. They increase employment 2 to 4 percent faster than nonexporting plants. But we can do even better.

More than 95 percent of the world's population and 80 percent of the world's purchasing power is outside of the United States. To succeed in today's world, our farmers, ranchers, and job creators must be able to fairly access the world market.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. I hope everyone listened to my good friend's words. He made very important points about statistics that I think most Americans are unaware of, and if they would think about it more, they would realize the importance of trade.

We export so much more now. Exporting is such a large percent of our economy and offers such good-paying jobs that, frankly, I am perplexed more Americans don't want to work harder to get trade agreements passed so we can export more and get more good-paying jobs in America.

I must say that today we have a bold plan to strengthen our trade ties with

nations across the Pacific and in Europe.

What is our goal? Our goal is to seize new export opportunities so that we can boost our economy and create jobs here at home. We all know the big to-and-fro here with unemployment insurance. The key is to have fewer people unemployed. How does that happen? More good-paying jobs.

But there is a big first step we need to take before we can act on our trade agenda. What is that? It is Trade Promotion Authority, otherwise known as TPA.

That is why this afternoon Senator HATCH and I introduced the Bipartisan Congressional Trade Priorities Act of 2014.

THE PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Our bill will help guarantee these landmark trade deals get done—and get done right.

First, the bill updates TPA by addressing 21st century issues. What are these issues? Nonscientific barriers to U.S. agricultural products, unfair competition from state-owned enterprises, arbitrary localization barriers which require U.S. companies to turn over their intellectual property or locate facilities in a foreign country in order to access foreign markets, and unnecessary restrictions on digital trade and data which flows across borders.

Mr. BAUCUS. That is right. Our bill also addresses critical issues such as labor, environment, and innovation and for the first time currency manipulation. Our bill addresses it.

Senator HATCH and I worked with our good friend from the other body, the Ways and Means Committee Chairman DAVE CAMP, to carefully craft these negotiating objectives and ensure that Congress is a full partner in trade negotiations.

Our bill helps lay out in clear terms what Congress's priorities are for trade. It is our opportunity to tell the administration and our partners overseas what we must see in an agreement if it is going to be approved by Congress.

It boosts congressional oversight, increases transparency in trade negotiations, and it gives every Member of Congress the right to a strong voice in the process.

Mr. HATCH. Madam President, I want to praise the distinguished chairman of the Ways and Means Committee over in the House. He has worked long and hard on these issues and is not only a great partner to the two of us but to every Senator.

What the Senator from Montana just said is absolutely right. Our bill empowers Congress, but it also empowers our negotiators. Its approval will help them conclude high-standard agreements that will open new markets for U.S. exports, ultimately bringing jobs and economic growth to the United States.

Lastly, before I turn back to the chairman, I just want to say again how

critical this legislation is for our Nation and to commend my friend from Montana, the distinguished chairman of the Finance Committee, for working to make Trade Promotion Authority a reality. He has always been a tremendous leader on international trade, and I am glad to stand by his side to ensure that the Finance Committee and the Senate considers this job-creating legislation in a fair, thorough, and expeditious manner.

Mr. BAUCUS. Madam President, I thank very much my good friend from Utah. As President Kennedy said 52 years ago, this is about working with our trade partners to build strength together. It is about maintaining U.S. preeminence. That is why TPA is so important—because it makes our job-creating trade agenda work, and it helps to secure our future.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I am happy to be on the floor to hear the news from Senator HATCH and Senator BAUCUS that they have reached an agreement on trade promotion authority. I wish to congratulate them on that, working with Chairman CAMP on the House side.

This is incredibly important. These two Senators have worked closely together, as Republican and Democrat, over the last few months with the administration to put in place the opportunity for American workers, American farmers, and American service providers to be able to sell their goods and their services on a level playing field by opening more markets for U.S. products. I congratulate them. It is sad to me that for the past 5 or 6 years we haven't had trade promotion authority, and without their strong efforts we still wouldn't have it today.

It has been noted that this administration, the Obama administration, is the first one since FDR not to have asked for even the ability to open these markets through what is called trade promotion authority and its predecessors until last March. So until last spring they hadn't even asked for it. They did ask for it, and thanks to the hard work of these two Senators and Congressman CAMP, we are now going to have that opportunity. This gives our workers, our farmers, and our service providers the ability to access these markets Senator BAUCUS and Senator HATCH spoke about.

It is critical to economic growth. If we look at the growth in the last two or three recoveries, much of it was because of expanding exports. We all believe the current level of economic growth is disappointing. It is anemic growth. We are looking at long-term unemployment being at historic levels, as we have spoken about on the floor all week. One solution, clearly, is for the United States to do more exporting, and we can't do that without trade promotion authority.

I speak as a former U.S. Trade Representative who had the honor of trav-

eling the world representing our great country. I will tell my colleagues, when we got down to the negotiating across the table with another country in terms of how to knock down both tariff and nontariff barriers to trade, if they didn't know there was an ability with an up-or-down vote to get that trade agreement done in the U.S. Congress with something like trade promotion authority, they would not have put their last and best offer on the table. That is a reality.

Our system is different from most systems in countries around the world. We have to have trade promotion authority—that has been our experience—in order to get these trade agreements done to help knock down barriers to the people in the United States who make the best products in the world, who provide the best services in the world and are just looking for a fair shake and a level playing field.

So these two Senators, by doing this today, have opened up the possibility now for us to have trade agreements that give us the opportunity to grow our economy and create, as they both said, good-paying jobs and good benefits, and I congratulate them for that.

Mr. HATCH. Mr. President, will my colleague from Ohio yield?

Mr. PORTMAN. I am happy to yield to my colleague and ranking member from Utah.

Mr. HATCH. Mr. President, I wish to compliment the distinguished Senator because he served as the US Trade Representative. He traveled all over the world. He understands how important these issues are. He understands that without TPA, we wouldn't be able to get these particular trade agreements done. He understands how hard we have worked to try to come up with language we could all accept in spite of some of the proclivities of this administration.

He worked diligently with both sides of the aisle on these issues as the U.S. Trade Representative and continues to as a member of the Senate Finance Committee. I am so grateful we have him on the Senate Finance Committee, with all of his knowledge and his experience, to be able to help us on these particular issues.

I was a little nonplussed last week when one of the leading trade union presidents in this country got on television and was decrying international trade. I made the point a little bit earlier that it means tremendous numbers of jobs, high-paying jobs, growth in our economy. It is hard for me to understand why anybody in the union movement would be against these free-trade policies. They basically allow us to export our goods while, yes, we import others, but that is what free trade is all about.

I wish to personally express my very high opinion of the distinguished Senator from Ohio because I can tell my colleagues that we are so lucky to have him in the Senate with all of his experience in this particular area but in

many other areas as well. He was at OMB as well. There are very few Senators in this body who can claim they have experience equivalent to that of our distinguished friend from Ohio. I personally express my admiration and my resolve to help him help those on the other side of the aisle understand how important his words are here today, how important it is to have free trade, and how important it is to have trade promotion authority so we can have free trade.

Every President since FDR—including him—has been for trade promotion authority—every President.

There is a fear around here amongst some of the Democrats that the unions are going to turn against them. My gosh, the Unions are going to be main beneficiaries of major trade legislation. It is hard for me to comprehend how they can even make a semi-argument against this matter. Hopefully, they will realize this is in their interests, too, because it puts us in the real world, getting real jobs that have higher pay than we wouldn't otherwise get if we didn't have these free-trade agreements and if we aren't able to get TPA passed. I suspect we will get this passed in large measure. I think, with the distinguished chairman of the committee, my friend who has just spoken, will be one of the main reasons why we do.

Mr. BAUCUS. Mr. President, will the Senator from Ohio yield for a question?

Mr. PORTMAN. I am glad to yield.

Mr. BAUCUS. Mr. President, first of all, I wish to ask my good friend from Ohio if he could expand on what I think is a very important point, and it is namely this: With the world becoming more competitive and with globalization, it is evermore important for the United States of America to strive ahead and to keep working to develop good products, good high-technology products, and to compete in the world. I believe, frankly, when we are treading water, we are sinking. We have to keep moving ahead if we are going to make products and boost incomes and help the American people.

That leads me to another point. If the Senator could tell us a little more and explain to, frankly, some people who may not realize this, what is involved in TPP. What is TPP? Of course, we need trade promotion authority in order to get TPP.

Isn't it important, isn't it critical, isn't it crucial that the United States include a strong Trans-Pacific Partnership agreement not only for economic reasons but also for geopolitical reasons to show to the world, to show to Asian countries that are wondering where the United States is—is the United States going to show up? Is the United States going to maintain its presence in Asia? What will happen if we don't pass trade promotion authority? How will that affect the Trans-Pacific Partnership negotiations, and what effect will that have on other countries in Asia and their perception of the United States?

My understanding is—and we know this better than anybody—that unfortunately President Obama was unable to travel to Southeast Asia to attend the ASEAN conference, and many people around the world are wondering whether the United States is going to show up anymore in Asia.

If the Senator could address how important is it that we engage countries in the Pacific as we negotiate a Trans-Pacific Partnership, including the economic reasons, but also if he could address the geopolitical issue, the degree to which it is important for the United States to negotiate a successful agreement and to be there, to show up.

Mr. PORTMAN. Reclaiming my time, I appreciate the question from my colleague from Montana. I will say just based on his question that we are going to miss his wisdom and his experience on the trade issue. He takes some political risks sometimes, I know, as he did in coming up with an agreement on trade promotion authority, because there are many on both sides of the aisle—especially his side of the aisle—who take a different view of this issue. He has been willing to help to educate them as to why this is in the interests of Montana farmers and ranchers and workers.

Senator HATCH spoke earlier about the impact of trade on the people he represents.

My colleague is absolutely right. The trade promotion authority enables us to take that step toward things such as the Trans-Pacific Partnership, called TPP—a lot of alphabet soup here with TPA to TPP. That is important, as the Senator just said, because this is the fastest growing region of the world—these are the Pacific countries, countries in South American but also in Asia; it is where the majority of the global GDP is now; and it is an area where, frankly, because of China's strong interest in trade, other countries in the region are looking to the United States to provide not only a market but also to help them with regard to their own markets; therefore, more U.S. exports, more of that, as my colleague said. The best technology in the world is in the United States, the best products in the world that are made here—to be able to export to those countries. So they want to have this relationship with us.

As a future Ambassador to China, I will stipulate that I think the Senator from Montana understands this issue very well. But what this Trans-Pacific Partnership does is two things.

No. 1, it expands trade in an area of the world that again is the fastest growing part of our globe and a place where the tariffs and nontariff barriers are higher, relatively speaking, than they are here. In other words, by lowering barriers we get a relative advantage.

This agreement also, I hope, will deal with the currency issue, as my colleagues have negotiated in this trade promotion authority, which I support.

This is pioneering work they have done in this area. We have to ensure that currency levels are appropriate, that there are not unfair trade advantages being given by countries that depreciate their currency by interfering in it.

So I believe it is about trade, and that is very important for our workers and our farmers and our service providers, but, second, it does have this geopolitical element where those countries in the Asia Pacific area are allies of ours and are looking to us to develop a stronger relationship on the commercial side but also on the intergovernmental side to be able to ensure that the U.S. role continues in that area.

I think this TPA that these Senators have negotiated today that they are announcing is incredibly important because it is the first step toward the Trans-Pacific Partnership and other agreements we can complete, as we just have recently under the old TPA, with South Korea, with Panama, with Colombia—countries where we are seeing expansion of exports as well as a stronger relationship with key countries in the region.

Mr. BAUCUS. Mr. President, if I might ask one more question very briefly, and that is this. One more opportunity here with trade promotion authority—with trade promotion authority, clearly we are going to get a Trans-Pacific Partnership agreement, and without trade promotion authority, we won't. Other countries will go their ways in the Pacific and wonder, where is the United States?

There is another issue in addition to that. I wonder whether my good friend would agree with this. Not only does trade promotion authority enable our country to negotiate trade agreements with the Pacific—TPP—but isn't it also true that it allows the United States, with the passage of the TPA, to negotiate with European countries? And doesn't that mean that between Asia TPP and TTIP with the European countries, that it is about 70 percent of world trade and is an opportunity for the United States to lead in the harmonization of trade provisions and regulatory provisions not only in Asia and in the Pacific but also in Europe? It is an opportunity to lead? And if we don't pass TPA, is the United States squandering a huge opportunity to lead here in a way that would raise productivity and raise incomes not just in our country but in other countries of the world?

Mr. PORTMAN. Reclaiming my time, the Senator is absolutely right. The alternative is not to pass a trade promotion authority and to have continue to happen what has frankly been going on over the last 6 or 7 years, which is these other countries around the world are actively negotiating agreements, as the Senator from Montana says, using their own standards but also opening markets for their workers, their farmers, and their service providers, and cutting us out of market share.

So what has happened is the European Union, the Chinese, the Canadians, and others have been actively pursuing agreements while we have been on the sidelines because we have not had trade promotion authority. So not only does this give us an opportunity, with this possible agreement with the European Union—which would be an agreement not like a free trade agreement but would be a partnership on investment, on standards, on being sure there is a harmonization that is more like the beneficial metrics that we use in this country that can help both in our economy and, as the Senator says, globally—none of this can happen without us being able to say we are going to have the possibility of taking trade agreements to the Congress for an up-or-down vote—a fair vote. Every one of these agreements will have to be voted on separately because in these other countries they will not put that last, best offer on the table until they know that. They are not going to be nicked and dined and amended to death as they get to the Congress. That is just reality.

We have to get off the sidelines. We have to get reengaged. We have to help our economy, our workers to get their fair share, to get their market share. Right now we are losing that market share, as literally over 100 trade agreements have been negotiated while we have been sitting on the sidelines without having trade promotion authority on both bilateral and regional agreements.

So the Senator is absolutely correct. This is a great opportunity for us to, frankly, take this anemic economy and give it a little shot in the arm. It is part of an overall effort we ought to be doing to provide the kind of economic opportunity we all want for the people we represent.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. PORTMAN. Mr. President, I am happy to yield to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I think we should all be listening to this man, this Senator from Ohio, who has had a wealth of experience not just in budget matters but also especially in these trade matters.

There are 11 countries in the TPP, the Trans-Pacific Partnership, and we would like to come to an agreement on it. There are 28 different countries in the European agreement on TTIP that we would like to bring to fruition, and you can go on from there.

Having said that, I cannot compliment my friend from Ohio enough. But I also want to pay tribute to our chairman of the committee. He is willing to do this. He believes in it. He has had plenty of witness that this is the way to do good trade, and he is willing to stand up and see that it is done. I cannot think of a better sendoff to China as the new Ambassador—as soon

as we finally finish these confirmation proceedings—than having passed TPA, which enables us to do free trade agreements all over the world and enables our fellow countries to realize that we can get it done.

I want to pay tribute to the chairman, as well as my colleague from Ohio, for their work in this area, and to say that this country will be much the better once we pass TPA and then get these trade agreements done so the United States resumes its role in the world as the world's chief economic competitor, and doing it in a way that would benefit the whole world but, more importantly, benefit this country.

So I want to thank my colleague from Montana, and my colleague from Ohio as well. My colleague from Montana is going to be here at least a little bit longer, and hopefully we can get this passed in his honor. I think he deserves that honor. I know the distinguished Senator from Ohio and myself will do everything in our power to assist in this matter.

Mr. BAUCUS. I thank the Senator.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2627. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table.

SA 2628. Mr. PORTMAN (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 1845, supra; which was ordered to lie on the table.

SA 2629. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 1845, supra; which was ordered to lie on the table.

SA 2630. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1845, supra; which was ordered to lie on the table.

SA 2631. Mr. REID (for Mr. REED) proposed an amendment to the bill S. 1845, supra.

SA 2632. Mr. REID proposed an amendment to amendment SA 2631 proposed by Mr. REID (for Mr. REED) to the bill S. 1845, supra.

SA 2633. Mr. REID proposed an amendment to the bill S. 1845, supra.

SA 2634. Mr. REID proposed an amendment to amendment SA 2633 proposed by Mr. REID to the bill S. 1845, supra.

SA 2635. Mr. REID submitted an amendment intended to be proposed to amendment SA 2634 proposed by Mr. REID to the amendment SA 2633 proposed by Mr. REID to the bill S. 1845, supra.

SA 2636. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 1845, supra; which was ordered to lie on the table.

SA 2637. Mr. SCOTT (for himself, Mr. BURR, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1845, supra; which was ordered to lie on the table.

SA 2638. Mr. REID (for Mr. NELSON) submitted an amendment intended to be proposed by Mr. REID, of NV to the resolution S. Res. 312, urging the Government of Iran to fulfill their promises of assistance in this case of Robert Levinson, one of the longest held United States civilians in our Nation's history.

SA 2639. Mr. REID (for Mr. NELSON) submitted an amendment intended to be proposed by Mr. REID, of NV to the resolution S. Res. 312, supra.

TEXT OF AMENDMENTS

SA 2627. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . MODIFICATION OF DEFINITION OF FULL-TIME EMPLOYEE.

(a) FULL-TIME EQUIVALENTS.—Paragraph (2)(E) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by striking “by 120” and inserting “by 174”.

(b) FULL-TIME EMPLOYEES.—Paragraph (4)(A) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by striking “30 hours” and inserting “40 hours”.

SA 2628. Mr. PORTMAN (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

Add at the end the following:

TITLE II—WORKFORCE DEVELOPMENT

SEC. 201. STEERING FEDERAL TRAINING DOLLARS TOWARD SKILLS NEEDED BY INDUSTRY.

(a) DEFINITIONS.—Section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801) is amended by adding at the end the following:

“(54) CREDENTIAL.—

“(A) INDUSTRY-RECOGNIZED.—The term ‘industry-recognized’, used with respect to a credential, means a credential that is sought or accepted by employers within the industry sector involved as recognized, preferred, or required for recruitment, screening, hiring, or advancement. If a credential is not yet available for a certain skill that is sought or accepted, completion of an industry-recognized training program shall be considered to be an industry-recognized credential, for the purposes of this paragraph.

“(B) NATIONALLY PORTABLE.—The term ‘nationally portable’, used with respect to credential, means a credential that is sought or accepted as described in subparagraph (A) across multiple States.

“(C) REGIONALLY RELEVANT.—The term ‘regionally relevant’, used with respect to a credential, means a credential that is determined by the Governor and the head of the State workforce agency to be sought or accepted as described in subparagraph (A) in that State and neighboring States.

“(55) STATE WORKFORCE AGENCY.—The term ‘State workforce agency’ means the lead State agency with responsibility for workforce investment activities carried out under subtitle B.”

(b) YOUTH ACTIVITIES.—Section 129(c)(1)(C) of the Workforce Investment Act of 1998 (29 U.S.C. 2854(c)(1)(C)) is amended—

(1) by redesignating clauses (ii) through (iv) as clauses (iii) through (v), respectively; and

(2) inserting after clause (i) the following:

“(ii) training, with priority consideration given, after consultation with the Governor and the head of the State workforce agency and beginning not later than 6 months after the date of enactment of the Emergency Unemployment Compensation Extension Act,

to programs that lead to an industry-recognized, nationally portable, and regionally relevant credential, if the local board determines that such programs are available and appropriate.”

(c) **GENERAL EMPLOYMENT AND TRAINING ACTIVITIES.**—Section 134(d)(4)(F) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(d)(4)(F)) is amended by adding at the end the following:

“(iv) **PRIORITY FOR PROGRAMS THAT PROVIDE AN INDUSTRY-RECOGNIZED, NATIONALLY PORTABLE, AND REGIONALLY RELEVANT CREDENTIAL.**—In selecting and approving programs of training services under this section, a one-stop operator and employees of a one-stop center referred to in subsection (c) shall, after consultation with the Governor and the head of the State workforce agency and beginning not later than 6 months after the date of enactment of the Emergency Unemployment Compensation Extension Act, give priority consideration to programs (approved by the appropriate State agency and local board in conjunction with section 122) that lead to an industry-recognized, nationally portable, and regionally relevant credential.

“(v) **RULE OF CONSTRUCTION.**—Nothing in clause (iv) or section 129(c)(1)(C) shall be construed to require an entity with responsibility for selecting or approving a workforce investment activities program to select a program that leads to a credential specified in clause (iv).”

(d) **STATE ADMINISTRATION.**—

(1) **GENERAL EMPLOYMENT AND TRAINING ACTIVITIES.**—Section 122(b)(2)(D) of the Workforce Investment Act of 1998 (29 U.S.C. 2842(b)(2)(D)) is amended—

(A) in clause (ii), by striking “and” at the end;

(B) in clause (iii), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(iv) in the case of a provider of a program of training services that leads to an industry-recognized, nationally portable, and regionally relevant credential, that the program leading to the credential meets such quality criteria (which may be accreditation by a State-recognized, third party accrediting agency) as the Governor (in consultation with representatives of the relevant industry sectors and labor groups) shall establish not later than 6 months after the date of enactment of the Emergency Unemployment Compensation Extension Act.”

(2) **YOUTH ACTIVITIES.**—Section 123 of the Workforce Investment Act of 1998 (29 U.S.C. 2843) is amended by inserting “(including such quality criteria (which may be accreditation by a State-recognized, third party accrediting agency) as the Governor (in consultation with representatives of the relevant industry sectors and labor groups) shall establish not later than 6 months after the date of enactment of the Emergency Unemployment Compensation Extension Act for a training program that leads to an industry-recognized, nationally portable, and regionally relevant credential)” after “plan”.

(e) **REPORT ON INDUSTRY-RECOGNIZED CREDENTIALS.**—Section 122 of the Workforce Investment Act of 1998 (29 U.S.C. 2842) is amended by adding at the end the following:

“(j) **REPORT ON INDUSTRY-RECOGNIZED CREDENTIALS.**—

“(1) **DATA COLLECTION.**—Each State shall submit to the Secretary data on programs determined, under section 129(c)(1)(C) or 134(d)(4)(F)(iv), to lead to industry-recognized and regionally relevant credentials, and on the need of that State for such credentials.

“(2) **REPORT.**—Based on data provided by the States under paragraph (1), the Secretary shall annually compile the data and

prepare a report identifying industry-recognized credentials that are regionally relevant or nationally portable. The report shall include information on the needs of each State and of the Nation for such credentials.

“(3) **AVAILABILITY.**—The Secretary shall make the report available and easily searchable on a website.

“(4) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed as an official endorsement of a credential by the Department of Labor.”

SEC. 202. ESTABLISHING INCENTIVES FOR ACCOUNTABILITY.

(a) **PROGRAM.**—Subtitle B of title I of the Workforce Investment Act of 1998 is amended by inserting after section 112 (29 U.S.C. 2822) the following:

“SEC. 112A. PAY FOR PERFORMANCE PILOT PROGRAM.

“(a) **ESTABLISHMENT.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of the Emergency Unemployment Compensation Extension Act, the Secretary of Labor shall establish a Pay for Performance pilot program. The Secretary shall select not fewer than 5 States, including at least 1 rural State and at least 1 non-rural State, to participate in the pilot program by carrying out a Pay for Performance State program.

“(2) **VOLUNTARY NATURE OF PROGRAM.**—Nothing in this subtitle shall be construed to require a State to participate in the pilot program without the State’s consent.

“(3) **DEFINITION.**—In this subsection, the term ‘rural State’ means a State that has a population density of 52 or fewer persons per square mile, or a State in which the largest county has fewer than 150,000 people, as determined on the basis of the most recent decennial census of population conducted pursuant to section 141 of title 13, United States Code.

“(b) **SUBMISSION OF PLANS.**—To be eligible to participate in the pilot program, a State shall submit to the Secretary and obtain approval of a Pay for Performance plan described in section 112(e) as a supplement to the State plan described in section 112. The State shall submit the supplement in accordance with such process as the Secretary may specify after consultation with States.

“(c) **IMPLEMENTATION.**—

“(1) **IN GENERAL.**—In a State that carries out a Pay for Performance State program, the State shall reserve and the local areas shall use the amount described in paragraph (2) to provide a portion of the training services authorized under section 134(d)(4) (referred to in this section as ‘training services’) under the State’s Pay for Performance plan, in addition to the other requirements of this Act.

“(2) **AMOUNT.**—The amount reserved under paragraph (1) shall be—

“(A) a portion of not more than 25 percent, as determined by the State, of the funds available to be allocated under section 133(b) within the State, and estimated by the State to be available for training services, for the fiscal year involved; and

“(B) a portion of not more than 17.5 percent, as determined by the State, of the grant funds awarded under section 211(b) for the State (which portion shall be taken from the funds described in paragraphs (2) and (3) of section 222(a)) for the fiscal year involved.

“(d) **TRAINING AND TECHNICAL ASSISTANCE.**—The Secretary shall provide, by grant or contract, training and technical assistance to States, and local areas in States, carrying out a Pay for Performance State program.

“(e) **STATE REPORTS.**—Each State carrying out a Pay for Performance State program

shall annually prepare and submit to the Secretary a report regarding the performance of the State on the outcome measures described in section 112(e)(2)(C).

“(f) **EVALUATIONS.**—

“(1) **IN GENERAL.**—Not later than 1 year after the conclusion of the transition period described in section 112(e)(2)(H), the Secretary shall enter into an arrangement for an entity to carry out an independent evaluation of Pay for Performance State programs carried out under this subtitle.

“(2) **CONTENTS.**—For each Pay for Performance State program, the entity shall evaluate the program design and performance on the outcome measures, evaluate (wherever possible) the level of satisfaction with the program among employers and employees benefiting from the program, and estimate public returns on investment, including such returns as reduced dependence on public assistance, reduced unemployment, and increased tax revenue paid by participants exiting the program for employment.

“(3) **REPORT.**—The entity shall prepare a report containing the results of the evaluation, and submit the report to the Secretary, not later than 18 months after the conclusion of the transition period.

“(g) **REPORT TO CONGRESS.**—Not later than 3 months after the submission of the report described in subsection (f)(3), the Secretary shall prepare and submit to Congress a report that contains the results of the evaluations described in subsection (f) and recommendations. The recommendation shall include the Secretary’s opinions concerning whether the pilot program should be continued and whether the pay for performance model should be expanded within this Act, and related considerations.

“(h) **PERFORMANCE.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), section 136 of this Act shall not apply to a State, or a local area in a State, with respect to activities carried out through a Pay for Performance State program.

“(2) **FISCAL AND MANAGEMENT ACCOUNTABILITY INFORMATION SYSTEMS.**—Section 136(f)(1) shall apply with respect to reporting and monitoring of the use of funds under this section for activities described in paragraph (1).”

(b) **PAY FOR PERFORMANCE PLAN.**—Section 112 of the Workforce Investment Act of 1998 (29 U.S.C. 2822) is amended by adding at the end the following:

“(e) **PAY FOR PERFORMANCE PLANS.**—

“(1) **IN GENERAL.**—For a State seeking to carry out a Pay for Performance State program (referred to in this subsection as a ‘State program’) under the pilot program described in section 112A, the State plan shall include a plan supplement, consisting of a Pay for Performance plan developed by the State and local areas in the State.

“(2) **CONTENTS.**—The Pay for Performance plan shall, with respect to the State program—

“(A) provide for technical support to local areas and providers in order to carry out a pay for performance model, which shall at a minimum provide assistance with data collection and data entry requirements;

“(B) specify target populations who are eligible to receive training services authorized under section 134(d)(4) (referred to in this subsection as ‘training services’) through the State program, with appropriate consideration of and participation targets for special participant populations that face multiple barriers to employment, as defined in section 134(d)(4)(G)(iv);

“(C) specify employment placement, employment retention, and earnings outcome measures and timetables for each target population;

“(D) provide for curricula in terms of competencies required for education and career advancement that are, where feasible, tied to industry-recognized credentials and related standards (where the quality of the program leading to the credential or standard is recognized by the State or local area involved), or State licensing requirements;

“(E) describe how the State or local areas will provide information to participants in the State program about appropriate support services, where feasible, including career assessment and counseling, case management, child care, transportation, financial aid, and job placement services;

“(F) specify a fixed amount that, except as provided in subparagraph (H), local areas in the State will pay to providers of training services in the State program, for each eligible participant who achieves the applicable outcome measures or is an excepted participant described in subparagraph (G)(i), according to the timetables described in subparagraph (C), which amount—

“(i) shall represent 115 percent of the historical cost of providing training services to a participant under this subtitle, as established by the State or local area involved; and

“(ii) may vary by target population;

“(G) provide assurances that—

“(i) no funds reserved for the State program will be paid to a provider for a participant who does not achieve the outcome measures according to the timetables, except for a participant who does not achieve the outcome measures through no fault of the provider, as determined by the Governor in consultation with the head of the State board, relevant local boards, and at least 1 representative of the State’s providers of training services; and

“(ii) each local area in the State will reallocate funds not paid to a provider, because the achievement described in clause (i) did not occur, for further activities under the State program in the local area; and

“(H) specify a transition period of not more than 1 year during which the reserved funds may be paid to providers of training services based on the previous year’s performance on the core indicators of performance described in 136(b)(2)(A)(i), in order to enable the providers to begin to provide services under the State program and adjust to a pay for performance model, including adjusting by—

“(i) developing partnerships with local employers; and

“(ii) seeking financial support and volunteer services from private sector sources.

“(3) APPROVAL.—In determining whether to approve the plan supplement, the Secretary shall consider the quality of the data system the State will use to track performance on outcome measures in carrying out a Pay for Performance plan.”

(c) CONFORMING AMENDMENTS.—

(1) USE OF FUNDS.—Section 211(b)(2) of the Workforce Investment Act of 1998 (20 U.S.C. 9211(b)(2)) is amended by inserting “or training services in accordance with section 112A(c)” before the period at the end.

(2) FUNDING.—Section 223(a) of the Workforce Investment Act of 1998 (20 U.S.C. 9223(a)) is amended—

(A) by redesignating paragraph (8) as paragraph (12), and moving that paragraph to the end of that section 223(a); and

(B) by inserting after paragraph (7) the following:

“(8) Providing training services in accordance with section 112A(c).”

SA 2629. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 1845, to provide for

the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DEFINITION OF FULL-TIME EMPLOYEE.

Section 4980H(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(E), by striking “by 120” and inserting “by 174”; and

(2) in paragraph (4)(A) by striking “30 hours” and inserting “40 hours”.

SA 2630. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, after line 11, add the following:

SEC. ____ . REDUCTION IN SHARE OF CROP INSURANCE PREMIUM PAID BY FEDERAL CROP INSURANCE CORPORATION.

(a) IN GENERAL.—Section 508(e)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(2)) is amended—

(1) in subparagraph (B)(i), by striking “67” and inserting “55”; and

(2) in subparagraph (E)(i), by striking “55” and inserting “24”; and

(3) in subparagraph (F)(i), by striking “48” and inserting “17”; and

(4) in subparagraph (G)(i), by striking “38” and inserting “13”; and

(5) by redesignating subparagraphs (C) through (G) as subparagraphs (G) through (K), respectively; and

(6) by inserting after subparagraph (B) the following:

“(C) In the case of additional coverage equal to or greater than 55 percent, but less than 60 percent, of the recorded or appraised average yield indemnified at not greater than 100 percent of the expected market price, or a comparable coverage for a policy or plan of insurance that is not based on individual yield, the amount shall be equal to the sum of—

“(i) 46 percent of the amount of the premium established under subsection (d)(2)(B)(i) for the coverage level selected; and

“(ii) the amount determined under subsection (d)(2)(B)(ii) for the coverage level selected to cover operating and administrative expenses.

“(D) In the case of additional coverage equal to or greater than 60 percent, but less than 65 percent, of the recorded or appraised average yield indemnified at not greater than 100 percent of the expected market price, or a comparable coverage for a policy or plan of insurance that is not based on individual yield, the amount shall be equal to the sum of—

“(i) 38 percent of the amount of the premium established under subsection (d)(2)(B)(i) for the coverage level selected; and

“(ii) the amount determined under subsection (d)(2)(B)(ii) for the coverage level selected to cover operating and administrative expenses.

“(E) In the case of additional coverage equal to or greater than 65 percent, but less than 70 percent, of the recorded or appraised average yield indemnified at not greater than 100 percent of the expected market price, or a comparable coverage for a policy or plan of insurance that is not based on individual yield, the amount shall be equal to the sum of—

“(i) 42 percent of the amount of the premium established under subsection

(d)(2)(B)(i) for the coverage level selected; and

“(ii) the amount determined under subsection (d)(2)(B)(ii) for the coverage level selected to cover operating and administrative expenses.

“(F) In the case of additional coverage equal to or greater than 70 percent, but less than 75 percent, of the recorded or appraised average yield indemnified at not greater than 100 percent of the expected market price, or a comparable coverage for a policy or plan of insurance that is not based on individual yield, the amount shall be equal to the sum of—

“(i) 32 percent of the amount of the premium established under subsection (d)(2)(B)(i) for the coverage level selected; and

“(ii) the amount determined under subsection (d)(2)(B)(ii) for the coverage level selected to cover operating and administrative expenses.”

(b) BUDGETARY EFFECTS.—The budgetary effects of this section, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this section, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 2631. Mr. REID (for Mr. REED) proposed an amendment to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; as follows:

Strike sections 2 through 6 and insert the following:

SEC. 2. EXTENSION AND MODIFICATION OF EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.

(a) EXTENSION.—Section 4007(a)(2) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended by striking “January 1, 2014” and inserting “November 16, 2014”.

(b) MODIFICATIONS RELATING TO WEEKS OF EMERGENCY UNEMPLOYMENT COMPENSATION.—

(1) NUMBER OF WEEKS IN FIRST TIER BEGINNING AFTER DECEMBER 28, 2013.—Section 4002(b) of such Act is amended—

(A) by redesignating paragraph (3) as paragraph (4);

(B) in paragraph (2)—

(i) in the heading, by inserting “, AND WEEKS ENDING BEFORE DECEMBER 30, 2013” after “2012”; and

(ii) in the matter preceding subparagraph (A), by inserting “, and before December 30, 2013” after “2012”; and

(C) by inserting after paragraph (2) the following:

“(3) SPECIAL RULE RELATING TO AMOUNTS ESTABLISHED IN AN ACCOUNT AS OF A WEEK ENDING AFTER DECEMBER 29, 2013.—Notwithstanding any provision of paragraph (1), in the case of any account established as of a week ending after December 29, 2013—

“(A) paragraph (1)(A) shall be applied by substituting ‘24 percent’ for ‘80 percent’; and

“(B) paragraph (1)(B) shall be applied by substituting ‘6 times’ for ‘20 times’.”

(2) NUMBER OF WEEKS IN SECOND TIER BEGINNING AFTER DECEMBER 28, 2013.—Section 4002(c) of such Act is amended by adding at the end the following:

“(5) SPECIAL RULE RELATING TO AMOUNTS ADDED TO AN ACCOUNT AS OF A WEEK ENDING AFTER DECEMBER 29, 2013.—Notwithstanding any provision of paragraph (1), if augmentation under this subsection occurs as of a week ending after December 29, 2013—

“(A) paragraph (1)(A) shall be applied by substituting ‘24 percent’ for ‘54 percent’; and

“(B) paragraph (1)(B) shall be applied by substituting ‘6 times’ for ‘14 times’.”

(c) FUNDING.—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended—

(1) by striking “and” at the end;

(2) in subparagraph (J), by inserting “and” at the end; and

(3) by inserting after subparagraph (J) the following:

“(K) the amendments made by subsections (a) and (b) of section 2 of the Emergency Unemployment Compensation Extension Act;.”

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

SEC. 3. TEMPORARY EXTENSION OF EXTENDED BENEFIT PROVISIONS.

(a) IN GENERAL.—Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111-5 (26 U.S.C. 3304 note), is amended—

(1) by striking “December 31, 2013” each place it appears and inserting “November 15, 2014”; and

(2) in subsection (c), by striking “June 30, 2014” and inserting “May 15, 2015”.

(b) EXTENSION OF MATCHING FOR STATES WITH NO WAITING WEEK.—Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110-449; 26 U.S.C. 3304 note) is amended by striking “June 30, 2014” and inserting “May 15, 2015”.

(c) EXTENSION OF MODIFICATION OF INDICATORS UNDER THE EXTENDED BENEFIT PROGRAM.—Section 203 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) is amended—

(1) in subsection (d), by striking “December 31, 2013” and inserting “November 15, 2014”; and

(2) in subsection (f)(2), by striking “December 31, 2013” and inserting “November 15, 2014”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

SEC. 4. EXTENSION OF FUNDING FOR REEMPLOYMENT SERVICES AND REEMPLOYMENT AND ELIGIBILITY ASSESSMENT ACTIVITIES.

(a) IN GENERAL.—Section 4004(c)(2)(A) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended by striking “through fiscal year 2014” and inserting “through August 15 of fiscal year 2015”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

SEC. 5. ADDITIONAL EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) EXTENSION.—Section 2(c)(2)(D)(iii) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(c)(2)(D)(iii)) is amended—

(1) by striking “June 30, 2013” and inserting “May 15, 2014”; and

(2) by striking “December 31, 2013” and inserting “November 15, 2014”.

(b) CLARIFICATION ON AUTHORITY TO USE FUNDS.—Funds appropriated under either the first or second sentence of clause (iv) of section 2(c)(2)(D) of the Railroad Unemployment Insurance Act shall be available to cover the cost of additional extended unemployment benefits provided under such section 2(c)(2)(D) by reason of the amendments made by subsection (a) as well as to cover the cost of such benefits provided under such section 2(c)(2)(D), as in effect on the day before the date of enactment of this Act.

(c) FUNDING FOR ADMINISTRATION.—Out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Railroad Retirement Board \$250,000 for administrative expenses associated with the payment of additional extended unemployment benefits provided under section 2(c)(2)(D) of the Railroad Unemployment Insurance Act by reason of the amendments made by subsection (a), to remain available until expended.

SEC. 6. FLEXIBILITY FOR UNEMPLOYMENT PROGRAM AGREEMENTS.

(a) FLEXIBILITY.—

(1) IN GENERAL.—Subsection (g) of section 4001 of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) shall not apply with respect to a State that has enacted a law before December 1, 2013, that, upon taking effect, would violate such subsection.

(2) EFFECTIVE DATE.—Paragraph (1) is effective with respect to weeks of unemployment beginning on or after December 29, 2013.

(b) PERMITTING A SUBSEQUENT AGREEMENT.—Nothing in title IV of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) shall preclude a State whose agreement under such title was terminated from entering into a subsequent agreement under such title on or after the date of the enactment of this Act if the State, taking into account the application of subsection (a), would otherwise meet the requirements for an agreement under such title.

SEC. 7. REDUCTION IN BENEFITS BASED ON RECEIPT OF UNEMPLOYMENT COMPENSATION.

(a) IN GENERAL.—Title II of the Social Security Act (42 U.S.C. 401 et seq.) is amended by inserting after section 224 the following new section:

“REDUCTION IN BENEFITS BASED ON RECEIPT OF UNEMPLOYMENT COMPENSATION

“SEC. 224A (a)(1) If for any month prior to the month in which an individual attains retirement age (as defined in section 216(l)(1))—

“(A) such individual is entitled to benefits under section 223, and

“(B) such individual is entitled for such month to unemployment compensation, the total of the individual's benefits under section 223 for such month and of any benefits under section 202 for such month based on the individual's wages and self-employment income shall be reduced (but not below zero) by the total amount of unemployment compensation received by such individual for such month.

“(2) The reduction of benefits under paragraph (1) shall apply to any past-due benefits under section 223 for any month in which the individual was entitled to—

“(A) benefits under such section, and

“(B) unemployment compensation.

“(b) If any unemployment compensation is payable to an individual on other than a monthly basis (including a benefit payable as a lump sum to the extent that it is a commutation of, or a substitute for, such periodic compensation), the reduction under this section shall be made at such time or times and in such amounts as the Commissioner of Social Security (referred to in this section as the ‘Commissioner’) determines will approximate as nearly as practicable the reduction prescribed by subsection (a).

“(c) Reduction of benefits under this section shall be made after any applicable reductions under section 203(a) and section 224, but before any other applicable deductions under section 203.

“(d)(1) Subject to paragraph (2), if the Commissioner determines that an individual may be eligible for unemployment com-

pensation which would give rise to a reduction of benefits under this section, the Commissioner may require, as a condition of certification for payment of any benefits under section 223 to any individual for any month and of any benefits under section 202 for such month based on such individual's wages and self-employment income, that such individual certify—

“(A) whether the individual has filed or intends to file any claim for unemployment compensation, and

“(B) if the individual has filed a claim, whether there has been a decision on such claim.

“(2) For purposes of paragraph (1), the Commissioner may, in the absence of evidence to the contrary, rely upon a certification by the individual that the individual has not filed and does not intend to file such a claim, or that the individual has so filed and no final decision thereon has been made, in certifying benefits for payment pursuant to section 205(i).

“(e) Whenever a reduction in total benefits based on an individual's wages and self-employment income is made under this section for any month, each benefit, except the disability insurance benefit, shall first be proportionately decreased, and any excess of such reduction over the sum of all such benefits other than the disability insurance benefit shall then be applied to such disability insurance benefit.

“(f)(1) Notwithstanding any other provision of law, the head of any Federal agency shall provide such information within its possession as the Commissioner may require for purposes of making a timely determination of the amount of the reduction, if any, required by this section in benefits payable under this title, or verifying other information necessary in carrying out the provisions of this section.

“(2) The Commissioner is authorized to enter into agreements with States, political subdivisions, and other organizations that administer unemployment compensation, in order to obtain such information as the Commissioner may require to carry out the provisions of this section.

“(g) For purposes of this section, the term ‘unemployment compensation’ has the meaning given that term in section 85(b) of the Internal Revenue Code of 1986, and the total amount of unemployment compensation to which an individual is entitled shall be determined prior to any applicable reduction under State law based on the receipt of benefits under section 202 or 223.”

(b) CONFORMING AMENDMENT.—Section 224(a) of the Social Security Act (42 U.S.C. 424a(a)) is amended, in the matter preceding paragraph (1), by striking “the age of 65” and inserting “retirement age (as defined in section 216(l)(1))”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to benefits payable for months beginning on or after the date that is 12 months after the date of enactment of this section.

SEC. 8. EXTENSION OF DIRECT SPENDING REDUCTIONS FOR FISCAL YEAR 2024.

Section 251A(6)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(6)(B)) is amended in the matter preceding clause (i) by striking “for fiscal year 2022 and for fiscal year 2023” and inserting “for each of fiscal years 2022, 2023, and 2024”.

SEC. 9. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered

on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

SA 2632. Mr. REID proposed an amendment to amendment SA 2631 proposed by Mr. REID (for Mr. REED) to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

SA 2633. Mr. REID proposed an amendment to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 2634. Mr. REID proposed an amendment to amendment SA 2633 proposed by Mr. REID to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; as follows:

In the amendment, strike “3 days” and insert “4 days”.

SA 2635. Mr. REID submitted an amendment intended to be proposed to amendment SA 2634 proposed by Mr. REID to the amendment SA 2633 proposed by Mr. REID to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; as follows:

In the amendment, strike “4 days” and insert “5 days”.

SA 2636. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 7. REQUIREMENT FOR PARTICIPATION IN PUBLIC SERVICE AS A CONDITION FOR RECEIPT OF EXTENDED UNEMPLOYMENT BENEFITS.

(a) IN GENERAL.—Section 3304 of the Internal Revenue Code of 1986 (relating to approval of State unemployment compensation laws) is amended—

(1) in subsection (a)—

(A) in paragraph (18), by striking “and” at the end;

(B) by redesignating paragraph (19) as paragraph (20); and

(C) by inserting after paragraph (18) the following new paragraph:

“(19) extended compensation, including any such compensation under a temporary program, shall not be payable to an individual for any week in which such individual does not perform at least 10 hours of public service (as described in subsection (g)); and”;

(2) by adding at the end the following new subsection:

“(g) PUBLIC SERVICE.—

“(1) IN GENERAL.—For purposes of subsection (a)(19), the term ‘public service’ means unpaid service by an individual to a Federal, State, or local agency (as permitted in accordance with applicable Federal, State, and local law), with tangible evidence to be provided to the State agency by the indi-

vidual on a weekly basis demonstrating that the individual has performed such service during the previous week.

“(2) EXCEPTIONS.—For purposes of the public service requirement under subsection (a)(19), an individual shall be deemed to have satisfied such requirement for that week if the individual—

“(A) provides tangible evidence to the State agency demonstrating that such individual was unable to perform the required public service for that week due to an illness or family emergency;

“(B) is a parent of a qualifying child (as defined in section 152(c)) and provides tangible evidence to the State agency demonstrating an inability to perform the required number of hours of public service due to responsibility for child care; or

“(C) provides tangible evidence of a bona fide attempt to perform public service and, pursuant to such criteria as is determined appropriate by the State agency, is determined to be unable to perform such service due to a lack of available public service opportunities in the area in which the individual resides.

“(3) PERFORMANCE OF WORK ACTIVITIES.—

“(A) IN GENERAL.—The total number of hours of public service required under subsection (a)(19) shall be reduced by 1 hour for each hour during that week that an individual performs work activities.

“(B) DEFINITION OF WORK ACTIVITIES.—For purposes of subparagraph (A), the term ‘work activities’ has the same meaning as provided under subsection (d) of section 407 of the Social Security Act, except that such activities shall not include job searching, as described in paragraph (6) of such subsection.”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on the date that is 6 months after the date of the enactment of this Act.

(2) DELAY PERMITTED IF STATE LEGISLATION REQUIRED.—In the case of a State which the Secretary of Labor determines requires State legislation (other than legislation appropriating funds) in order for the State law to meet the additional requirements imposed by the amendments made by subsection (a), the State law shall not be regarded as failing to comply with the requirements of section 3304(a)(19) of the Internal Revenue Code of 1986, as added by such amendments, solely on the basis of the failure of the State law to meet such additional requirements before the 1st day of the 1st calendar quarter beginning after the close of the 1st regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

SA 2637. Mr. SCOTT (for himself, Mr. BURR, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

TITLE II—SUPPORTING KNOWLEDGE AND INVESTING IN LIFELONG SKILLS

SEC. 201. SHORT TITLE.

This title may be cited as the “Supporting Knowledge and Investing in Lifelong Skills Act” or the “SKILLS Act”.

SEC. 202. REFERENCES.

Except as otherwise expressly provided, wherever in this title an amendment or re-

peal is expressed in terms of an amendment to, or repeal of, a section or other provision, the amendment or repeal shall be considered to be made to a section or other provision of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.).

SEC. 203. APPLICATION TO FISCAL YEARS.

Except as otherwise provided, this title and the amendments made by this title shall apply with respect to fiscal year 2015 and succeeding fiscal years.

Subtitle A—Amendment to the Workforce Investment Act of 1998

CHAPTER 1—WORKFORCE INVESTMENT DEFINITIONS

SEC. 206. DEFINITIONS.

Section 101 (29 U.S.C. 2801) is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) ADULT EDUCATION AND FAMILY LITERACY EDUCATION ACTIVITIES.—The term ‘adult education and family literacy education activities’ has the meaning given the term in section 203.”;

(2) by striking paragraphs (13) and (24);

(3) by redesignating paragraphs (1) through (12) as paragraphs (3) through (14), and paragraphs (14) through (23) as paragraphs (15) through (24), respectively;

(4) by striking paragraphs (52) and (53);

(5) by inserting after “In this title:” the following new paragraphs:

“(1) ACCRUED EXPENDITURES.—The term ‘accrued expenditures’ means—

“(A) charges incurred by recipients of funds under this title for a given period requiring the provision of funds for goods or other tangible property received;

“(B) charges incurred for services performed by employees, contractors, subgrantees, subcontractors, and other payees; and

“(C) other amounts becoming owed, under programs assisted under this title, for which no current services or performance is required, such as amounts for annuities, insurance claims, and other benefit payments.

“(2) ADMINISTRATIVE COSTS.—The term ‘administrative costs’ means expenditures incurred by State boards and local boards, direct recipients (including State grant recipients under subtitle B and recipients of awards under subtitles C and D), local grant recipients, local fiscal agents or local grant subrecipients, and one-stop operators in the performance of administrative functions and in carrying out activities under this title that are not related to the direct provision of workforce investment activities (including services to participants and employers). Such costs include both personnel and non-personnel expenditures and both direct and indirect expenditures.”;

(6) in paragraph (3) (as so redesignated), by striking “Except in sections 127 and 132, the” and inserting “The”;

(7) by amending paragraph (5) (as so redesignated) to read as follows:

“(5) AREA CAREER AND TECHNICAL EDUCATION SCHOOL.—The term ‘area career and technical education school’ has the meaning given the term in section 3(3) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302(3)).”;

(8) in paragraph (6) (as so redesignated), by inserting “(or such other level as the Governor may establish)” after “8th grade level”;

(9) in paragraph (10)(C) (as so redesignated), by striking “not less than 50 percent of the cost of the training” and inserting “a significant portion of the cost of training, as determined by the local board involved (or, in the case of an employer in multiple local areas in the State, as determined by the Governor), taking into account the size of the employer and such other factors as the

local board or Governor, respectively, determines to be appropriate”;

(10) in paragraph (11) (as so redesignated)—
(A) in subparagraph (A)(ii)(II), by striking “section 134(c)” and inserting “section 121(e)”;

(B) in subparagraph (B)(iii)—

(i) by striking “134(d)(4)” and inserting “134(c)(4)”;

(ii) by striking “intensive services described in section 134(d)(3)” and inserting “work ready services described in section 134(c)(2)”;

(C) in subparagraph (C), by striking “or” after the semicolon;

(D) in subparagraph (D), by striking the period and inserting “; or”; and

(E) by adding at the end the following:

“(E)(i) is the spouse of a member of the Armed Forces on active duty for a period of more than 30 days (as defined in section 101(d)(2) of title 10, United States Code) who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or

“(ii) is the spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code) who meets the criteria described in paragraph (12)(B).”;

(11) in paragraph (12)(A) (as redesignated)—
(A) by striking “and” after the semicolon and inserting “or”;

(B) by striking “(A)” and inserting “(A)(i)”;

(C) by adding at the end the following:

“(ii) is the spouse of a member of the Armed Forces on active duty for a period of more than 30 days (as defined in section 101(d)(2) of title 10, United States Code) whose family income is significantly reduced because of a deployment (as defined in section 991(b) of title 10, United States Code, or pursuant to paragraph (4) of such section), a call or order to active duty pursuant to a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code, a permanent change of station, or the service-connected (as defined in section 101(16) of title 38, United States Code) death or disability of the member; and”;

(12) in paragraph (13) (as so redesignated), by inserting “or regional” after “local” each place it appears;

(13) in paragraph (14) (as so redesignated)—
(A) in subparagraph (A), by striking “section 122(e)(3)” and inserting “section 122”;

(B) by striking subparagraph (B), and inserting the following:

“(B) work ready services, means a provider who is identified or awarded a contract as described in section 117(d)(5)(C); or”;

(C) by striking subparagraph (C); and

(D) by redesignating subparagraph (D) as subparagraph (C);

(14) in paragraph (15) (as so redesignated), by striking “adult or dislocated worker” and inserting “individual”;

(15) in paragraph (20), by striking “The” and inserting “Subject to section 116(a)(1)(E), the”;

(16) in paragraph (25)—

(A) in subparagraph (B), by striking “higher of—” and all that follows through clause (ii) and inserting “poverty line for an equivalent period;”;

(B) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(C) by inserting after subparagraph (C) the following:

“(D) receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);”;

(17) in paragraph (32), by striking “the Republic of the Marshall Islands, the Federated States of Micronesia,”;

(18) by amending paragraph (33) to read as follows:

“(33) OUT-OF-SCHOOL YOUTH.—The term ‘out-of-school youth’ means—

“(A) an at-risk youth who is a school dropout; or

“(B) an at-risk youth who has received a secondary school diploma or its recognized equivalent but is basic skills deficient, unemployed, or underemployed.”;

(19) in paragraph (38), by striking “134(a)(1)(A)” and inserting “134(a)(1)(B)”;

(20) in paragraph (41), by striking “, and the term means such Secretary for purposes of section 503”;

(21) in paragraph (43), by striking “clause (iii) or (v) of section 136(b)(3)(A)” and inserting “section 136(b)(3)(A)(iii)”;

(22) by amending paragraph (49) to read as follows:

“(49) VETERAN.—The term ‘veteran’ has the same meaning given the term in section 2108(1) of title 5, United States Code.”;

(23) by amending paragraph (50) to read as follows:

“(50) CAREER AND TECHNICAL EDUCATION.—The term ‘career and technical education’ has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).”;

(24) in paragraph (51), by striking “, and a youth activity”;

(25) by adding at the end the following:

“(52) AT-RISK YOUTH.—Except as provided in subtitle C, the term ‘at-risk youth’ means an individual who—

“(A) is not less than age 16 and not more than age 24;

“(B) is a low-income individual; and

“(C) is an individual who is one or more of the following:

“(i) A secondary school dropout.

“(ii) A youth in foster care (including youth aging out of foster care).

“(iii) A youth offender.

“(iv) A youth who is an individual with a disability.

“(v) A migrant youth.

“(53) INDUSTRY OR SECTOR PARTNERSHIP.—The term ‘industry or sector partnership’ means a partnership of—

“(A) a State board or local board; and

“(B) one or more industry or sector organizations, and other entities, that have the capability to help the State board or local board determine the immediate and long-term skilled workforce needs of in-demand industries or sectors and other occupations important to the State or local economy, respectively.

“(54) INDUSTRY-RECOGNIZED CREDENTIAL.—The term ‘industry-recognized credential’ means a credential that is sought or accepted by companies within the industry sector involved, across multiple States, as recognized, preferred, or required for recruitment, screening, or hiring and is awarded for completion of a program listed or identified under subsection (d) or (i) of section 122, for the local area involved.

“(55) PAY-FOR-PERFORMANCE CONTRACT STRATEGY.—The term ‘pay-for-performance contract strategy’ means a strategy in which a pay-for-performance contract to provide a program of employment and training activities incorporates provisions regarding—

“(A) the core indicators of performance described in subclauses (I) through (IV) and (VI) of section 136(b)(2)(A)(i);

“(B) a fixed amount that will be paid to an eligible provider of such employment and training activities for each program participant who, within a defined timetable, achieves the agreed-to levels of performance based upon the core indicators of perform-

ance described in subparagraph (A), and may include a bonus payment to such provider, which may be used to expand the capacity of such provider;

“(C) the ability for an eligible provider to recoup the costs of providing the activities for a program participant who has not achieved those levels, but for whom the provider is able to demonstrate that such participant gained specific competencies required for education and career advancement that are, where feasible, tied to industry-recognized credentials and related standards, or State licensing requirements; and

“(D) the ability for an eligible provider that does not meet the requirements under section 122(a)(2) to participate in such pay-for-performance contract and to not be required to report on the performance and cost information required under section 122(d).

“(56) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term ‘recognized postsecondary credential’ means a credential awarded by a provider of training services or postsecondary educational institution based on completion of all requirements for a program of study, including coursework or tests or other performance evaluations. The term means an industry-recognized credential, a certificate of completion of a registered apprenticeship program, or an associate or baccalaureate degree from an institution described in section 122(a)(2)(A)(i).

“(57) REGISTERED APPRENTICESHIP PROGRAM.—The term ‘registered apprenticeship program’ means a program described in section 122(a)(2)(B).”.

CHAPTER 2—STATEWIDE AND LOCAL WORKFORCE INVESTMENT SYSTEMS

SEC. 211. PURPOSE.

Section 106 (29 U.S.C. 2811) is amended by adding at the end the following: “It is also the purpose of this subtitle to provide workforce investment activities in a manner that enhances employer engagement, promotes customer choices in the selection of training services, and ensures accountability in the use of taxpayer funds.”.

SEC. 212. STATE WORKFORCE INVESTMENT BOARDS.

Section 111 (29 U.S.C. 2821) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (B);

(ii) by redesignating subparagraph (C) as subparagraph (B); and

(iii) in subparagraph (B) (as so redesignated)—

(I) by amending clause (i)(I), by striking “section 117(b)(2)(A)(i)” and inserting “section 117(b)(2)(A)”;

(II) by amending clause (i)(II) to read as follows:

“(II) represent businesses, including large and small businesses, each of which has immediate and long-term employment opportunities in an in-demand industry or other occupation important to the State economy; and”;

(III) by striking clause (iii) and inserting the following:

“(iii) a State agency official responsible for economic development; and”;

(IV) by striking clauses (iv) through (vi);

(V) by amending clause (vii) to read as follows:

“(vii) such other representatives and State agency officials as the Governor may designate, including—

“(I) members of the State legislature;

“(II) representatives of individuals and organizations that have experience with respect to youth activities;

“(III) representatives of individuals and organizations that have experience and expertise in the delivery of workforce investment activities, including chief executive officers

of community colleges and community-based organizations within the State;

“(IV) representatives of the lead State agency officials with responsibility for the programs and activities that are described in section 121(b) and carried out by one-stop partners; or

“(V) representatives of veterans service organizations.”; and

(VI) by redesignating clause (vii) (as so amended) as clause (iv); and

(B) by amending paragraph (3) to read as follows:

“(3) MAJORITY.—A $\frac{2}{3}$ majority of the members of the board shall be representatives described in paragraph (1)(B)(i).”;

(2) in subsection (c), by striking “(b)(1)(C)(i)” and inserting “(b)(1)(B)(i)”;

(3) by amending subsection (d) to read as follows:

“(d) FUNCTIONS.—The State board shall assist the Governor of the State as follows:

“(1) STATE PLAN.—Consistent with section 112, the State board shall develop a State plan.

“(2) STATEWIDE WORKFORCE DEVELOPMENT SYSTEM.—The State board shall review and develop statewide policies and programs in the State in a manner that supports a comprehensive statewide workforce development system that will result in meeting the workforce needs of the State and its local areas. Such review shall include determining whether the State should consolidate additional amounts for additional activities or programs into the Workforce Investment Fund in accordance with section 501(e).

“(3) WORKFORCE AND LABOR MARKET INFORMATION SYSTEM.—The State board shall develop a statewide workforce and labor market information system described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. 491-2(e)), which may include using information collected under Federal law other than this Act by the State economic development entity or a related entity in developing such system.

“(4) EMPLOYER ENGAGEMENT.—The State board shall develop strategies, across local areas, that meet the needs of employers and support economic growth in the State by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers.

“(5) DESIGNATION OF LOCAL AREAS.—The State board shall designate local areas as required under section 116.

“(6) ONE-STOP DELIVERY SYSTEM.—The State board shall identify and disseminate information on best practices for effective operation of one-stop centers, including use of innovative business outreach, partnerships, and service delivery strategies.

“(7) PROGRAM OVERSIGHT.—The State board shall conduct the following program oversight:

“(A) Reviewing and approving local plans under section 118.

“(B) Ensuring the appropriate use and management of the funds provided for State employment and training activities authorized under section 134.

“(C) Preparing an annual report to the Secretary described in section 136(d).

“(8) DEVELOPMENT OF PERFORMANCE MEASURES.—The State board shall develop and ensure continuous improvement of comprehensive State performance measures, including State adjusted levels of performance, as described under section 136(b).”;

(4) by striking subsection (e) and redesignating subsection (f) as subsection (e);

(5) in subsection (e) (as so redesignated), by inserting “or participate in any action taken” after “vote”;

(6) by inserting after subsection (e) (as so redesignated), the following:

“(f) STAFF.—The State board may employ staff to assist in carrying out the functions described in subsection (d).”; and

(7) in subsection (g), by inserting “electronic means and” after “on a regular basis through”.

SEC. 213. STATE PLAN.

Section 112 (29 U.S.C. 2822)—

(1) in subsection (a)—

(A) by striking “127 or”; and

(B) by striking “5-year strategy” and inserting “3-year strategy”;

(2) in subsection (b)—

(A) by amending paragraph (4) to read as follows:

“(4) information describing—

“(A) the economic conditions in the State;

“(B) the immediate and long-term skilled workforce needs of in-demand industries, small businesses, and other occupations important to the State economy;

“(C) the knowledge and skills of the workforce in the State; and

“(D) workforce development activities (including education and training) in the State.”;

(B) by amending paragraph (7) to read as follows:

“(7) a description of the State criteria for determining the eligibility of training services providers in accordance with section 122, including how the State will take into account the performance of providers and whether the training services relate to in-demand industries and other occupations important to the State economy.”;

(C) by amending paragraph (8) to read as follows:

“(8)(A) a description of the procedures that will be taken by the State to assure coordination of, and avoid duplication among, the programs and activities identified under section 501(b)(2); and

“(B) a description of and an assurance regarding common data collection and reporting processes used for the programs and activities described in subparagraph (A), which are carried out by one-stop partners, including—

“(i) an assurance that such processes use quarterly wage records for performance measures described in section 136(b)(2)(A) that are applicable to such programs or activities; or

“(ii) if such wage records are not being used for the performance measures, an identification of the barriers to using such wage records and a description of how the State will address such barriers within 1 year of the approval of the plan.”;

(D) in paragraph (9), by striking “, including comment by representatives of businesses and representatives of labor organizations.”;

(E) in paragraph (11), by striking “under sections 127 and 132” and inserting “under section 132”;

(F) by striking paragraph (12);

(G) by redesignating paragraphs (13) through (18) as paragraphs (12) through (17), respectively;

(H) in paragraph (12) (as so redesignated), by striking “111(f)” and inserting “111(e)”;

(I) in paragraph (13) (as so redesignated), by striking “134(c)” and inserting “121(e)”;

(J) in paragraph (14) (as so redesignated), by striking “116(a)(5)” and inserting “116(a)(3)”;

(K) in paragraph (16) (as so redesignated)—

(i) in subparagraph (A)—

(I) in clause (ii)—

(aa) by striking “to dislocated workers”;

(bb) by inserting “and additional assistance” after “rapid response activities”;

(II) in clause (iii), by striking “134(d)(4)” and inserting “134(c)(4)”;

(III) by striking “and” at the end of clause (iii);

(IV) by amending clause (iv) to read as follows:

“(iv) how the State will serve the employment and training needs of dislocated workers (including displaced homemakers), low-income individuals (including recipients of public assistance such as supplemental nutrition assistance program benefits pursuant to the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.)), long-term unemployed individuals (including individuals who have exhausted entitlement to Federal and State unemployment compensation), English learners, homeless individuals, individuals training for nontraditional employment, youth (including out-of-school youth and at-risk youth), older workers, ex-offenders, migrant and seasonal farmworkers, refugees and entrants, veterans (including disabled and homeless veterans), and Native Americans; and”;

(V) by adding at the end the following new clause:

“(v) how the State will—

“(I) consistent with section 188 and Executive Order No. 13217 (42 U.S.C. 12131 note), serve the employment and training needs of individuals with disabilities; and

“(II) consistent with sections 504 and 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794, 794d), include the provision of outreach, intake, assessments, and service delivery, the development of performance measures, the training of staff, and other aspects of accessibility for individuals with disabilities to programs and services under this subtitle.”;

and

(ii) in subparagraph (B), by striking “to the extent practicable” and inserting “in accordance with the requirements of the Jobs for Veterans Act (Public Law 107-288) and the amendments made by such Act”; and

(L) by striking paragraph (17) (as so redesignated) and inserting the following:

“(17) a description of the strategies and services that will be used in the State—

“(A) to more fully engage employers, including small businesses and employers in in-demand industries and occupations important to the State economy;

“(B) to meet the needs of employers in the State; and

“(C) to better coordinate workforce development programs with economic development activities;

“(18) a description of how the State board will convene (or help to convene) industry or sector partnerships that lead to collaborative planning, resource alignment, and training efforts across a targeted cluster of multiple firms for a range of workers employed or potentially employed by the industry or sector—

“(A) to encourage industry growth and competitiveness and to improve worker training, retention, and advancement in the industry or sector;

“(B) to address the immediate and long-term skilled workforce needs of in-demand industries, small businesses, and other occupations important to the State economy; and

“(C) to address critical skill gaps within and across industries and sectors;

“(19) a description of how the State will utilize technology, to facilitate access to services in remote areas, which may be used throughout the State;

“(20) a description of the State strategy and assistance to be provided by the State for encouraging regional cooperation within the State and across State borders, as appropriate;

“(21) a description of the actions that will be taken by the State to foster communication, coordination, and partnerships with

nonprofit organizations (including public libraries, community, faith-based, and philanthropic organizations) that provide employment-related, training, and complementary services, to enhance the quality and comprehensiveness of services available to participants under this title;

“(22) a description of the process and methodology for determining—

“(A) one-stop partner program contributions for the costs of infrastructure of one-stop centers under section 121(h)(1); and

“(B) the formula for allocating such infrastructure funds to local areas under section 121(h)(3);

“(23) a description of the strategies and services that will be used in the State to assist at-risk youth and out-of-school youth in acquiring the education and skills, credentials (including recognized postsecondary credentials, such as industry-recognized credentials), and employment experience to succeed in the labor market, including—

“(A) training and internships in in-demand industries or occupations important to the State and local economy;

“(B) dropout recovery activities that are designed to lead to the attainment of a regular secondary school diploma or its recognized equivalent, or other State-recognized equivalent (including recognized alternative standards for individuals with disabilities); and

“(C) activities combining remediation of academic skills, work readiness training, and work experience, and including linkages to postsecondary education and training and career-ladder employment; and

“(24) a description of—

“(A) how the State will furnish employment, training, including training in advanced manufacturing, supportive, and placement services to veterans, including disabled and homeless veterans;

“(B) the strategies and services that will be used in the State to assist in and expedite reintegration of homeless veterans into the labor force; and

“(C) the veterans population to be served in the State.”;

(3) in subsection (c), by striking “period, that—” and all that follows through paragraph (2) and inserting “period, that the plan is inconsistent with the provisions of this title.”; and

(4) in subsection (d), by striking “5-year” and inserting “3-year”.

SEC. 214. LOCAL WORKFORCE INVESTMENT AREAS.

Section 116 (29 U.S.C. 2831) is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—

“(A) PROCESS.—In order to receive an allotment under section 132, a State, through the State board, shall establish a process to designate local workforce investment areas within the State. Such process shall—

“(i) support the statewide workforce development system developed under section 111(d)(2), enabling the system to meet the workforce needs of the State and its local areas;

“(ii) include consultation, prior to the designation, with chief elected officials;

“(iii) include consideration of comments received on the designation through the public comment process as described in section 112(b)(9); and

“(iv) require the submission of an application for approval under subparagraph (B).

“(B) APPLICATION.—To obtain designation of a local area under this paragraph, a local or regional board (or consortia of local or regional boards) seeking to take responsibility for the area under this Act shall submit an application to a State board at such time, in

such manner, and containing such information as the State board may require, including—

“(i) a description of the local area, including the population that will be served by the local area, and the education and training needs of its employers and workers;

“(ii) a description of how the local area is consistent or aligned with—

“(I) service delivery areas (as determined by the State);

“(II) labor market areas; and

“(III) economic development regions;

“(iii) a description of the eligible providers of education and training, including postsecondary educational institutions such as community colleges, located in the local area and available to meet the needs of the local workforce;

“(iv) a description of the distance that individuals will need to travel to receive services provided in such local area; and

“(v) any other criteria that the State board may require.

“(C) PRIORITY.—In designating local areas under this paragraph, a State board shall give priority consideration to an area proposed by an applicant demonstrating that a designation as a local area under this paragraph will result in the reduction of overlapping service delivery areas, local market areas, or economic development regions.

“(D) ALIGNMENT WITH LOCAL PLAN.—A State may designate an area proposed by an applicant as a local area under this paragraph for a period not to exceed 3 years.

“(E) REFERENCES.—For purposes of this Act, a reference to a local area—

“(i) used with respect to a geographic area, refers to an area designated under this paragraph; and

“(ii) used with respect to an entity, refers to the applicant.”;

(B) by amending paragraph (2) to read as follows:

“(2) TECHNICAL ASSISTANCE.—The Secretary shall, if requested by the Governor of a State, provide the State with technical assistance in making the determinations required under paragraph (1). The Secretary shall not issue regulations governing determinations to be made under paragraph (1).”; (C) by striking paragraph (3);

(D) by striking paragraph (4);

(E) by redesignating paragraph (5) as paragraph (3); and

(F) in paragraph (3) (as so redesignated), by striking “(2) or (3)” both places it appears and inserting “(1)”; (2) by amending subsection (b) to read as follows:

“(b) SINGLE STATES.—Consistent with subsection (a), the State board of a State may designate the State as a single State local area for the purposes of this title.”; and (3) in subsection (c)—

(A) in paragraph (1), by adding at the end the following: “The State may require the local boards for the designated region to prepare a single regional plan that incorporates the elements of the local plan under section 118 and that is submitted and approved in lieu of separate local plans under such section.”; and

(B) in paragraph (2), by striking “employment statistics” and inserting “workforce and labor market information”.

SEC. 215. LOCAL WORKFORCE INVESTMENT BOARDS.

Section 117 (29 U.S.C. 2832) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “include—” and all that follows through “representatives” and inserting “include representatives”;

(II) by striking clauses (ii) through (vi);

(III) by redesignating subclauses (I) through (III) as clauses (i) through (iii), respectively (and by moving the margins of such clauses 2 ems to the left);

(IV) by striking clause (ii) (as so redesignated) and inserting the following:

“(ii) represent businesses, including large and small businesses, each of which has immediate and long-term employment opportunities in an in-demand industry or other occupation important to the local economy; and”; and

(V) by striking the semicolon at the end of clause (iii) (as so redesignated) and inserting “; and”; and

(ii) by amending subparagraph (B) to read as follows:

“(B) may include such other individuals or representatives of entities as the chief elected official in the local area may determine to be appropriate, including—

“(i) the superintendent or other employee of the local educational agency who has primary responsibility for secondary education, the presidents or chief executive officers of postsecondary educational institutions (including a community college, where such an entity exists), or administrators of local entities providing adult education and family literacy education activities;

“(ii) representatives of community-based organizations (including organizations representing individuals with disabilities and veterans, for a local area in which such organizations are present); or

“(iii) representatives of veterans service organizations.”;

(B) in paragraph (4)—

(i) by striking “A majority” and inserting “A ¾ majority”; and

(ii) by striking “(2)(A)(i)” and inserting “(2)(A)”; and

(C) in paragraph (5), by striking “(2)(A)(i)” and inserting “(2)(A)”; (2) in subsection (c)—

(A) in paragraph (1), by striking subparagraph (C); and

(B) in paragraph (3)(A)(ii), by striking “paragraphs (1) through (7)” and inserting “paragraphs (1) through (8)”; (3) by amending subsection (d) to read as follows:

“(d) FUNCTIONS OF LOCAL BOARD.—The functions of the local board shall include the following:

“(1) LOCAL PLAN.—Consistent with section 118, each local board, in partnership with the chief elected official for the local area involved, shall develop and submit a local plan to the Governor.

“(2) WORKFORCE RESEARCH AND REGIONAL LABOR MARKET ANALYSIS.—

“(A) IN GENERAL.—The local board shall—

“(i) conduct, and regularly update, an analysis of—

“(I) the economic conditions in the local area;

“(II) the immediate and long-term skilled workforce needs of in-demand industries and other occupations important to the local economy;

“(III) the knowledge and skills of the workforce in the local area; and

“(IV) workforce development activities (including education and training) in the local area; and

“(i) assist the Governor in developing the statewide workforce and labor market information system described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. 491-2(e)).

“(B) EXISTING ANALYSIS.—In carrying out requirements of subparagraph (A)(i), a local board shall use an existing analysis, if any, by the local economic development entity or related entity.

“(3) EMPLOYER ENGAGEMENT.—The local board shall meet the needs of employers and support economic growth in the local area by

enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers.

“(4) BUDGET AND ADMINISTRATION.—

“(A) BUDGET.—

“(i) IN GENERAL.—The local board shall develop a budget for the activities of the local board in the local area, consistent with the requirements of this subsection.

“(ii) TRAINING RESERVATION.—In developing a budget under clause (i), the local board shall reserve a percentage of funds to carry out the activities specified in section 134(c)(4). The local board shall use the analysis conducted under paragraph (2)(A)(i) to determine the appropriate percentage of funds to reserve under this clause.

“(B) ADMINISTRATION.—

“(i) GRANT RECIPIENT.—The chief elected official in a local area shall serve as the local grant recipient for, and shall be liable for any misuse of, the grant funds allocated to the local area under section 133, unless the chief elected official reaches an agreement with the Governor for the Governor to act as the local grant recipient and bear such liability.

“(ii) DESIGNATION.—In order to assist in administration of the grant funds, the chief elected official or the Governor, where the Governor serves as the local grant recipient for a local area, may designate an entity to serve as a local grant subrecipient for such funds or as a local fiscal agent. Such designation shall not relieve the chief elected official or the Governor of the liability for any misuse of grant funds as described in clause (i).

“(iii) DISBURSAL.—The local grant recipient or an entity designated under clause (ii) shall disburse the grant funds for workforce investment activities at the direction of the local board, pursuant to the requirements of this title. The local grant recipient or entity designated under clause (ii) shall disburse the funds immediately on receiving such direction from the local board.

“(C) STAFF.—The local board may employ staff to assist in carrying out the functions described in this subsection.

“(D) GRANTS AND DONATIONS.—The local board may solicit and accept grants and donations from sources other than Federal funds made available under this Act.

“(5) SELECTION OF OPERATORS AND PROVIDERS.—

“(A) SELECTION OF ONE-STOP OPERATORS.—Consistent with section 121(d), the local board, with the agreement of the chief elected official—

“(i) shall designate or certify one-stop operators as described in section 121(d)(2)(A); and

“(ii) may terminate for cause the eligibility of such operators.

“(B) IDENTIFICATION OF ELIGIBLE TRAINING SERVICE PROVIDERS.—Consistent with this subtitle, the local board shall identify eligible providers of training services described in section 134(c)(4) in the local area, annually review the outcomes of such eligible providers using the criteria under section 122(b)(2), and designate such eligible providers in the local area who have demonstrated the highest level of success with respect to such criteria as priority eligible providers for the program year following the review.

“(C) IDENTIFICATION OF ELIGIBLE PROVIDERS OF WORK READY SERVICES.—If the one-stop operator does not provide the services described in section 134(c)(2) in the local area, the local board shall identify eligible providers of such services in the local area by awarding contracts.

“(6) PROGRAM OVERSIGHT.—The local board, in partnership with the chief elected official, shall be responsible for—

“(A) ensuring the appropriate use and management of the funds provided for local employment and training activities authorized under section 134(b); and

“(B) conducting oversight of the one-stop delivery system, in the local area, authorized under section 121.

“(7) NEGOTIATION OF LOCAL PERFORMANCE MEASURES.—The local board, the chief elected official, and the Governor shall negotiate and reach agreement on local performance measures as described in section 136(c).

“(8) TECHNOLOGY IMPROVEMENTS.—The local board shall develop strategies for technology improvements to facilitate access to services authorized under this subtitle and carried out in the local area, including access in remote areas.”;

(4) in subsection (e)—

(A) by inserting “electronic means and” after “regular basis through”; and

(B) by striking “and the award of grants or contracts to eligible providers of youth activities.”;

(5) in subsection (f)—

(A) in paragraph (1)(A), by striking “section 134(d)(4)” and inserting “section 134(c)(4)”;

(B) by striking paragraph (2) and inserting the following:

“(2) WORK READY SERVICES; DESIGNATION OR CERTIFICATION AS ONE-STOP OPERATORS.—A local board may provide work ready services described in section 134(c)(2) through a one-stop delivery system described in section 121 or be designated or certified as a one-stop operator only with the agreement of the chief elected official and the Governor.”;

(6) in subsection (g)(1), by inserting “or participate in any action taken” after “vote”; and

(7) by striking subsections (h) and (i).

SEC. 216. LOCAL PLAN.

Section 118 (29 U.S.C. 2833) is amended—

(1) in subsection (a), by striking “5-year” and inserting “3-year”;

(2) by amending subsection (b) to read as follows:

“(b) CONTENTS.—The local plan shall include—

“(1) a description of the analysis of the local area’s economic and workforce conditions conducted under subclauses (I) through (IV) of section 117(d)(2)(A)(i), and an assurance that the local board will use such analysis to carry out the activities under this subtitle;

“(2) a description of the one-stop delivery system in the local area, including—

“(A) a description of how the local board will ensure—

“(i) the continuous improvement of eligible providers of services through the system; and

“(ii) that such providers meet the employment needs of local businesses and participants; and

“(B) a description of how the local board will facilitate access to services described in section 117(d)(8) and provided through the one-stop delivery system consistent with section 117(d)(8);

“(3) a description of the strategies and services that will be used in the local area—

“(A) to more fully engage employers, including small businesses and employers in in-demand industries and occupations important to the local economy;

“(B) to meet the needs of employers in the local area;

“(C) to better coordinate workforce development programs with economic development activities; and

“(D) to better coordinate workforce development programs with employment, train-

ing, and literacy services carried out by non-profit organizations, including public libraries, as appropriate;

“(4) a description of how the local board will convene (or help to convene) industry or sector partnerships that lead to collaborative planning, resource alignment, and training efforts across multiple firms for a range of workers employed or potentially employed by a targeted industry or sector—

“(A) to encourage industry growth and competitiveness and to improve worker training, retention, and advancement in the targeted industry or sector;

“(B) to address the immediate and long-term skilled workforce needs of in-demand industries, small businesses, and other occupations important to the local economy; and

“(C) to address critical skill gaps within and across industries and sectors;

“(5) a description of how the funds reserved under section 117(d)(4)(A)(ii) will be used to carry out activities described in section 134(c)(4);

“(6) a description of how the local board will coordinate workforce investment activities carried out in the local area with statewide workforce investment activities, as appropriate;

“(7) a description of how the local area will—

“(A) coordinate activities with the local area’s disability community, and with transition services (as defined under section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401)) provided under that Act by local educational agencies serving such local area, to make available comprehensive, high-quality services to individuals with disabilities;

“(B) consistent with section 188 and Executive Order No. 13217 (42 U.S.C. 12131 note), serve the employment and training needs of individuals with disabilities, with a focus on employment that fosters independence and integration into the workplace; and

“(C) consistent with sections 504 and 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794, 794d), include the provision of outreach, intake, assessments, and service delivery, the development of performance measures, the training of staff, and other aspects of accessibility for individuals with disabilities to programs and services under this subtitle;

“(8) a description of the local levels of performance negotiated with the Governor and chief elected official pursuant to section 136(c), to be—

“(A) used to measure the performance of the local area; and

“(B) used by the local board for measuring performance of the local fiscal agent (where appropriate), eligible providers, and the one-stop delivery system, in the local area;

“(9) a description of the process used by the local board, consistent with subsection (c), to provide an opportunity for public comment prior to submission of the plan;

“(10) a description of how the local area will serve the employment and training needs of dislocated workers (including displaced homemakers), low-income individuals (including recipients of public assistance such as supplemental nutrition assistance program benefits pursuant to the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.)), long-term unemployed individuals (including individuals who have exhausted entitlement to Federal and State unemployment compensation), English learners, homeless individuals, individuals training for nontraditional employment, youth (including out-of-school youth and at-risk youth), older workers, ex-offenders, migrant and seasonal farmworkers, refugees and entrants, veterans (including disabled veterans and homeless veterans), and Native Americans;

“(11) an identification of the entity responsible for the disbursement of grant funds described in section 117(d)(4)(B)(iii), as determined by the chief elected official or the Governor under such section;

“(12) a description of the strategies and services that will be used in the local area to assist at-risk youth and out-of-school youth in acquiring the education and skills, credentials (including recognized postsecondary credentials, such as industry-recognized credentials), and employment experience to succeed in the labor market, including—

“(A) training and internships in in-demand industries or occupations important to the local economy;

“(B) dropout recovery activities that are designed to lead to the attainment of a regular secondary school diploma or its recognized equivalent, or other State-recognized equivalent (including recognized alternative standards for individuals with disabilities); and

“(C) activities combining remediation of academic skills, work readiness training, and work experience, and including linkages to postsecondary education and training and career-ladder employment;

“(13) a description of—

“(A) how the local area will furnish employment, training, including training in advanced manufacturing, supportive, and placement services to veterans, including disabled and homeless veterans;

“(B) the strategies and services that will be used in the local area to assist in and expedite reintegration of homeless veterans into the labor force; and

“(C) the veteran population to be served in the local area;

“(14) a description of—

“(A) the duties assigned to the veteran employment specialist consistent with the requirements of section 134(f);

“(B) the manner in which the veteran employment specialist is integrated into the one-stop career system described in section 121;

“(C) the date on which the veteran employment specialist was assigned; and

“(D) whether the veteran employment specialist has satisfactorily completed related training by the National Veterans' Employment and Training Services Institute; and

“(15) such other information as the Governor may require.”; and

(3) in subsection (c)—

(A) in paragraph (1), by striking “such means” and inserting “electronic means and such means”; and

(B) in paragraph (2), by striking “, including representatives of business and representatives of labor organizations.”.

SEC. 217. ESTABLISHMENT OF ONE-STOP DELIVERY SYSTEM.

Section 121 (29 U.S.C. 2841) is amended—

(1) in subsection (b)—

(A) by striking subparagraph (A) of paragraph (1) and inserting the following:

“(A) ROLES AND RESPONSIBILITIES OF ONE-STOP PARTNERS.—Each entity that carries out a program or activities described in subparagraph (B) shall—

“(i) provide access through a one-stop delivery system to the program or activities carried out by the entity, including making the work ready services described in section 134(c)(2) that are applicable to the program or activities of the entity available at one-stop centers (in addition to any other appropriate locations);

“(ii) use a portion of the funds available to the program or activities of the entity to maintain the one-stop delivery system, including payment of the costs of infrastructure of one-stop centers in accordance with subsection (h);

“(iii) enter into a local memorandum of understanding with the local board, relating to the operation of the one-stop delivery system, that meets the requirements of subsection (c); and

“(iv) participate in the operation of the one-stop delivery system consistent with the terms of the memorandum of understanding, the requirements of this title, and the requirements of the Federal laws authorizing the program or activities carried out by the entity.”;

(B) in paragraph (1)(B)—

(i) by striking clauses (ii), (v), and (vi);

(ii) by redesignating clauses (iii) and (iv) as clauses (ii) and (iii), respectively;

(iii) by redesignating clauses (vii) through (xii) as clauses (iv) through (ix), respectively;

(iv) in clause (ii), as so redesignated, by striking “adult education and literacy activities” and inserting “adult education and family literacy education activities”

(v) in clause (viii), as so redesignated, by striking “and” at the end;

(vi) in clause (ix), as so redesignated, by striking the period and inserting “; and”;

(vii) by adding at the end the following:

“(x) subject to subparagraph (C), programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).”;

(C) by inserting after paragraph (1)(B) the following:

“(C) DETERMINATION BY THE GOVERNOR.—Each entity carrying out a program described in subparagraph (B)(x) shall be considered to be a one-stop partner under this title and carry out the required partner activities described in subparagraph (A) unless the Governor of the State in which the local area is located provides the Secretary and Secretary of Health and Human Services written notice of a determination by the Governor that such an entity shall not be considered to be such a partner and shall not carry out such required partner activities.”; and

(D) in paragraph (2)—

(i) in subparagraph (A)(i), by striking “section 134(d)(2)” and inserting “section 134(c)(2)”;

(ii) in subparagraph (B)—

(I) by striking clauses (i), (ii), and (v);

(II) in clause (iv), by striking “and” at the end;

(III) by redesignating clauses (iii) and (iv) as clauses (i) and (ii), respectively; and

(IV) by adding at the end the following:

“(iii) employment and training programs administered by the Commissioner of the Social Security Administration;

“(iv) employment and training programs carried out by the Administrator of the Small Business Administration;

“(v) employment, training, and literacy services carried out by public libraries; and

“(vi) other appropriate Federal, State, or local programs, including programs in the private sector.”;

(2) in subsection (c)(2), by amending subparagraph (A) to read as follows:

“(A) provisions describing—

“(i) the services to be provided through the one-stop delivery system consistent with the requirements of this section, including the manner in which the services will be coordinated through such system;

“(ii) how the costs of such services and the operating costs of such system will be funded, through cash and in-kind contributions, to provide a stable and equitable funding stream for ongoing one-stop system operations, including the funding of the costs of infrastructure of one-stop centers in accordance with subsection (h);

“(iii) methods of referral of individuals between the one-stop operator and the one-stop

partners for appropriate services and activities, including referrals for training for non-traditional employment; and

“(iv) the duration of the memorandum of understanding and the procedures for amending the memorandum during the term of the memorandum, and assurances that such memorandum shall be reviewed not less than once every 3-year period to ensure appropriate funding and delivery of services under the memorandum; and”;

(3) in subsection (d)—

(A) in the heading for paragraph (1), by striking “DESIGNATION AND CERTIFICATION” and inserting “LOCAL DESIGNATION AND CERTIFICATION”;

(B) in paragraph (2)—

(i) by striking “section 134(c)” and inserting “subsection (e)”;

(ii) by amending subparagraph (A) to read as follows:

“(A) shall be designated or certified as a one-stop operator through a competitive process; and”;

(iii) in subparagraph (B), by striking clause (ii) and redesignating clauses (iii) through (vi) as clauses (i) through (v), respectively; and

(C) in paragraph (3), by striking “vocational” and inserting “career and technical”;

(4) by amending subsection (e) to read as follows:

“(e) ESTABLISHMENT OF ONE-STOP DELIVERY SYSTEM.—

“(1) IN GENERAL.—There shall be established in a State that receives an allotment under section 132(b) a one-stop delivery system, which shall—

“(A) provide the work ready services described in section 134(c)(2);

“(B) provide access to training services as described in paragraph (4) of section 134(c), including serving as the point of access to career enhancement accounts for training services to participants in accordance with paragraph (4)(F) of such section;

“(C) provide access to the activities carried out under section 134(d), if any;

“(D) provide access to programs and activities carried out by one-stop partners that are described in subsection (b); and

“(E) provide access to the data and information described in subparagraphs (A) and (B) of section 15(a)(1) of the Wagner-Peyser Act (29 U.S.C. 491-2(a)(1)).

“(2) ONE-STOP DELIVERY.—At a minimum, the one-stop delivery system—

“(A) shall make each of the programs, services, and activities described in paragraph (1) accessible at not less than one physical center in each local area of the State; and

“(B) may also make programs, services, and activities described in paragraph (1) available—

“(i) through a network of affiliated sites that can provide one or more of the programs, services, and activities to individuals; and

“(ii) through a network of eligible one-stop partners—

“(I) in which each partner provides one or more of the programs, services, and activities to such individuals and is accessible at an affiliated site that consists of a physical location or an electronically- or technologically-linked access point; and

“(II) that assures individuals that information on the availability of the work ready services will be available regardless of where the individuals initially enter the statewide workforce investment system, including information made available through an access point described in subclause (I).

“(3) SPECIALIZED CENTERS.—The centers and sites described in paragraph (2) may have a specialization in addressing special needs.”; and

(5) by adding at the end the following:

“(g) CERTIFICATION OF ONE-STOP CENTERS.—

“(1) IN GENERAL.—

“(A) IN GENERAL.—The State board shall establish objective procedures and criteria for certifying, at least once every 3 years, one-stop centers for the purpose of awarding the one-stop infrastructure funding described in subsection (h).

“(B) CRITERIA.—The criteria for certification of a one-stop center under this subsection shall include—

“(i) meeting the expected levels of performance for each of the corresponding core indicators of performance as outlined in the State plan under section 112;

“(ii) meeting minimum standards relating to the scope and degree of service integration achieved by the center, involving the programs provided by the one-stop partners; and

“(iii) meeting minimum standards relating to how the center ensures that eligible providers meet the employment needs of local employers and participants.

“(C) EFFECT OF CERTIFICATION.—One-stop centers certified under this subsection shall be eligible to receive the infrastructure funding authorized under subsection (h).

“(2) LOCAL BOARDS.—Consistent with the criteria developed by the State, the local board may develop, for certification referred to in paragraph (1)(A), additional criteria or higher standards on the criteria referred to in paragraph (1)(B) to respond to local labor market and demographic conditions and trends.

“(h) ONE-STOP INFRASTRUCTURE FUNDING.—

“(1) PARTNER CONTRIBUTIONS.—

“(A) PROVISION OF FUNDS.—Notwithstanding any other provision of law, as determined under subparagraph (B), a portion of the Federal funds provided to the State and areas within the State under the Federal laws authorizing the one-stop partner programs described in subsection (b)(1)(B) and participating additional partner programs described in subsection (b)(2)(B), for a fiscal year shall be provided to the Governor by such partners to carry out this subsection.

“(B) DETERMINATION OF GOVERNOR.—

“(i) IN GENERAL.—Subject to subparagraph (C), the Governor, in consultation with the State board, shall determine the portion of funds to be provided under subparagraph (A) by each one-stop partner and in making such determination shall consider the proportionate use of the one-stop centers in the State by each such partner, the costs of administration for purposes not related to one-stop centers for each such partner, and other relevant factors described in paragraph (3).

“(ii) SPECIAL RULE.—In those States where the State constitution places policy-making authority that is independent of the authority of the Governor in an entity or official with respect to the funds provided for adult education and family literacy education activities authorized under title II and for postsecondary career and technical education activities authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), the determination described in clause (i) with respect to the corresponding 2 programs shall be made by the Governor with the appropriate entity or official with such independent policy-making authority.

“(iii) APPEAL BY ONE-STOP PARTNERS.—The Governor shall establish a procedure for the one-stop partner administering a program described in subsection (b) and subparagraph (A) to appeal a determination regarding the portion of funds to be provided under this paragraph on the basis that such determination is inconsistent with the requirements described in the State plan for the program

or with the requirements of this paragraph. Such procedure shall ensure prompt resolution of the appeal.

“(C) LIMITATIONS.—

“(i) PROVISION FROM ADMINISTRATIVE FUNDS.—The funds provided under this paragraph by a one-stop partner shall be provided only from funds available for the costs of administration under the program administered by such partner, and shall be subject to the limitations with respect to the portion of funds under such program that may be used for administration.

“(ii) FEDERAL DIRECT SPENDING PROGRAMS.—

“(I) IN GENERAL.—A program that provides Federal direct spending under section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)) shall not, for purposes of this paragraph, be required to provide more than the maximum amount determined under subclause (II).

“(II) MAXIMUM AMOUNT.—The maximum amount for the program is the amount that bears the same relationship to the costs referred to in paragraph (2) for the State as the use of the one-stop centers by such program bears to the use of such centers by all one-stop partner programs in the State.

“(2) ALLOCATION BY GOVERNOR.—From the funds provided under paragraph (1), the Governor shall allocate funds to local areas in accordance with the formula established under paragraph (3) for the purposes of assisting in paying the costs of infrastructure of one-stop centers certified under subsection (g).

“(3) ALLOCATION FORMULA.—The State board shall develop a formula to be used by the Governor to allocate the funds provided under paragraph (1) to local areas. The formula shall include such factors as the State board determines are appropriate, which may include factors such as the number of centers in a local area that have been certified, the population served by such centers, and the performance of such centers.

“(4) COSTS OF INFRASTRUCTURE.—For purposes of this subsection, the term ‘costs of infrastructure’ means the nonpersonnel costs that are necessary for the general operation of a one-stop center, including the rental costs of the facilities involved, and the costs of utilities and maintenance, and equipment (including assistive technology for individuals with disabilities).

“(i) OTHER FUNDS.—

“(1) IN GENERAL.—In addition to the funds provided under subsection (h), a portion of funds made available under Federal law authorizing the one-stop partner programs described in subsection (b)(1)(B) and participating additional partner programs described in subsection (b)(2)(B), or the noncash resources available under such 2 types of programs, shall be used to pay the costs relating to the operation of the one-stop delivery system that are not paid for from the funds provided under subsection (h), to the extent not inconsistent with the Federal law involved. Such portion shall be used to pay for costs including—

“(A) costs of infrastructure (as defined in subsection (h)) that are in excess of the funds provided under subsection (h);

“(B) common costs that are in addition to the costs of infrastructure (as so defined); and

“(C) the costs of the provision of work ready services applicable to each program.

“(2) DETERMINATION AND STANDARDS.—The method for determining the appropriate portion of funds and noncash resources to be provided by each program under paragraph (1) shall be determined as part of the memorandum of understanding under subsection (c). The State board shall provide standards

to facilitate the determination of appropriate allocation of the funds and noncash resources to local areas.”.

SEC. 218. IDENTIFICATION OF ELIGIBLE PROVIDERS OF TRAINING SERVICES.

Section 122 (29 U.S.C. 2842) is amended to read as follows:

“SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF TRAINING SERVICES.

“(a) ELIGIBILITY.—

“(1) IN GENERAL.—The Governor, after consultation with the State board, shall establish criteria and procedures regarding the eligibility of providers of training services described in section 134(c)(4) to receive funds provided under section 133(b) for the provision of such training services and be included on the list of eligible providers of training services described in subsection (d).

“(2) PROVIDERS.—Subject to the provisions of this section, to be eligible to receive the funds and be included on the list, the provider shall be—

“(A) a postsecondary educational institution that—

“(i) is eligible to receive Federal funds under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

“(ii) provides a program that leads to a recognized postsecondary credential;

“(B) an entity that carries out programs under the Act of August 16, 1937 (commonly known as the ‘National Apprenticeship Act’; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); or

“(C) another public or private provider of a program of training services.

“(3) INCLUSION IN LIST OF ELIGIBLE PROVIDERS.—A provider described in subparagraph (A) or (C) of paragraph (2) shall comply with the criteria and procedures established under this subsection to be eligible to receive the funds and be included on the list. A provider described in paragraph (2)(B) shall be eligible to receive the funds and be included on the list with respect to programs described in paragraph (2)(B) for so long as the provider remains certified by the Secretary of Labor to carry out the programs.

“(b) CRITERIA.—

“(1) IN GENERAL.—The criteria established by the Governor pursuant to subsection (a) shall take into account—

“(A) the performance of providers of training services with respect to the performance measures described in section 136, measures for other matters for which information is required under paragraph (2), and other appropriate measures of performance outcomes for those participants receiving training services under this subtitle;

“(B) whether the training programs of such providers relate to in-demand industries or occupations important to the local economy;

“(C) the need to ensure access to training services throughout the State, including in rural areas;

“(D) the ability of the providers to offer programs that lead to a recognized postsecondary credential, and the quality of such programs;

“(E) the performance of the providers as reflected in the information such providers are required to report to State agencies with respect to other Federal and State programs (other than the program carried out under this subtitle), including one-stop partner programs; and

“(F) such other factors as the Governor determines are appropriate.

“(2) INFORMATION.—The criteria established by the Governor shall require that a provider of training services submit appropriate, accurate, and timely information to the State for purposes of carrying out subsection (d), with respect to participants receiving training services under this subtitle in the applicable program, including—

“(A) information on recognized postsecondary credentials received by such participants;

“(B) information on costs of attendance for such participants;

“(C) information on the program completion rate for such participants; and

“(D) information on the performance of the provider with respect to the performance measures described in section 136 for such participants.

“(3) RENEWAL.—The criteria established by the Governor shall also provide for a review on the criteria every 3 years and renewal of eligibility under this section for providers of training services.

“(4) LOCAL CRITERIA.—A local board in the State may establish criteria in addition to the criteria established by the Governor, or may require higher levels of performance than required on the criteria established by the Governor, for purposes of determining the eligibility of providers of training services under this section in the local area involved.

“(5) LIMITATION.—In carrying out the requirements of this subsection, no entity may disclose personally identifiable information regarding a student, including a Social Security number, student identification number, or other identifier, without the prior written consent of the parent or student in compliance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

“(c) PROCEDURES.—The procedures established under subsection (a) shall—

“(1) identify—

“(A) the application process for a provider of training services to become eligible under this section; and

“(B) the respective roles of the State and local areas in receiving and reviewing applications and in making determinations of eligibility based on the criteria established under this section; and

“(2) establish a process, for a provider of training services to appeal a denial or termination of eligibility under this section, that includes an opportunity for a hearing and prescribes appropriate time limits to ensure prompt resolution of the appeal.

“(d) INFORMATION TO ASSIST PARTICIPANTS IN CHOOSING PROVIDERS.—In order to facilitate and assist participants under chapter 5 in choosing providers of training services, the Governor shall ensure that an appropriate list of providers determined eligible under this section in the State, including information provided under subsection (b)(2) with respect to such providers, is provided to the local boards in the State and is made available to such participants and to members of the public through the one-stop delivery system in the State.

“(e) ENFORCEMENT.—

“(1) IN GENERAL.—The procedures established under this section shall provide the following:

“(A) INTENTIONALLY SUPPLYING INACCURATE INFORMATION.—Upon a determination, by an individual or entity specified in the procedures, that a provider of training services, or individual providing information on behalf of the provider, intentionally supplied inaccurate information under this section, the eligibility of such provider under this section shall be terminated for a period of time that is not less than 2 years.

“(B) SUBSTANTIAL VIOLATIONS.—Upon a determination, by an individual or entity specified in the procedures, that a provider of training services substantially violated any requirement under this title, the eligibility of such provider under this section shall be terminated for a period of time that is not less than 10 years.

“(C) REPAYMENT.—A provider of training services whose eligibility is terminated

under subparagraph (A) or (B) shall be liable for the repayment of funds received under chapter 5 during a period of noncompliance described in such subparagraph. For purposes of subparagraph (A), that period shall be considered to be the period beginning on the date on which the inaccurate information described in subparagraph (A) was supplied, and ending on the date of the termination described in subparagraph (A).

“(2) CONSTRUCTION.—Paragraph (1) shall be construed to provide remedies and penalties that supplement, but do not supplant, other civil and criminal remedies and penalties.

“(f) AGREEMENTS WITH OTHER STATES.—A State may enter into an agreement with another State, on a reciprocal basis, to permit eligible providers of training services to accept career enhancement accounts provided in the other State.

“(g) RECOMMENDATIONS.—In developing the criteria (including requirements for related information) and procedures required under this section, the Governor shall solicit and take into consideration the recommendations of local boards and providers of training services within the State.

“(h) OPPORTUNITY TO SUBMIT COMMENTS.—During the development of the criteria and procedures, and the list of eligible providers required under this section, the Governor shall provide an opportunity for interested members of the public to submit comments regarding such criteria, procedures, and list.

“(i) ON-THE-JOB TRAINING OR CUSTOMIZED TRAINING EXCEPTION.—

“(1) IN GENERAL.—Providers of on-the-job training or customized training shall not be subject to the requirements of subsections (a) through (d).

“(2) COLLECTION AND DISSEMINATION OF INFORMATION.—A one-stop operator in a local area shall collect such performance information from on-the-job training and customized training providers as the Governor may require, determine whether the providers meet such performance criteria as the Governor may require, and disseminate information identifying providers that meet the criteria as eligible providers, and the performance information, through the one-stop delivery system. Providers determined to meet the criteria shall be considered to be identified as eligible under this section, to be providers of the training services involved.”.

SEC. 219. GENERAL AUTHORIZATION.

Chapter 5 of subtitle B of title I is amended—

(1) by striking the heading for chapter 5 and inserting the following: “**EMPLOYMENT AND TRAINING ACTIVITIES**”; and

(2) in section 131 (29 U.S.C. 2861)—

(A) by striking “paragraphs (1)(B) and (2)(B) of”; and

(B) by striking “adults, and dislocated workers,” and inserting “individuals”.

SEC. 220. STATE ALLOTMENTS.

Section 132 (29 U.S.C. 2862) is amended—

(1) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—The Secretary shall—

“(1) reserve $\frac{1}{2}$ of 1 percent of the total amount appropriated under section 137 for a fiscal year, of which—

“(A) 50 percent shall be used to provide technical assistance under section 170; and

“(B) 50 percent shall be used for evaluations under section 172;

“(2) reserve 1 percent of the total amount appropriated under section 137 for a fiscal year to make grants to, and enter into contracts or cooperative agreements with Indian tribes, tribal organizations, Alaska Native entities, Indian-controlled organizations serving Indians, or Native Hawaiian organizations to carry out employment and training activities;

“(3) reserve not more than 25 percent of the total amount appropriated under section 137 for a fiscal year to carry out the Jobs Corps program under subtitle C;

“(4) reserve not more than 3.5 percent of the total amount appropriated under section 137 for a fiscal year to—

“(A) make grants to State boards or local boards to provide employment and training assistance to workers affected by major economic dislocations, such as plant closures, mass layoffs, or closures and realignments of military installations; and

“(B) provide assistance to Governors of States with an area that has suffered an emergency or a major disaster (as such terms are defined in paragraphs (1) and (2), respectively, of section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) to provide disaster relief employment in the area; and

“(5) from the remaining amount appropriated under section 137 for a fiscal year (after reserving funds under paragraphs (1) through (4)), make allotments in accordance with subsection (b) of this section.”; and

(2) by amending subsection (b) to read as follows:

“(b) WORKFORCE INVESTMENT FUND.—

“(1) RESERVATION FOR OUTLYING AREAS.—

“(A) IN GENERAL.—From the amount made available under subsection (a)(5) for a fiscal year, the Secretary shall reserve not more than $\frac{1}{4}$ of 1 percent to provide assistance to the outlying areas.

“(B) RESTRICTION.—The Republic of Palau shall cease to be eligible to receive funding under this paragraph upon entering into an agreement for extension of United States educational assistance under the Compact of Free Association (approved by the Compact of Free Association Amendments Act of 2003 (Public Law 108-188) after the date of enactment of the SKILLS Act.

“(2) STATES.—

“(A) IN GENERAL.—After determining the amount to be reserved under paragraph (1), the Secretary shall allot the remainder of the amount referred to in subsection (a)(5) for a fiscal year to the States pursuant to subparagraph (B) for employment and training activities and statewide workforce investment activities.

“(B) FORMULA.—Subject to subparagraphs (C) and (D), of the remainder—

“(i) 25 percent shall be allotted on the basis of the relative number of unemployed individuals in areas of substantial unemployment in each State, compared to the total number of unemployed individuals in areas of substantial unemployment in all States;

“(ii) 25 percent shall be allotted on the basis of the relative number of individuals in the civilian labor force in each State, compared to the total number of such individuals in all States;

“(iii) 25 percent shall be allotted on the basis of the relative number of individuals in each State who have been unemployed for 15 weeks or more, compared to the total number of individuals in all States who have been unemployed for 15 weeks or more; and

“(iv) 25 percent shall be allotted on the basis of the relative number of disadvantaged youth in each State, compared to the total number of disadvantaged youth in all States.

“(C) MINIMUM AND MAXIMUM PERCENTAGES.—

“(i) MINIMUM PERCENTAGE.—The Secretary shall ensure that no State shall receive an allotment under this paragraph for—

“(I) each of fiscal years 2015 through 2017, that is less than 100 percent of the allotment percentage of the State for fiscal year 2013; and

“(II) fiscal year 2018 and each succeeding fiscal year, that is less than 90 percent of the

allotment percentage of the State for the fiscal year preceding the fiscal year involved.

“(ii) MAXIMUM PERCENTAGE.—Subject to clause (i), the Secretary shall ensure that no State shall receive an allotment under this paragraph for—

“(I) each of fiscal years 2015 through 2017, that is more than 130 percent of the allotment percentage of the State for fiscal year 2013; and

“(II) fiscal year 2018 and each succeeding fiscal year, that is more than 130 percent of the allotment percentage of the State for the fiscal year preceding the fiscal year involved.

“(D) SMALL STATE MINIMUM ALLOTMENT.—Subject to subparagraph (C), the Secretary shall ensure that no State shall receive an allotment under this paragraph for a fiscal year that is less than $\frac{1}{2}$ of 1 percent of the remainder described in subparagraph (A) for the fiscal year.

“(E) DEFINITIONS.—For the purpose of the formula specified in this paragraph:

“(i) ALLOTMENT PERCENTAGE.—The term ‘allotment percentage’—

“(I) used with respect to fiscal year 2013, means the percentage of the amounts allotted to States under title I of this Act, title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.), the Women in Apprenticeship and Nontraditional Occupations Act (29 U.S.C. 2501 et seq.), sections 4103A and 4104 of title 38, United States Code, and sections 1 through 14 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.), as such provisions were in effect for fiscal year 2013, that is received under such provisions by the State involved for fiscal year 2013; and

“(II) used with respect to fiscal year 2017 or a succeeding fiscal year, means the percentage of the amounts allotted to States under this paragraph for the fiscal year, that is received under this paragraph by the State involved for the fiscal year.

“(ii) AREA OF SUBSTANTIAL UNEMPLOYMENT.—The term ‘area of substantial unemployment’ means any area that is of sufficient size and scope to sustain a program of workforce investment activities carried out under this subtitle and that has an average rate of unemployment of at least 7 percent for the most recent 12 months, as determined by the Secretary. For purposes of this clause, determinations of areas of substantial unemployment shall be made once each fiscal year.

“(iii) DISADVANTAGED YOUTH.—The term ‘disadvantaged youth’ means an individual who is not less than age 16 and not more than age 24 who receives an income, or is a member of a family that receives a total family income, that in relation to family size, does not exceed the higher of—

“(I) the poverty line; or

“(II) 70 percent of the lower living standard income level.

“(iv) INDIVIDUAL.—The term ‘individual’ means an individual who is age 16 or older.”.

SEC. 221. WITHIN STATE ALLOCATIONS.

Section 133 (29 U.S.C. 2863) is amended—

(1) by amending subsection (a) to read as follows:

“(a) RESERVATIONS FOR STATEWIDE WORKFORCE INVESTMENT ACTIVITIES.—

“(1) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—The Governor of a State shall reserve not more than 15 percent of the total amount allotted to the State under section 132(b)(2) for a fiscal year to carry out the statewide activities described in section 134(a).

“(2) STATEWIDE RAPID RESPONSE ACTIVITIES AND ADDITIONAL ASSISTANCE.—Of the amount reserved under paragraph (1) for a fiscal year, the Governor of the State shall reserve not more than 25 percent for statewide rapid

response activities and additional assistance described in section 134(a)(4).

“(3) STATEWIDE GRANTS FOR INDIVIDUALS WITH BARRIERS TO EMPLOYMENT.—Of the amount reserved under paragraph (1) for a fiscal year, the Governor of the State shall reserve 15 percent to carry out statewide activities described in section 134(a)(5).

“(4) STATE ADMINISTRATIVE COST LIMIT.—Not more than 5 percent of the funds reserved under paragraph (1) may be used by the Governor of the State for administrative costs of carrying out the statewide activities described in section 134(a).”;

(2) by amending subsection (b) to read as follows:

“(b) WITHIN STATE ALLOCATION.—

“(1) METHODS.—The Governor, acting in accordance with the State plan, and after consulting with chief elected officials in the local areas in the State, shall—

“(A) allocate the funds that are allotted to the State under section 132(b)(2) and not reserved under subsection (a), in accordance with paragraph (2)(A); and

“(B) award the funds that are reserved by the State under subsection (a)(3) through competitive grants to eligible entities, in accordance with section 134(a)(1)(C).

“(2) FORMULA ALLOCATIONS FOR THE WORKFORCE INVESTMENT FUND.—

“(A) ALLOCATION.—In allocating the funds described in paragraph (1)(A) to local areas, a State shall allocate—

“(i) 25 percent on the basis described in section 132(b)(2)(B)(i);

“(ii) 25 percent on the basis described in section 132(b)(2)(B)(ii);

“(iii) 25 percent on the basis described in section 132(b)(2)(B)(iii); and

“(iv) 25 percent on the basis described in section 132(b)(2)(B)(iv),

except that a reference in a section specified in any of clauses (i) through (iv) to ‘each State’ shall be considered to refer to each local area, and to ‘all States’ shall be considered to refer to all local areas.

“(B) MINIMUM AND MAXIMUM PERCENTAGES.—

“(i) MINIMUM PERCENTAGE.—The State shall ensure that no local area shall receive an allocation under this paragraph for—

“(I) each of fiscal years 2015 through 2017, that is less than 100 percent of the allocation percentage of the local area for fiscal year 2013; and

“(II) fiscal year 2018 and each succeeding fiscal year, that is less than 90 percent of the allocation percentage of the local area for the fiscal year preceding the fiscal year involved.

“(ii) MAXIMUM PERCENTAGE.—Subject to clause (i), the State shall ensure that no local area shall receive an allocation for a fiscal year under this paragraph for—

“(I) each of fiscal years 2015 through 2017, that is more than 130 percent of the allocation percentage of the local area for fiscal year 2013; and

“(II) fiscal year 2018 and each succeeding fiscal year, that is more than 130 percent of the allocation percentage of the local area for the fiscal year preceding the fiscal year involved.

“(C) DEFINITIONS.—For the purpose of the formula specified in this paragraph, the term ‘allocation percentage’—

“(i) used with respect to fiscal year 2013, means the percentage of the amounts allocated to local areas under title I of this Act, title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.), the Women in Apprenticeship and Nontraditional Occupations Act (29 U.S.C. 2501 et seq.), sections 4103A and 4104 of title 38, United States Code, and sections 1 through 14 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.), as such provisions were in effect for fiscal year 2013, that is received

under such provisions by the local area involved for fiscal year 2013; and

“(ii) used with respect to fiscal year 2017 or a succeeding fiscal year, means the percentage of the amounts allocated to local areas under this paragraph for the fiscal year, that is received under this paragraph by the local area involved for the fiscal year.”;

(3) in subsection (c)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—The Governor may, in accordance with this subsection, reallocate to eligible local areas within the State amounts that are allocated under subsection (b) for employment and training activities and that are available for reallocation.”;

(B) in paragraph (2), by striking “paragraph (2)(A) or (3) of subsection (b) for such activities” and inserting “subsection (b) for such activities”;

(C) by amending paragraph (3) to read as follows:

“(3) REALLOCATIONS.—In making reallocations to eligible local areas of amounts available pursuant to paragraph (2) for a program year, the Governor shall allocate to each eligible local area within the State an amount based on the relative amount allocated to such local area under subsection (b)(2) for such activities for such prior program year, as compared to the total amount allocated to all eligible local areas in the State under subsection (b)(2) for such activities for such prior program year.”; and

(D) in paragraph (4), by striking “paragraph (2)(A) or (3) of”;

(4) by adding at the end the following new subsection:

“(d) LOCAL ADMINISTRATIVE COST LIMIT.—Of the amount allocated to a local area under this section for a fiscal year, not more than 10 percent of the amount may be used by the local board involved for the administrative costs of carrying out local workforce investment activities in the local area under this chapter.”.

SEC. 222. USE OF FUNDS FOR EMPLOYMENT AND TRAINING ACTIVITIES.

Section 134 (29 U.S.C. 2864) is amended—

(1) by amending subsection (a) to read as follows:

“(a) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—

“(1) IN GENERAL.—

“(A) DISTRIBUTION OF STATEWIDE ACTIVITIES.—Funds reserved by a Governor for a State as described in section 133(a)(1) and not reserved under paragraph (2) or (3) of section 133(a)—

“(i) shall be used to carry out the statewide employment and training activities described in paragraph (2); and

“(ii) may be used to carry out any of the statewide employment and training activities described in paragraph (3).

“(B) STATEWIDE RAPID RESPONSE ACTIVITIES AND ADDITIONAL ASSISTANCE.—Funds reserved by a Governor for a State as described in section 133(a)(2) shall be used to provide the statewide rapid response activities and additional assistance described in paragraph (4).

“(C) STATEWIDE GRANTS FOR INDIVIDUALS WITH BARRIERS TO EMPLOYMENT.—Funds reserved by a Governor for a State as described in section 133(a)(3) shall be used to award statewide grants for individuals with barriers to employment on a competitive basis, and carry out other activities, as described in paragraph (5).

“(2) REQUIRED STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—A State shall use funds referred to in paragraph (1)(A) to carry out statewide employment and training activities, which shall include—

“(A) disseminating the State list of eligible providers of training services described

in section 122(d), information identifying eligible providers of on-the-job training and customized training described in section 122(i), and performance information and program cost information described in section 122(b)(2);

“(B) supporting the provision of work ready services described in subsection (c)(2) in the one-stop delivery system;

“(C) implementing strategies and services that will be used in the State to assist at-risk youth and out-of-school youth in acquiring the education and skills, recognized post-secondary credentials, and employment experience to succeed in the labor market;

“(D) conducting evaluations under section 136(e) of activities authorized under this chapter in coordination with evaluations carried out by the Secretary under section 172;

“(E) providing technical assistance to local areas that fail to meet local performance measures;

“(F) operating a fiscal and management accountability system under section 136(f); and

“(G) carrying out monitoring and oversight of activities carried out under this chapter.

“(3) ALLOWABLE STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—A State may use funds referred to in paragraph (1)(A) to carry out statewide employment and training activities which may include—

“(A) implementing innovative programs and strategies designed to meet the needs of all employers in the State, including small employers, which may include incumbent worker training programs, sectoral and industry cluster strategies and partnership initiatives, career ladder programs, micro-enterprise and entrepreneurial training and support programs, utilization of effective business intermediaries, activities to improve linkages between the one-stop delivery system in the State and all employers (including small employers) in the State, and other business services and strategies that better engage employers in workforce investment activities and make the workforce investment system more relevant to the needs of State and local businesses, consistent with the objectives of this title;

“(B) providing incentive grants to local areas—

“(i) for regional cooperation among local boards (including local boards in a designated region as described in section 116(c));

“(ii) for local coordination of activities carried out under this Act; and

“(iii) for exemplary performance by local areas on the local performance measures;

“(C) developing strategies for effectively integrating programs and services among one-stop partners;

“(D) carrying out activities to facilitate remote access to services provided through a one-stop delivery system, including facilitating access through the use of technology;

“(E) incorporating pay-for-performance contract strategies as an element in funding activities under this section and providing technical support to local areas and eligible providers in order to carry out such a strategy, which may involve providing assistance with data collection and data entry requirements;

“(F) carrying out the State option under subsection (f)(8); and

“(G) carrying out other activities authorized under this section that the State determines to be necessary to assist local areas in carrying out activities described in subsection (c) or (d) through the statewide workforce investment system.

“(4) STATEWIDE RAPID RESPONSE ACTIVITIES AND ADDITIONAL ASSISTANCE.—A State shall

use funds reserved as described in section 133(a)(2)—

“(A) to carry out statewide rapid response activities, which shall include provision of rapid response activities, carried out in local areas by the State or by an entity designated by the State, working in conjunction with the local boards and the chief elected officials in the local areas; and

“(B) to provide additional assistance to local areas that experience disasters, mass layoffs, or plant closings, or other events that precipitate substantial increases in the number of unemployed individuals, carried out in local areas by the State or by an entity designated by the State, working in conjunction with the local boards and the chief elected officials in the local areas.

“(5) STATEWIDE GRANTS FOR INDIVIDUALS WITH BARRIERS TO EMPLOYMENT.—

“(A) IN GENERAL.—Of the funds reserved as described in section 133(a)(3), the Governor of a State—

“(i) may reserve up to 5 percent to provide technical assistance for, and conduct evaluations as described in section 136(e) of, the programs carried out under this paragraph; and

“(ii) using the remainder, shall award grants on a competitive basis to eligible entities (that meet specific performance outcomes and criteria established by the Governor) described in subparagraph (B) to carry out employment and training programs authorized under this paragraph for individuals with barriers to employment.

“(B) ELIGIBLE ENTITY DEFINED.—For purposes of this paragraph, the term ‘eligible entity’ means an entity that—

“(1) is a—

“(I) local board or a consortium of local boards;

“(II) nonprofit entity, for-profit entity, or a consortium of nonprofit or for-profit entities; or

“(III) consortium of the entities described in subclauses (I) and (II);

“(ii) has a demonstrated record of placing individuals into unsubsidized employment and serving hard-to-serve individuals; and

“(iii) agrees to be reimbursed primarily on the basis of meeting specified performance outcomes and criteria established by the Governor.

“(C) GRANT PERIOD.—

“(i) IN GENERAL.—A grant under this paragraph shall be awarded for a period of 1 year.

“(ii) GRANT RENEWAL.—A Governor of a State may renew, for up to 4 additional 1-year periods, a grant awarded under this paragraph.

“(D) ELIGIBLE PARTICIPANTS.—To be eligible to participate in activities under this paragraph, an individual shall be a low-income individual age 16 or older.

“(E) USE OF FUNDS.—An eligible entity receiving a grant under this paragraph shall use the grant funds for programs of activities that are designed to assist eligible participants in obtaining employment and acquiring the education and skills necessary to succeed in the labor market. To be eligible to receive a grant under this paragraph for an employment and training program, an eligible entity shall submit an application to a State at such time, in such manner, and containing such information as the State may require, including—

“(i) a description of how the strategies and activities of the program will be aligned with the State plan submitted under section 112 and the local plan submitted under section 118, with respect to the area of the State that will be the focus of the program under this paragraph;

“(ii) a description of the educational and skills training programs and activities the

eligible entity will provide to eligible participants under this paragraph;

“(iii) how the eligible entity will collaborate with State and local workforce investment systems established under this title in the provision of such programs and activities;

“(iv) a description of the programs of demonstrated effectiveness on which the provision of such educational and skills training programs and activities are based, and a description of how such programs and activities will improve education and skills training for eligible participants;

“(v) a description of the populations to be served and the skill needs of those populations, and the manner in which eligible participants will be recruited and selected as participants;

“(vi) a description of the private, public, local, and State resources that will be leveraged, with the grant funds provided, for the program under this paragraph, and how the entity will ensure the sustainability of such program after grant funds are no longer available;

“(vii) a description of the extent of the involvement of employers in such program;

“(viii) a description of the levels of performance the eligible entity expects to achieve with respect to the indicators of performance for all individuals specified in section 136(b)(2);

“(ix) a detailed budget and a description of the system of fiscal controls, and auditing and accountability procedures, that will be used to ensure fiscal soundness for the program provided under this paragraph; and

“(x) any other criteria the Governor may require.”;

(2) by amending subsection (b) to read as follows:

“(b) LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—Funds allocated to a local area under section 133(b)—

“(1) shall be used to carry out employment and training activities described in subsection (c); and

“(2) may be used to carry out employment and training activities described in subsection (d).”;

(3) by striking subsection (c);

(4) by redesignating subsections (d) and (e), as subsections (c) and (d), respectively;

(5) in subsection (c) (as so redesignated)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—Funds allocated to a local area under section 133(b) shall be used—

“(A) to establish a one-stop delivery system as described in section 121(e);

“(B) to provide the work ready services described in paragraph (2) through the one-stop delivery system in accordance with such paragraph; and

“(C) to provide training services described in paragraph (4) in accordance with such paragraph.”;

(B) in paragraph (2)—

(i) in the heading, by striking “CORE SERVICES” and inserting “WORK READY SERVICES”;

(ii) in the matter preceding subparagraph (A)—

(I) by striking “(1)(A)” and inserting “(1)”;

(II) by striking “core services” and inserting “work ready services”; and

(III) by striking “who are adults or displaced workers”;

(iii) by redesignating subparagraph (K) as subparagraph (V);

(iv) by redesignating subparagraphs (B) through (J) as subparagraphs (C) through (K), respectively;

(v) by inserting after subparagraph (A) the following:

“(B) assistance in obtaining eligibility determinations under the other one-stop partner programs through activities, where appropriate and consistent with the authorizing statute of the one-stop partner program involved, such as assisting in—

“(i) the submission of applications;“(ii) the provision of information on the results of such applications; and“(iii) the provision of intake services and information;”;

(vi) by amending subparagraph (E), as so redesignated, to read as follows:

“(E) labor exchange services, including—“(i) job search and placement assistance, and where appropriate, career counseling;

“(ii) appropriate recruitment services for employers, including small employers, in the local area, which may include services described in this subsection, including provision of information and referral to specialized business services not traditionally offered through the one-stop delivery system; and

“(iii) reemployment services provided to unemployment claimants, including claimants identified as in need of such services under the worker profiling system established under section 303(j) of the Social Security Act (42 U.S.C. 503(j));”;

(vii) in subparagraph (F), as so redesignated, by striking “employment statistics” and inserting “workforce and labor market”;

(viii) in subparagraph (G), as so redesignated, by striking “and eligible providers of youth activities described in section 123,”;

(ix) in subparagraph (H), as so redesignated, by inserting “under section 136” after “local performance measures”;

(x) in subparagraph (J), as so redesignated, by inserting “and information regarding the administration of the work test for the unemployment compensation system” after “compensation”;

(xi) by amending subparagraph (K), as so redesignated, to read as follows:

“(K) assistance in establishing eligibility for programs of financial aid assistance for education and training programs that are not funded under this Act and are available in the local area;”;

(xii) by inserting the following new subparagraphs after subparagraph (K), as so redesignated:

“(L) the provision of information from official publications of the Internal Revenue Service regarding Federal tax credits, available to participants in employment and training activities, and relating to education, job training, and employment;

“(M) comprehensive and specialized assessments of the skill levels and service needs of workers, which may include—

“(i) diagnostic testing and use of other assessment tools; and

“(ii) in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;

“(N) development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant;

“(O) group counseling;

“(P) individual counseling and career planning;

“(Q) case management;

“(R) short-term pre-career services, including development of learning skills, communications skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training;

“(S) internships and work experience;

“(T) literacy activities relating to basic work readiness, information and communication technology literacy activities, and financial literacy activities, if the activities

involved are not available to participants in the local area under programs administered under the Adult Education and Family Literacy Act (20 U.S.C. 2901 et seq.);

“(U) out-of-area job search assistance and relocation assistance; and”;

(C) by amending paragraph (3) to read as follows:

“(3) DELIVERY OF SERVICES.—The work ready services described in paragraph (2) shall be provided through the one-stop delivery system and may be provided through contracts with public, private for-profit, and private nonprofit service providers, approved by the local board.”;

(D) in paragraph (4)—

(i) by amending subparagraph (A) to read as follows:

“(A) IN GENERAL.—Funds described in paragraph (1)(C) shall be used to provide training services to individuals who—

“(i) after an interview, evaluation, or assessment, and case management, have been determined by a one-stop operator or one-stop partner, as appropriate, to—

“(I) be in need of training services to obtain or retain employment; and

“(II) have the skills and qualifications to successfully participate in the selected program of training services;

“(ii) select programs of training services that are directly linked to the employment opportunities in the local area involved or in another area in which the individual receiving such services are willing to commute or relocate; and

“(iii) who meet the requirements of subparagraph (B).”;

(ii) in subparagraph (B)(i), by striking “Except” and inserting “Notwithstanding section 479B of the Higher Education Act of 1965 (20 U.S.C. 1087uu) and except”;

(iii) by amending subparagraph (D) to read as follows:

“(D) TRAINING SERVICES.—Training services authorized under this paragraph may include—

“(i) occupational skills training;

“(ii) on-the-job training;

“(iii) skill upgrading and retraining;

“(iv) entrepreneurial training;

“(v) education activities leading to a regular secondary school diploma or its recognized equivalent in combination with, concurrently or subsequently, occupational skills training;

“(vi) adult education and family literacy education activities provided in conjunction with other training services authorized under this subparagraph;

“(vii) workplace training combined with related instruction;

“(viii) occupational skills training that incorporates English language acquisition;

“(ix) customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training; and

“(x) training programs operated by the private sector.”;

(iv) by striking subparagraph (E) and redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively; and

(v) in subparagraph (E) (as so redesignated)—

(I) in clause (ii)—

(aa) in the matter preceding subclause (I), by striking “subsection (c)” and inserting “section 121”;

(bb) in subclause (I), by striking “section 122(e)” and inserting “section 122(d)” and by striking “section 122(h)” and inserting “section 122(i)”;

(cc) in subclause (II), by striking “subsections (e) and (h)” and inserting “subsections (d) and (i)”;

(II) by striking clause (iii) and inserting the following:

“(iii) CAREER ENHANCEMENT ACCOUNTS.—An individual who seeks training services and who is eligible pursuant to subparagraph (A), may, in consultation with a case manager, select an eligible provider of training services from the list or identifying information for providers described in clause (ii)(I). Upon such selection, the one-stop operator involved shall, to the extent practicable, refer such individual to the eligible provider of training services, and arrange for payment for such services through a career enhancement account.

“(iv) COORDINATION.—Each local board may, through one-stop centers, coordinate career enhancement accounts with other Federal, State, local, or private job training programs or sources to assist the individual in obtaining training services from (notwithstanding any provision of this title) eligible providers for those programs and sources.

“(v) ASSISTANCE.—Each local board may, through one-stop centers, assist individuals receiving career enhancement accounts in obtaining funds (in addition to the funds provided under this section) from other programs and sources that will assist the individual in obtaining training services.”;

(vi) in subparagraph (F) (as so redesignated)—

(I) in the subparagraph heading, by striking “INDIVIDUAL TRAINING ACCOUNTS” and inserting “CAREER ENHANCEMENT ACCOUNTS”;

(II) in clause (i), by striking “individual training accounts” and inserting “career enhancement accounts”;

(III) in clause (ii)—

(aa) by striking “an individual training account” and inserting “a career enhancement account”;

(bb) by striking “subparagraph (F)” and inserting “subparagraph (E)”;

(cc) in subclause (II), by striking “individual training accounts” and inserting “career enhancement accounts”;

(dd) in subclause (II), by striking “or” after the semicolon;

(ee) in subclause (III), by striking the period and inserting “; or”;

(ff) by adding at the end the following:

“(IV) the local board determines that it would be most appropriate to award a contract to a postsecondary educational institution that has been identified as a priority eligible provider under section 117(d)(5)(B) in order to facilitate the training of multiple individuals in in-demand industries or occupations important to the State or local economy, that such contract may be used to enable the expansion of programs provided by a priority eligible provider, and that such contract does not limit customer choice.”;

(IV) in clause (iii), by striking “adult or dislocated worker” and inserting “individual”;

(V) in clause (iv)—

(aa) by redesignating subclause (IV) as subclause (V); and

(bb) by inserting after subclause (III) the following:

“(IV) Individuals with disabilities.”;

(6) in subsection (d) (as so redesignated)—(A) by amending paragraph (1) to read as follows:

“(1) DISCRETIONARY ONE-STOP DELIVERY ACTIVITIES.—

“(A) IN GENERAL.—Funds allocated to a local area under section 133(b)(2) may be used to provide, through the one-stop delivery system—

“(i) customized screening and referral of qualified participants in training services to employers;

“(ii) customized employment-related services to employers on a fee-for-service basis;

“(iii) customer supports, including transportation and child care, to navigate among multiple services and activities for special

participant populations that face multiple barriers to employment, including individuals with disabilities;

“(iv) employment and training assistance provided in coordination with child support enforcement activities of the State agency carrying out subtitle D of title IV of the Social Security Act (42 U.S.C. 651 et seq.);

“(v) incorporation of pay-for-performance contract strategies as an element in funding activities under this section;

“(vi) activities to facilitate remote access to services provided through a one-stop delivery system, including facilitating access through the use of technology; and

“(vii) activities to carry out business services and strategies that meet the workforce investment needs of local area employers, as determined by the local board, consistent with the local plan under section 118.”;

(B) by striking paragraphs (2) and (3); and

(C) by adding at the end the following:

“(2) INCUMBENT WORKER TRAINING PROGRAMS.—

“(A) IN GENERAL.—The local board may use funds allocated to a local area under section 133(b)(2) to carry out incumbent worker training programs in accordance with this paragraph.

“(B) TRAINING ACTIVITIES.—The training programs for incumbent workers under this paragraph shall be carried out by the local area in conjunction with the employers of such workers for the purpose of assisting such workers in obtaining the skills necessary to retain employment and avert layoffs.

“(C) EMPLOYER MATCH REQUIRED.—

“(i) IN GENERAL.—Employers participating in programs under this paragraph shall be required to pay a proportion of the costs of providing the training to the incumbent workers of the employers. The local board shall establish the required payment toward such costs, which may include in-kind contributions.

“(ii) CALCULATION OF MATCH.—The wages paid by an employer to a worker while they are attending training may be included as part of the required payment of the employer.”; and

(7) by adding at the end the following:

“(e) PRIORITY FOR PLACEMENT IN PRIVATE SECTOR JOBS.—In providing employment and training activities authorized under this section, the State board and local board shall give priority to placing participants in jobs in the private sector.

“(f) VETERAN EMPLOYMENT SPECIALIST.—

“(1) IN GENERAL.—Subject to paragraph (8), a local board shall hire and employ one or more veteran employment specialists to carry out employment, training, supportive, and placement services under this subsection in the local area served by the local board.

“(2) PRINCIPAL DUTIES.—A veteran employment specialist in a local area shall—

“(A) conduct outreach to employers in the local area to assist veterans, including disabled veterans, in gaining employment, including—

“(i) conducting seminars for employers; and

“(ii) in conjunction with employers, conducting job search workshops, and establishing job search groups; and

“(B) facilitate the furnishing of employment, training, supportive, and placement services to veterans, including disabled and homeless veterans, in the local area.

“(3) HIRING PREFERENCE FOR VETERANS AND INDIVIDUALS WITH EXPERTISE IN SERVING VETERANS.—Subject to paragraph (8), a local board shall, to the maximum extent practicable, employ veterans or individuals with expertise in serving veterans to carry out the services described in paragraph (2) in the local area served by the local board. In hir-

ing an individual to serve as a veteran employment specialist, a local board shall give preference to veterans and other individuals in the following order:

“(A) To service-connected disabled veterans.

“(B) If no veteran described in subparagraph (A) is available, to veterans.

“(C) If no veteran described in subparagraph (A) or (B) is available, to any member of the Armed Forces transitioning out of military service.

“(D) If no veteran or member described in subparagraph (A), (B), or (C) is available, to any spouse of a veteran or a spouse of a member of the Armed Forces transitioning out of military service.

“(E) If no veteran or member described in subparagraph (A), (B), or (C) is available and no spouse described in paragraph (D) is available, to any other individuals with expertise in serving veterans.

“(4) ADMINISTRATION AND REPORTING.—

“(A) IN GENERAL.—Each veteran employment specialist shall be administratively responsible to the one-stop operator of the one-stop center in the local area and shall provide, at a minimum, quarterly reports to the one-stop operator of such center and to the Assistant Secretary for Veterans' Employment and Training for the State on the specialist's performance, and compliance by the specialist with Federal law (including regulations), with respect to the—

“(i) principal duties (including facilitating the furnishing of services) for veterans described in paragraph (2); and

“(ii) hiring preferences described in paragraph (3) for veterans and other individuals.

“(B) REPORT TO SECRETARY.—Each State shall submit to the Secretary an annual report on the qualifications used by each local board in the State in making hiring determinations for a veteran employment specialist and the salary structure under which such specialist is compensated.

“(C) REPORT TO CONGRESS.—The Secretary shall submit to the Committee on Education and the Workforce and the Committee on Veterans' Affairs of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Veterans' Affairs of the Senate an annual report summarizing the reports submitted under subparagraph (B), and including summaries of outcomes achieved by participating veterans, disaggregated by local areas.

“(5) PART-TIME EMPLOYEES.—A part-time veteran employment specialist shall perform the functions of a veteran employment specialist under this subsection on a halftime basis.

“(6) TRAINING REQUIREMENTS.—Each veteran employment specialist described in paragraph (2) shall satisfactorily complete training provided by the National Veterans' Employment and Training Institute during the 3-year period that begins on the date on which the employee is so assigned.

“(7) SPECIALIST'S DUTIES.—A full-time veteran employment specialist shall perform only duties related to employment, training, supportive, and placement services under this subsection, and shall not perform other non-veteran-related duties if such duties detract from the specialist's ability to perform the specialist's duties related to employment, training, supportive, and placement services under this subsection.

“(8) STATE OPTION.—At the request of a local board, a State may opt to assume the duties assigned to the local board under paragraphs (1) and (3), including the hiring and employment of one or more veteran employment specialists for placement in the local area served by the local board.”.

SEC. 223. PERFORMANCE ACCOUNTABILITY SYSTEM.

Section 136 (29 U.S.C. 2871) is amended—

(1) in subsection (b)—

(A) by amending paragraphs (1) and (2) to read as follows:

“(1) IN GENERAL.—For each State, the State performance measures shall consist of—

“(A)(i) the core indicators of performance described in paragraph (2)(A); and

“(ii) additional indicators of performance (if any) identified by the State under paragraph (2)(B); and

“(B) a State adjusted level of performance for each indicator described in subparagraph (A).

“(2) INDICATORS OF PERFORMANCE.—

“(A) CORE INDICATORS OF PERFORMANCE.—

“(i) IN GENERAL.—The core indicators of performance for the program of employment and training activities authorized under sections 132(a)(2) and 134, the program of adult education and family literacy education activities authorized under title II, and the program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741), shall consist of the following indicators of performance (with performance determined in the aggregate and as disaggregated by the populations identified in the State and local plan in each case):

“(I) The percentage and number of program participants who are in unsubsidized employment during the second full calendar quarter after exit from the program.

“(II) The percentage and number of program participants who are in unsubsidized employment during the fourth full calendar quarter after exit from the program.

“(III) The difference in the median earnings of program participants who are in unsubsidized employment during the second full calendar quarter after exit from the program, compared to the median earnings of such participants prior to participation in such program.

“(IV) The percentage and number of program participants who obtain a recognized postsecondary credential (such as an industry-recognized credential or a certificate from a registered apprenticeship program), or a regular secondary school diploma or its recognized equivalent (subject to clause (ii)), during participation in or within 1 year after exit from the program.

“(V) The percentage and number of program participants who, during a program year—

“(aa) are in an education or training program that leads to a recognized postsecondary credential (such as an industry-recognized credential or a certificate from a registered apprenticeship program), a certificate from an on-the-job training program, a regular secondary school diploma or its recognized equivalent, or unsubsidized employment; and

“(bb) are achieving measurable basic skill gains toward such a credential, certificate, diploma, or employment.

“(VI) The percentage and number of program participants who obtain unsubsidized employment in the field relating to the training services described in section 134(c)(4) that such participants received.

“(ii) INDICATOR RELATING TO CREDENTIAL.—For purposes of clause (i)(IV), program participants who obtain a regular secondary school diploma or its recognized equivalent shall be included in the percentage counted as meeting the criterion under such clause

only if such participants (in addition to obtaining such diploma or its recognized equivalent), within 1 year after exit from the program, have obtained or retained employment, have been removed from public assistance, or have begun an education or training program leading to a recognized postsecondary credential.

“(B) ADDITIONAL INDICATORS.—A State may identify in the State plan additional indicators for workforce investment activities authorized under this subtitle.”; and

(B) in paragraph (3)—

(i) in subparagraph (A)—

(I) in the heading, by striking “AND CUSTOMER SATISFACTION INDICATOR”;

(II) in clause (i), by striking “and the customer satisfaction indicator described in paragraph (2)(B)”;

(III) in clause (ii), by striking “and the customer satisfaction indicator of performance, for the first 3” and inserting “, for all 3”;

(IV) in clause (iii)—

(aa) in the heading, by striking “FOR FIRST 3 YEARS”;

(bb) by striking “and the customer satisfaction indicator of performance, for the first 3 program years” and inserting “for all 3 program years”;

(V) in clause (iv)—

(aa) by striking “or (v)”;

(bb) by striking subclause (I) and redesignating subclauses (II) and (III) as subclauses (I) and (II), respectively; and

(cc) in subclause (I) (as so redesignated)—

(AA) by inserting “, such as unemployment rates and job losses or gains in particular industries” after “economic conditions”;

(BB) by inserting “, such as indicators of poor work experience, dislocation from high-wage employment, low levels of literacy or English proficiency, disability status (including disability status among veterans), and welfare dependency,” after “program”;

(VI) by striking clause (v) and redesignating clause (vi) as clause (v); and

(VII) in clause (v) (as so redesignated),

(aa) by striking “described in clause (iv)(II)” and inserting “described in clause (iv)(I)”;

(bb) by striking “or (v)”;

(ii) in subparagraph (B), by striking “paragraph (2)(C)” and inserting “paragraph (2)(B)”;

(2) in subsection (c)—

(A) by amending clause (i) of paragraph (1)(A) to read as follows:

“(i) the core indicators of performance described in subsection (b)(2)(A) for activities described in such subsection, other than statewide workforce investment activities; and”;

(B) in clause (ii) of paragraph (1)(A), by striking “(b)(2)(C)” and inserting “(b)(2)(B)”;

(C) by amending paragraph (3) to read as follows:

“(3) DETERMINATIONS.—In determining such local levels of performance, the local board, the chief elected official, and the Governor shall ensure such levels are adjusted based on the specific economic conditions (such as unemployment rates and job losses or gains in particular industries), or demographic characteristics or other characteristics of the population to be served, in the local area.”;

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “127 or”;

(ii) by striking “and the customer satisfaction indicator” each place it appears; and

(iii) in the last sentence, by inserting before the period the following: “, and on the amount and percentage of the State’s annual allotment under section 132 the State spends on administrative costs and on the amount

and percentage of its annual allocation under section 133 each local area in the State spends on administrative costs”;

(B) in paragraph (2)—

(i) by striking subparagraphs (A), (B), and (D);

(ii) by redesignating subparagraph (C) as subparagraph (A);

(iii) by redesignating subparagraph (E) as subparagraph (B);

(iv) in subparagraph (B), as so redesignated—

(I) by striking “(excluding participants who received only self-service and informational activities)”;

(II) by striking “and” at the end;

(v) by striking subparagraph (F);

(vi) by adding at the end the following:

“(C) with respect to each local area in the State—

“(i) the number of individuals who received work ready services described in section 134(c)(2) and the number of individuals who received training services described in section 134(c)(4), during the most recent program year and fiscal year, and the preceding 5 program years, disaggregated (for individuals who received work ready services) by the type of entity that provided the work ready services and disaggregated (for individuals who received training services) by the type of entity that provided the training services; and the amount of funds spent on each of the 2 types of services during the most recent program year and fiscal year, and the preceding 5 fiscal years;

“(ii) the number of individuals who successfully exited out of work ready services described in section 134(c)(2) and the number of individuals who exited out of training services described in section 134(c)(4), during the most recent program year and fiscal year, and the preceding 5 program years, disaggregated (for individuals who received work ready services) by the type of entity that provided the work ready services and disaggregated (for individuals who received training services) by the type of entity that provided the training services; and

“(iii) the average cost per participant of those individuals who received work ready services described in section 134(c)(2) and the average cost per participant of those individuals who received training services described in section 134(c)(4), during the most recent program year and fiscal year, and the preceding 5 program years, disaggregated (for individuals who received work ready services) by the type of entity that provided the work ready services and disaggregated (for individuals who received training services) by the type of entity that provided the training services; and

“(D) the amount of funds spent on training services and discretionary activities described in section 134(d), disaggregated by the populations identified under section 112(b)(16)(A)(iv) and section 118(b)(10).”;

(C) in paragraph (3)(A), by striking “through publication” and inserting “through electronic means”;

(D) by adding at the end the following:

“(4) DATA VALIDATION.—In preparing the reports described in this subsection, each State shall establish procedures, consistent with guidelines issued by the Secretary, to ensure the information contained in the reports is valid and reliable.

“(5) STATE AND LOCAL POLICIES.—

“(A) STATE POLICIES.—Each State that receives an allotment under section 132 shall maintain a central repository of policies related to access, eligibility, availability of services, and other matters, and plans approved by the State board and make such repository available to the public, including by electronic means.

“(B) LOCAL POLICIES.—Each local area that receives an allotment under section 133 shall maintain a central repository of policies related to access, eligibility, availability of services, and other matters, and plans approved by the local board and make such repository available to the public, including by electronic means.”;

(4) in subsection (g)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “or (B)”;

(ii) in subparagraph (B), by striking “may reduce by not more than 5 percent,” and inserting “shall reduce”;

(B) by striking paragraph (2) and inserting the following:

“(2) FUNDS RESULTING FROM REDUCED ALLOTMENTS.—The Secretary shall return to the Treasury the amount retained, as a result of a reduction in an allotment to a State made under paragraph (1)(B).”;

(5) in subsection (h)—

(A) in paragraph (1), by striking “or (B)”;

(B) in paragraph (2)—

(i) in subparagraph (A), by amending the matter preceding clause (i) to read as follows:

“(A) IN GENERAL.—If such failure continues for a second consecutive year, the Governor shall take corrective actions, including the development of a reorganization plan. Such plan shall—”;

(ii) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively;

(iii) by inserting after subparagraph (A), the following:

“(B) REDUCTION IN THE AMOUNT OF GRANT.—If such failure continues for a third consecutive year, the Governor shall reduce the amount of the grant that would (in the absence of this subparagraph) be payable to the local area under such program for the program year after such third consecutive year. Such penalty shall be based on the degree of failure to meet local levels of performance.”;

(iv) in subparagraph (C)(i) (as so redesignated), by striking “a reorganization plan under subparagraph (A) may, not later than 30 days after receiving notice of the reorganization plan, appeal to the Governor to rescind or revise such plan” and inserting “corrective action under subparagraph (A) or (B) may, not later than 30 days after receiving notice of the action, appeal to the Governor to rescind or revise such action”;

(v) in subparagraph (D) (as so redesignated), by striking “subparagraph (B)” each place it appears and inserting “subparagraph (C)”;

(6) in subsection (i)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking “subsection (b)(2)(C)” and inserting “subsection (b)(2)(B)”;

(ii) in subparagraph (C), by striking “(b)(3)(A)(vi)” and inserting “(b)(3)(A)(v)”;

(B) in paragraph (2), by striking “the activities described in section 502 concerning”;

and

(C) in paragraph (3), by striking “described in paragraph (1) and in the activities described in section 502” and inserting “and activities described in this subsection”;

(7) by adding at the end the following new subsections:

“(j) USE OF CORE INDICATORS FOR OTHER PROGRAMS.—Consistent with the requirements of the applicable authorizing laws, the Secretary shall use the core indicators of performance described in subsection (b)(2)(A) to assess the effectiveness of the programs described in section 121(b)(1)(B) (in addition to the programs carried out under chapter 5) that are carried out by the Secretary.

“(k) ESTABLISHING PAY-FOR-PERFORMANCE INCENTIVES.—

“(1) IN GENERAL.—At the discretion of the Governor of a State, a State may establish an incentive system for local boards to implement pay-for-performance contract strategies for the delivery of employment and training activities in the local areas served by the local boards.

“(2) IMPLEMENTATION.—A State that establishes a pay-for-performance incentive system shall reserve not more than 10 percent of the total amount allotted to the State under section 132(b)(2) for a fiscal year to provide funds to local areas in the State whose local boards have implemented a pay-for-performance contract strategy.

“(3) EVALUATIONS.—A State described in paragraph (2) shall use funds reserved by the State under section 133(a)(1) to evaluate the return on investment of pay-for-performance contract strategies implemented by local boards in the State.”.

SEC. 224. AUTHORIZATION OF APPROPRIATIONS.

Section 137 (29 U.S.C. 2872) is amended to read as follows:

“SEC. 137. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out the activities described in section 132, \$5,945,639,000 for fiscal year 2015 and each of the 6 succeeding fiscal years.”.

CHAPTER 3—JOB CORPS

SEC. 226. JOB CORPS PURPOSES.

Paragraph (1) of section 141 (29 U.S.C. 2881(1)) is amended to read as follows:

“(1) to maintain a national Job Corps program for at-risk youth, carried out in partnership with States and communities, to assist eligible youth to connect to the workforce by providing them with intensive academic, career and technical education, and service-learning opportunities, in residential and nonresidential centers, in order for such youth to obtain regular secondary school diplomas and recognized postsecondary credentials leading to successful careers in in-demand industries that will result in opportunities for advancement;”.

SEC. 227. JOB CORPS DEFINITIONS.

Section 142 (29 U.S.C. 2882) is amended—

(1) in paragraph (2)—
(A) in the paragraph heading, by striking “APPLICABLE ONE-STOP” and inserting “ONE-STOP”;

(B) by striking “applicable”;

(C) by striking “customer service”; and

(D) by striking “intake” and inserting “assessment”;

(2) in paragraph (4), by striking “before completing the requirements” and all that follows and inserting “prior to becoming a graduate.”; and

(3) in paragraph (5), by striking “has completed the requirements” and all that follows and inserting the following: “who, as a result of participation in the Job Corps program, has received a regular secondary school diploma, completed the requirements of a career and technical education and training program, or received, or is making satisfactory progress (as defined under section 484(c) of the Higher Education Act of 1965 (20 U.S.C. 1091(c))) toward receiving, a recognized postsecondary credential (including an industry-recognized credential) that prepares individuals for employment leading to economic self-sufficiency.”.

SEC. 228. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.

Section 144 (29 U.S.C. 2884) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) not less than age 16 and not more than age 24 on the date of enrollment;”;

(2) in paragraph (3)(B), by inserting “secondary” before “school”; and

(3) in paragraph (3)(E), by striking “vocational” and inserting “career and technical education and”.

SEC. 229. RECRUITMENT, SCREENING, SELECTION, AND ASSIGNMENT OF ENROLLEES.

Section 145 (29 U.S.C. 2885) is amended—

(1) in subsection (a)—

(A) in paragraph (2)(C)(i) by striking “vocational” and inserting “career and technical education and training”; and

(B) in paragraph (3)—

(i) by striking “To the extent practicable, the” and inserting “The”;

(ii) in subparagraph (A)—

(I) by striking “applicable”; and

(II) by inserting “and” after the semicolon;

(iii) by striking subparagraphs (B) and (C); and

(iv) by adding at the end the following:

“(B) organizations that have a demonstrated record of effectiveness in placing at-risk youth into employment.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting “and agrees to such rules” after “failure to observe the rules”; and

(ii) by amending subparagraph (C) to read as follows:

“(C) the individual has passed a background check conducted in accordance with procedures established by the Secretary, which shall include—

“(i) a search of the State criminal registry or repository in the State where the individual resides and each State where the individual previously resided;

“(ii) a search of State-based child abuse and neglect registries and databases in the State where the individual resides and each State where the individual previously resided;

“(iii) a search of the National Crime Information Center;

“(iv) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

“(v) a search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.).”;

(B) by adding at the end the following new paragraph:

“(3) INDIVIDUALS CONVICTED OF A CRIME.—An individual shall be ineligible for enrollment if the individual—

“(A) makes a false statement in connection with the criminal background check described in paragraph (1)(C);

“(B) is registered or is required to be registered on a State sex offender registry or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); or

“(C) has been convicted of a felony consisting of—

“(i) homicide;

“(ii) child abuse or neglect;

“(iii) a crime against children, including child pornography;

“(iv) a crime involving rape or sexual assault; or

“(v) physical assault, battery, or a drug-related offense, committed within the past 5 years.”;

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “2 years” and inserting “year”; and

(ii) by striking “an assignment” and inserting “a”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “, every 2 years.”;

(ii) in subparagraph (B), by striking “and” at the end; and

(iii) in subparagraph (C)—

(I) by inserting “the education and training” after “including”; and

(II) by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(D) the performance of the Job Corps center relating to the indicators described in paragraphs (1) and (2) in section 159(c), and whether any actions have been taken with respect to such center pursuant to section 159(f).”; and

(4) in subsection (d)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “is closest to the home of the enrollee, except that the” and inserting “offers the type of career and technical education and training selected by the individual and, among the centers that offer such education and training, is closest to the home of the individual. The”;

(ii) by striking subparagraph (A); and

(iii) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(B) in paragraph (2), by inserting “that offers the career and technical education and training desired by” after “home of the enrollee”.

SEC. 230. JOB CORPS CENTERS.

Section 147 (29 U.S.C. 2887) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A), by striking “vocational” both places it appears and inserting “career and technical”; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “subsections (c) and (d) of section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253)” and inserting “subsections (a) and (b) of section 3304 of title 41, United States Code”; and

(II) by striking “industry council” and inserting “workforce council”;

(ii) in subparagraph (B)(i)—

(I) by amending subclause (II) to read as follows:

“(II) the ability of the entity to offer career and technical education and training that the workforce council proposes under section 154(c);”;

(II) in subclause (III), by striking “is familiar with the surrounding communities, applicable” and inserting “demonstrates relationships with the surrounding communities, employers, workforce boards,” and by striking “and” at the end;

(III) by amending subclause (IV) to read as follows:

“(IV) the performance of the entity, if any, relating to operating or providing activities described in this subtitle to a Job Corps center, including the entity’s demonstrated effectiveness in assisting individuals in achieving the primary and secondary indicators of performance described in paragraphs (1) and (2) of section 159(c); and”;

(IV) by adding at the end the following new subclause:

“(V) the ability of the entity to demonstrate a record of successfully assisting at-risk youth to connect to the workforce, including by providing them with intensive academic, and career and technical education and training.”;

(iii) in subparagraph (B)(ii)—

(I) by striking “, as appropriate”; and

(II) by striking “through (IV)” and inserting “through (V)”;

(2) in subsection (b), by striking “In any year, no more than 20 percent of the individuals enrolled in the Job Corps may be nonresidential participants in the Job Corps.”;

(3) by amending subsection (c) to read as follows:

“(c) CIVILIAN CONSERVATION CENTERS.—

“(1) IN GENERAL.—The Job Corps centers may include Civilian Conservation Centers, operated under an agreement between the Secretary of Labor and the Secretary of Agriculture, that are located primarily in rural areas. Such centers shall adhere to all the provisions of this subtitle, and shall provide, in addition to education, career and technical education and training, and workforce preparation skills training described in section 148, programs of work experience to conserve, develop, or manage public natural resources or public recreational areas or to develop community projects in the public interest.

“(2) SELECTION PROCESS.—The Secretary shall select an entity that submits an application under subsection (d) to operate a Civilian Conservation Center on a competitive basis, as provided in subsection (a).”; and

(4) by striking subsection (d) and inserting the following:

“(d) APPLICATION.—To be eligible to operate a Job Corps center under this subtitle, an entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

“(1) a description of the program activities that will be offered at the center, including how the career and technical education and training reflect State and local employment opportunities, including in in-demand industries;

“(2) a description of the counseling, placement, and support activities that will be offered at the center, including a description of the strategies and procedures the entity will use to place graduates into unsubsidized employment upon completion of the program;

“(3) a description of the demonstrated record of effectiveness that the entity has in placing at-risk youth into employment, including past performance of operating a Job Corps center under this subtitle;

“(4) a description of the relationships that the entity has developed with State and local workforce boards, employers, State and local educational agencies, and the surrounding communities in an effort to promote a comprehensive statewide workforce investment system;

“(5) a description of the strong fiscal controls the entity has in place to ensure proper accounting of Federal funds, and a description of how the entity will meet the requirements of section 159(a);

“(6) a description of the strategies and policies the entity will utilize to reduce participant costs;

“(7) a description of the steps taken to control costs in accordance with section 159(a)(3);

“(8) a detailed budget of the activities that will be supported using funds under this subtitle;

“(9) a detailed budget of the activities that will be supported using funds from non-Federal resources;

“(10) an assurance the entity will comply with the administrative cost limitation included in section 151(c);

“(11) an assurance the entity is licensed to operate in the State in which the center is located; and

“(12) an assurance the entity will comply with and meet basic health and safety codes, including those measures described in section 152(b).

“(e) LENGTH OF AGREEMENT.—The agreement described in subsection (a)(1)(A) shall be for not longer than a 2-year period. The Secretary may renew the agreement for 3 1-year periods if the entity meets the requirements of subsection (f).

“(f) RENEWAL.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary may renew the terms of an agreement described in subsection (a)(1)(A) for an entity to operate a Job Corps center if the center meets or exceeds each of the indicators of performance described in section 159(c)(1).

“(2) RECOMPETITION.—

“(A) IN GENERAL.—Notwithstanding paragraph (1), the Secretary shall not renew the terms of the agreement for an entity to operate a Job Corps center if such center is ranked in the bottom quintile of centers described in section 159(f)(2) for any program year. Such entity may submit a new application under subsection (d) only if such center has shown significant improvement on the indicators of performance described in section 159(c)(1) over the last program year.

“(B) VIOLATIONS.—The Secretary shall not select an entity to operate a Job Corps center if such entity or such center has been found to have a systemic or substantial material failure that involves—

“(i) a threat to the health, safety, or civil rights of program participants or staff;

“(ii) the misuse of funds received under this subtitle;

“(iii) loss of legal status or financial viability, loss of permits, debarment from receiving Federal grants or contracts, or the improper use of Federal funds;

“(iv) failure to meet any other Federal or State requirement that the entity has shown an unwillingness or inability to correct, after notice from the Secretary, within the period specified; or

“(v) an unresolved area of noncompliance.

“(g) CURRENT GRANTEEES.—Not later than 60 days after the date of enactment of the SKILLS Act and notwithstanding any previous grant award or renewals of such award under this subtitle, the Secretary shall require all entities operating a Job Corps center under this subtitle to submit an application under subsection (d) to carry out the requirements of this section.”.

SEC. 231. PROGRAM ACTIVITIES.

Section 148 (29 U.S.C. 2888) is amended—

(1) by amending subsection (a) to read as follows:

“(a) ACTIVITIES PROVIDED THROUGH JOB CORPS CENTERS.—

“(1) IN GENERAL.—Each Job Corps center shall provide enrollees with an intensive, well-organized, and supervised program of education, career and technical education and training, work experience, recreational activities, physical rehabilitation and development, and counseling. Each Job Corps center shall provide enrollees assigned to the center with access to work ready services described in section 134(c)(2).

“(2) RELATIONSHIP TO OPPORTUNITIES.—

“(A) IN GENERAL.—The activities provided under this subsection shall be targeted to helping enrollees, on completion of their enrollment—

“(i) secure and maintain meaningful unsubsidized employment;

“(ii) complete secondary education and obtain a regular secondary school diploma;

“(iii) enroll in and complete postsecondary education or training programs, including obtaining recognized postsecondary credentials (such as industry-recognized credentials and certificates from registered apprenticeship programs); or

“(iv) satisfy Armed Forces requirements.

“(B) LINK TO EMPLOYMENT OPPORTUNITIES.—The career and technical education and training provided shall be linked to the employment opportunities in in-demand industries in the State in which the Job Corps center is located.”; and

(2) in subsection (b)—

(A) in the subsection heading, by striking “EDUCATION AND VOCATIONAL” and inserting “ACADEMIC AND CAREER AND TECHNICAL EDUCATION AND”;;

(B) by striking “may” after “The Secretary” and inserting “shall”; and

(C) by striking “vocational” each place it appears and inserting “career and technical”; and

(3) by amending paragraph (3) of subsection (c) to read as follows:

“(3) DEMONSTRATION.—Each year, any operator seeking to enroll additional enrollees in an advanced career training program shall demonstrate, before the operator may carry out such additional enrollment, that—

“(A) participants in such program have achieved a satisfactory rate of completion and placement in training-related jobs; and

“(B) such operator has met or exceeded the indicators of performance described in paragraphs (1) and (2) of section 159(c) for the previous year.”.

SEC. 232. COUNSELING AND JOB PLACEMENT.

Section 149 (29 U.S.C. 2889) is amended—

(1) in subsection (a), by striking “vocational” and inserting “career and technical education and”;;

(2) in subsection (b)—

(A) by striking “make every effort to arrange to”; and

(B) by striking “to assist” and inserting “assist”; and

(3) by striking subsection (d).

SEC. 233. SUPPORT.

Subsection (b) of section 150 (29 U.S.C. 2890) is amended to read as follows:

“(b) TRANSITION ALLOWANCES AND SUPPORT FOR GRADUATES.—The Secretary shall arrange for a transition allowance to be paid to graduates. The transition allowance shall be incentive-based to reflect a graduate's completion of academic, career and technical education or training, and attainment of a recognized postsecondary credential, including an industry-recognized credential.”.

SEC. 234. OPERATIONS.

Section 151 (29 U.S.C. 2891) is amended—

(1) in the header, by striking “OPERATING PLAN.” and inserting “OPERATIONS.”;

(2) in subsection (a), by striking “IN GENERAL.—” and inserting “OPERATING PLAN.—”;;

(3) by striking subsection (b) and redesignating subsection (c) as subsection (b);

(4) by amending subsection (b) (as so redesignated)—

(A) in the heading by inserting “OF OPERATING PLAN” after “AVAILABILITY”; and

(B) by striking “subsections (a) and (b)” and inserting “subsection (a)”; and

(5) by adding at the end the following new subsection:

“(c) ADMINISTRATIVE COSTS.—Not more than 10 percent of the funds allotted under section 147 to an entity selected to operate a Job Corps center may be used by the entity for administrative costs under this subtitle.”.

SEC. 235. COMMUNITY PARTICIPATION.

Section 153 (29 U.S.C. 2893) is amended to read as follows:

“SEC. 153. COMMUNITY PARTICIPATION.

“The director of each Job Corps center shall encourage and cooperate in activities to establish a mutually beneficial relationship between Job Corps centers in the State and nearby communities. Such activities may include the use of any local workforce development boards established under section 117 to provide a mechanism for joint discussion of common problems and for planning programs of mutual interest.”.

SEC. 236. WORKFORCE COUNCILS.

Section 154 (29 U.S.C. 2894) is amended to read as follows:

“SEC. 154. WORKFORCE COUNCILS.

“(a) IN GENERAL.—Each Job Corps center shall have a workforce council appointed by

the Governor of the State in which the Job Corps center is located.

“(b) WORKFORCE COUNCIL COMPOSITION.—

“(1) IN GENERAL.—A workforce council shall be comprised of—

“(A) business members of the State board described in section 111(b)(1)(B)(i);

“(B) business members of the local boards described in section 117(b)(2)(A) located in the State;

“(C) a representative of the State board described in section 111(f); and

“(D) such other representatives and State agency officials as the Governor may designate.

“(2) MAJORITY.—A $\frac{2}{3}$ majority of the members of the workforce council shall be representatives described in paragraph (1)(A).

“(c) RESPONSIBILITIES.—The responsibilities of the workforce council shall be—

“(1) to review all the relevant labor market information, including related information in the State plan described in section 112, to—

“(A) determine the in-demand industries in the State in which enrollees intend to seek employment after graduation;

“(B) determine the skills and education that are necessary to obtain the employment opportunities described in subparagraph (A); and

“(C) determine the type or types of career and technical education and training that will be implemented at the center to enable the enrollees to obtain the employment opportunities; and

“(2) to meet at least once a year to re-evaluate the labor market information, and other relevant information, to determine any necessary changes in the career and technical education and training provided at the center.”.

SEC. 237. TECHNICAL ASSISTANCE.

Section 156 (29 U.S.C. 2896) is amended to read as follows:

“SEC. 156. TECHNICAL ASSISTANCE TO CENTERS.

“(a) IN GENERAL.—From the funds reserved under section 132(a)(3), the Secretary shall provide, directly or through grants, contracts, or other agreements or arrangements as the Secretary considers appropriate, technical assistance and training for the Job Corps program for the purposes of improving program quality.

“(b) ACTIVITIES.—In providing training and technical assistance and for allocating resources for such assistance, the Secretary shall—

“(1) assist entities, including those entities not currently operating a Job Corps center, in developing the application described in section 147(d);

“(2) assist Job Corps centers and programs in correcting deficiencies and violations under this subtitle;

“(3) assist Job Corps centers and programs in meeting or exceeding the indicators of performance described in paragraph (1) and (2) of section 159(c); and

“(4) assist Job Corps centers and programs in the development of sound management practices, including financial management procedures.”.

SEC. 238. SPECIAL PROVISIONS.

Section 158(c)(1) (29 U.S.C. 2989(c)(1)) is amended by striking “title II of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 et seq.)” and inserting “chapter 5 of title 40, United States Code.”.

SEC. 239. PERFORMANCE ACCOUNTABILITY AND MANAGEMENT.

Section 159 (29 U.S.C. 2899) is amended—

(1) in the section heading, by striking “MANAGEMENT INFORMATION” and inserting “PERFORMANCE ACCOUNTABILITY AND MANAGEMENT”;

(2) in subsection (a)(3), by inserting before the period at the end the following: “, or op-

erating costs for such centers result in a budgetary shortfall”;

(3) by striking subsections (c) through (g); and

(4) by inserting after subsection (b) the following:

“(c) INDICATORS OF PERFORMANCE.—

“(1) PRIMARY INDICATORS.—The annual primary indicators of performance for Job Corps centers shall include—

“(A) the percentage and number of enrollees who graduate from the Job Corps center;

“(B) the percentage and number of graduates who entered unsubsidized employment related to the career and technical education and training received through the Job Corps center, except that such calculation shall not include enrollment in education, the military, or volunteer service;

“(C) the percentage and number of graduates who obtained a recognized postsecondary credential, including an industry-recognized credential or a certificate from a registered apprenticeship program; and

“(D) the cost per successful performance outcome, which is calculated by comparing the number of graduates who were placed in unsubsidized employment or obtained a recognized postsecondary credential, including an industry-recognized credential, to total program costs, including all operations, construction, and administration costs at each Job Corps center.

“(2) SECONDARY INDICATORS.—The annual secondary indicators of performance for Job Corps centers shall include—

“(A) the percentage and number of graduates who entered unsubsidized employment not related to the career and technical education and training received through the Job Corps center;

“(B) the percentage and number of graduates who entered into postsecondary education;

“(C) the percentage and number of graduates who entered into the military;

“(D) the average wage of graduates who are in unsubsidized employment—

“(i) on the first day of employment; and

“(ii) 6 months after the first day;

“(E) the number and percentage of graduates who entered unsubsidized employment and were retained in the unsubsidized employment—

“(i) 6 months after the first day of employment; and

“(ii) 12 months after the first day of employment;

“(F) the percentage and number of enrollees compared to the percentage and number of enrollees the Secretary has established as targets in section 145(c)(1);

“(G) the cost per training slot, which is calculated by comparing the program's maximum number of enrollees that can be enrolled in a Job Corps center at any given time during the program year to the number of enrollees in the same program year; and

“(H) the number and percentage of former enrollees, including the number dismissed under the zero tolerance policy described in section 152(b).

“(3) INDICATORS OF PERFORMANCE FOR RECRUITERS.—The annual indicators of performance for recruiters shall include the measurements described in subparagraph (A) of paragraph (1) and subparagraphs (F), (G), and (H) of paragraph (2).

“(4) INDICATORS OF PERFORMANCE OF CAREER TRANSITION SERVICE PROVIDERS.—The annual indicators of performance of career transition service providers shall include the measurements described in subparagraphs (B) and (C) of paragraph (1) and subparagraphs (B), (C), (D), and (E) of paragraph (2).

“(d) ADDITIONAL INFORMATION.—The Secretary shall collect, and submit in the report described in subsection (f), information on

the performance of each Job Corps center, and the Job Corps program, regarding—

“(1) the number and percentage of former enrollees who obtained a regular secondary school diploma;

“(2) the number and percentage of former enrollees who entered unsubsidized employment;

“(3) the number and percentage of former enrollees who obtained a recognized postsecondary credential, including an industry-recognized credential;

“(4) the number and percentage of former enrollees who entered into military service; and

“(5) any additional information required by the Secretary.

“(e) METHODS.—The Secretary shall collect the information described in subsections (c) and (d), using methods described in section 136(f)(2) and consistent with State law, by entering into agreements with the States to access such data for Job Corps enrollees, former enrollees, and graduates.

“(f) TRANSPARENCY AND ACCOUNTABILITY.—

“(1) REPORT.—The Secretary shall collect and annually submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, and make available to the public by electronic means, a report containing—

“(A) information on the performance of each Job Corps center, and the Job Corps program, on the performance indicators described in paragraphs (1) and (2) of subsection (c);

“(B) a comparison of each Job Corps center, by rank, on the performance indicators described in paragraphs (1) and (2) of subsection (c);

“(C) a comparison of each Job Corps center, by rank, on the average performance of all primary indicators described in paragraph (1) of subsection (c);

“(D) information on the performance of the service providers described in paragraphs (3) and (4) of subsection (c) on the performance indicators established under such paragraphs; and

“(E) a comparison of each service provider, by rank, on the performance of all service providers described in paragraphs (3) and (4) of subsection (c) on the performance indicators established under such paragraphs.

“(2) ASSESSMENT.—The Secretary shall conduct an annual assessment of the performance of each Job Corps center which shall include information on the Job Corps centers that—

“(A) are ranked in the bottom 10 percent on the performance indicator described in paragraph (1)(C); or

“(B) have failed a safety and health code review described in subsection (g).

“(3) PERFORMANCE IMPROVEMENT.—With respect to a Job Corps center that is identified under paragraph (2) or reports less than 50 percent on the performance indicators described in subparagraph (A), (B), or (C) of subsection (c)(1), the Secretary shall develop and implement a 1 year performance improvement plan. Such a plan shall require action including—

“(A) providing technical assistance to the center;

“(B) changing the management staff of the center;

“(C) replacing the operator of the center;

“(D) reducing the capacity of the center; or

“(E) closing the center.

“(4) CLOSURE OF JOB CORPS CENTERS.—Job Corps centers that have been identified under paragraph (2) for more than 4 consecutive years shall be closed. The Secretary shall ensure—

“(A) that the proposed decision to close the center is announced in advance to the

general public through publication in the Federal Register and other appropriate means; and

“(B) the establishment of a reasonable comment period, not to exceed 30 days, for interested individuals to submit written comments to the Secretary.

“(g) PARTICIPANT HEALTH AND SAFETY.—The Secretary shall enter into an agreement with the General Services Administration or the appropriate State agency responsible for inspecting public buildings and safeguarding the health of disadvantaged students, to conduct an in-person review of the physical condition and health-related activities of each Job Corps center annually. Such review shall include a passing rate of occupancy under Federal and State ordinances.”

CHAPTER 4—NATIONAL PROGRAMS

SEC. 241. TECHNICAL ASSISTANCE.

Section 170 (29 U.S.C. 2915) is amended—

(1) by striking subsection (b);

(2) by striking:

“(a) GENERAL TECHNICAL ASSISTANCE.—”;

(3) by redesignating paragraphs (1), (2), and (3) as subsections (a), (b), and (c) respectively, and moving such subsections 2 ems to the left, and conforming the casing style of the headings of such subsections to the casing style of the heading of subsection (d), as added by paragraph (7) of this section;

(4) in subsection (a) (as so redesignated)—

(A) by inserting “the training of staff providing rapid response services and additional assistance, the training of other staff of recipients of funds under this title, assistance regarding accounting and program operation practices (when such assistance would not be duplicative to assistance provided by the State), technical assistance to States that do not meet State performance measures described in section 136,” after “localities,”; and

(B) by striking “from carrying out activities” and all that follows up to the period and inserting “to implement the amendments made by the SKILLS Act”;

(5) in subsection (b) (as so redesignated)—

(A) by striking “paragraph (1)” and inserting “subsection (a)”;

(B) by striking “, or recipient of financial assistance under any of sections 166 through 169,”; and

(C) by striking “or grant recipient”;

(6) in subsection (c) (as so redesignated), by striking “paragraph (1)” and inserting “subsection (a)”;

(7) by inserting, after subsection (c) (as so redesignated), the following:

“(d) BEST PRACTICES COORDINATION.—The Secretary shall—

“(1) establish a system through which States may share information regarding best practices with regard to the operation of workforce investment activities under this Act; and

“(2) evaluate and disseminate information regarding best practices and identify knowledge gaps.”

SEC. 242. EVALUATIONS.

Section 172 (29 U.S.C. 2917) is amended—

(1) in subsection (a), by striking “the Secretary shall provide for the continuing evaluation of the programs and activities, including those programs and activities carried out under section 171” and inserting “the Secretary, through grants, contracts, or cooperative agreements, shall conduct, at least once every 5 years, an independent evaluation of the programs and activities funded under this Act”;

(2) by amending subsection (a)(4) to read as follows:

“(4) the impact of receiving services and not receiving services under such programs and activities on the community, businesses, and individuals;”;

(3) by amending subsection (c) to read as follows:

“(c) TECHNIQUES.—Evaluations conducted under this section shall utilize appropriate and rigorous methodology and research designs, including the use of control groups chosen by scientific random assignment methodologies, quasi-experimental methods, impact analysis and the use of administrative data. The Secretary shall conduct an impact analysis, as described in subsection (a)(4), of the formula grant program under subtitle B not later than 2016, and thereafter shall conduct such an analysis not less than once every 4 years.”;

(4) in subsection (e), by striking “the Committee on Labor and Human Resources of the Senate” and inserting “the Committee on Health, Education, Labor, and Pensions of the Senate”;

(5) by redesignating subsection (f) as subsection (g) and inserting after subsection (e) the following:

“(f) REDUCTION OF AMOUNTS AUTHORIZED TO BE APPROPRIATED FOR LATE REPORTING.—If a report required to be transmitted to Congress under this section is not transmitted on or before the time period specified for that report, amounts authorized to be appropriated under this title shall be reduced by 10 percent for the fiscal year that begins after the date on which the final report required under this section is required to be transmitted and reduced by an additional 10 percent each subsequent fiscal year until each such report is transmitted to Congress.”; and

(6) by adding at the end, the following:

“(h) PUBLIC AVAILABILITY.—The results of the evaluations conducted under this section shall be made publicly available, including by posting such results on the Department’s website.”

CHAPTER 5—ADMINISTRATION

SEC. 246. REQUIREMENTS AND RESTRICTIONS.

Section 181 (29 U.S.C. 2931) is amended—

(1) in subsection (b)(6), by striking “, including representatives of businesses and of labor organizations,”;

(2) in subsection (c)(2)(A), in the matter preceding clause (i), by striking “shall” and inserting “may”;

(3) in subsection (e)—

(A) by striking “training for” and inserting “the entry into employment, retention in employment, or increases in earnings of”;

(B) by striking “subtitle B” and inserting “this Act”;

(4) in subsection (f)(4), by striking “134(a)(3)(B)” and inserting “133(a)(4)”;

(5) by adding at the end the following:

“(g) SALARY AND BONUS LIMITATION.—

“(1) IN GENERAL.—No funds provided under this title shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of the rate prescribed in level II of the Executive Schedule under section 5315 of title 5, United States Code.

“(2) VENDORS.—The limitation described in paragraph (1) shall not apply to vendors providing goods and services as defined in OMB Circular A–133.

“(3) LOWER LIMIT.—In a case in which a State is a recipient of such funds, the State may establish a lower limit than is provided in paragraph (1) for salaries and bonuses of those receiving salaries and bonuses from a subrecipient of such funds, taking into account factors including the relative cost of living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer the Federal programs involved.

“(h) GENERAL AUTHORITY.—

“(1) IN GENERAL.—The Employment and Training Administration of the Department of Labor (referred to in this Act as the ‘Administration’) shall administer all programs authorized under title I and the Wagner-Peyser Act (29 U.S.C. 49 et seq.). The Administration shall be headed by an Assistant Secretary appointed by the President by and with the advice and consent of the Senate. Except for title II and the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the Administration shall be the principal agency, and the Assistant Secretary shall be the principal officer, of such Department for carrying out this Act.

“(2) QUALIFICATIONS.—The Assistant Secretary shall be an individual with substantial experience in workforce development and in workforce development management. The Assistant Secretary shall also, to the maximum extent possible, possess knowledge and have worked in or with the State or local workforce investment system or have been a member of the business community.

“(3) FUNCTIONS.—In the performance of the functions of the office, the Assistant Secretary shall be directly responsible to the Secretary or the Deputy Secretary of Labor, as determined by the Secretary. The functions of the Assistant Secretary shall not be delegated to any officer not directly responsible, both with respect to program operation and administration, to the Assistant Secretary. Any reference in this Act to duties to be carried out by the Assistant Secretary shall be considered to be a reference to duties to be carried out by the Secretary acting through the Assistant Secretary.”

SEC. 247. PROMPT ALLOCATION OF FUNDS.

Section 182 (29 U.S.C. 2932) is amended—

(1) in subsection (c)—

(A) by striking “127 or”;

(B) by striking “, except that” and all that follows and inserting a period; and

(2) in subsection (e)—

(A) by striking “sections 128 and 133” and inserting “section 133”; and

(B) by striking “127 or”.

SEC. 248. FISCAL CONTROLS; SANCTIONS.

Section 184(a)(2) (29 U.S.C. 2934(a)(2)) is amended—

(1) by striking “(A)” and all that follows through “Each” and inserting “Each”; and

(2) by striking subparagraph (B).

SEC. 249. REPORTS TO CONGRESS.

Section 185 (29 U.S.C. 2935) is amended—

(1) in subsection (c)—

(A) in paragraph (2), by striking “and” after the semicolon;

(B) in paragraph (3), by striking the period and inserting “; and”;

(C) by adding at the end the following:

“(4) shall have the option to submit or disseminate electronically any reports, records, plans, or other data that are required to be collected or disseminated under this title.”; and

(2) in subsection (e)(2), by inserting “and the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate,” after “Secretary.”

SEC. 250. ADMINISTRATIVE PROVISIONS.

Section 189 (29 U.S.C. 2939) is amended—

(1) in subsection (g)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—Appropriations for any fiscal year for programs and activities carried out under this title shall be available for obligation only on the basis of a program year. The program year shall begin on October 1 in the fiscal year for which the appropriation is made.”; and

(B) in paragraph (2)—

(i) in the first sentence, by striking “each State” and inserting “each recipient (except

as otherwise provided in this paragraph); and

(i) in the second sentence, by striking “171 or”;

(2) in subsection (i)—

(A) by striking paragraphs (2) and (3);

(B) by redesignating paragraph (4) as paragraph (2);

(C) by amending paragraph (2)(A), as so redesignated—

(i) in clause (i), by striking “; and” and inserting a period at the end;

(ii) by striking “requirements of subparagraph (B)” and all that follows through “any of the statutory or regulatory requirements of subtitle B” and inserting “requirements of subparagraph (B) or (D), any of the statutory or regulatory requirements of subtitle B”; and

(iii) by striking clause (ii); and

(D) by adding at the end the following:

“(D) EXPEDITED PROCESS FOR EXTENDING APPROVED WAIVERS TO ADDITIONAL STATES.—The Secretary may establish an expedited procedure for the purpose of extending to additional States the waiver of statutory or regulatory requirements that have been approved for a State pursuant to a request under subparagraph (B), in lieu of requiring the additional States to meet the requirements of subparagraphs (B) and (C). Such procedure shall ensure that the extension of such a waiver to additional States is accompanied by appropriate conditions relating to the implementation of such waiver.

“(E) EXTERNAL CONDITIONS.—The Secretary shall not require or impose new or additional requirements, that are not specified under this Act, on a State in exchange for providing a waiver to the State or a local area in the State under this paragraph.”.

SEC. 251. STATE LEGISLATIVE AUTHORITY.

Section 191(a) (29 U.S.C. 2941(a)) is amended—

(1) by striking “consistent with the provisions of this title” and inserting “consistent with State law and the provisions of this title”; and

(2) by striking “consistent with the terms and conditions required under this title” and inserting “consistent with State law and the terms and conditions required under this title”.

SEC. 252. GENERAL PROGRAM REQUIREMENTS.

Section 195 (29 U.S.C. 2945) is amended—

(1) in paragraph (7), by inserting at the end the following:

“(D) Funds received under a program by a public or private nonprofit entity that are not described in subparagraph (B), such as funds privately raised from philanthropic foundations, businesses, or other private entities, shall not be considered to be income under this title and shall not be subject to the requirements of this paragraph.”;

(2) by striking paragraph (9);

(3) by redesignating paragraphs (10) through (13) as paragraphs (9) through (12), respectively;

(4) by adding at the end the following new paragraphs:

“(13) Funds provided under this title shall not be used to establish or operate stand-alone fee-for-service enterprises that compete with private sector employment agencies within the meaning of section 701(c) of the Civil Rights Act of 1964 (42 U.S.C. 2000e(c)), except that for purposes of this paragraph, such an enterprise does not include a one-stop center.

“(14) Any report required to be submitted to Congress, or to a Committee of Congress, under this title shall be submitted to both the chairmen and ranking minority members of the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.”.

SEC. 253. FEDERAL AGENCY STAFF AND RESTRICTIONS ON POLITICAL AND LOBBYING ACTIVITIES.

Subtitle E of title I (29 U.S.C. 2931 et seq.) is amended by adding at the end the following new sections:

“SEC. 196. FEDERAL AGENCY STAFF.

“The Director of the Office of Management and Budget shall—

“(1) not later than 60 days after the date of the enactment of the SKILLS Act—

“(A) identify the number of Federal government employees who, on the day before the date of enactment of the SKILLS Act, worked on or administered each of the programs and activities that were authorized under this Act or were authorized under a provision listed in section 401 of the SKILLS Act; and

“(B) identify the number of full-time equivalent employees who on the day before that date of enactment, worked on or administered each of the programs and activities described in subparagraph (A), on functions for which the authorizing provision has been repealed, or for which an amount has been consolidated (if such employee is in a duplicate position), on or after such date of enactment;

“(2) not later than 90 after such date of enactment, publish the information described in paragraph (1) on the Office of Management and Budget website; and

“(3) not later than 1 year after such date of enactment—

“(A) reduce the workforce of the Federal Government by the number of full-time equivalent employees identified under paragraph (1)(B); and

“(B) submit to Congress a report on how the Director carried out the requirements of subparagraph (A).”.

“SEC. 197. RESTRICTIONS ON LOBBYING AND POLITICAL ACTIVITIES.

“(a) LOBBYING RESTRICTIONS.—

“(1) PUBLICITY RESTRICTIONS.—

“(A) IN GENERAL.—Subject to subparagraph (B), no funds provided under this Act shall be used or proposed for use, for—

“(i) publicity or propaganda purposes; or

“(ii) the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body.

“(B) EXCEPTION.—Subparagraph (A) shall not apply to—

“(i) normal and recognized executive-legislative relationships;

“(ii) the preparation, distribution, or use of the materials described in subparagraph (A)(i) in presentation to the Congress or any State or local legislature or legislative body (except that this subparagraph does not apply with respect to such preparation, distribution, or use in presentation to the executive branch of any State or local government); or

“(iii) such preparation, distribution, or use of such materials, that are designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government.

“(2) SALARY PAYMENT RESTRICTION.—No funds provided under this Act shall be used, or proposed for use, to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment or issuance of legislation, appropriations, regulations, administrative action, or an executive order proposed or pending before the Congress or any State government, or a State or local legislature or legislative body, other than for normal and recognized

executive-legislative relationships or participation by an agency or officer of a State, local, or tribal government in policymaking and administrative processes within the executive branch of that government.

“(b) POLITICAL RESTRICTIONS.—

“(1) IN GENERAL.—No funds received by a participant of a program or activity under this Act shall be used for—

“(A) any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office; or

“(B) any activity to provide voters with transportation to the polls or similar assistance in connection with any such election.

“(2) RESTRICTION ON VOTER REGISTRATION ACTIVITIES.—No funds under this Act shall be used to conduct voter registration activities.

“(3) DEFINITION.—For the purposes of this subsection, the term ‘participant’ includes any State, local area, or government, nonprofit, or for-profit entity receiving funds under this Act.”.

CHAPTER 6—STATE UNIFIED PLAN

SEC. 256. STATE UNIFIED PLAN.

Section 501 (20 U.S.C. 9271) is amended—

(1) by amending subsection (a) to read as follows:

“(a) GENERAL AUTHORITY.—The Secretary shall receive and approve State unified plans developed and submitted in accordance with this section.”;

(2) by amending subsection (b) to read as follows:

“(b) STATE UNIFIED PLAN.—

“(1) IN GENERAL.—A State may develop and submit to the Secretary a State unified plan for 2 or more of the activities or programs set forth in paragraph (2). The State unified plan shall cover one or more of the activities or programs set forth in subparagraphs (A) and (B) of paragraph (2) and shall cover one or more of the activities or programs set forth in subparagraphs (C) through (N) of paragraph (2).

“(2) ACTIVITIES AND PROGRAMS.—For purposes of paragraph (1), the term ‘activity or program’ means any 1 of the following 14 activities or programs:

“(A) Activities and programs authorized under title I.

“(B) Activities and programs authorized under title II.

“(C) Programs authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 710 et seq.).

“(D) Secondary career and technical education programs authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

“(E) Postsecondary career and technical education programs authorized under the Carl D. Perkins Career and Technical Education Act of 2006.

“(F) Activities and programs authorized under title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.).

“(G) Programs and activities authorized under the Act of August 16, 1937 (commonly known as the ‘National Apprenticeship Act’; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

“(H) Programs authorized under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.).

“(I) Programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

“(J) Programs authorized under State unemployment compensation laws (in accordance with applicable Federal law).

“(K) Work programs authorized under section 6(o) of the Food and Nutrition Act of 1977 (7 U.S.C. 2015(o)).

“(L) Activities and programs authorized under title I of the Housing and Community

Development Act of 1974 (42 U.S.C. 5301 et seq.).

“(M) Activities and programs authorized under the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.).

“(N) Activities authorized under chapter 41 of title 38, United States Code.”;

(3) by amending subsection (d) to read as follows:

“(d) APPROVAL.—

“(1) JURISDICTION.—In approving a State unified plan under this section, the Secretary shall—

“(A) submit the portion of the State unified plan covering an activity or program described in subsection (b)(2) to the head of the Federal agency who exercises administrative authority over the activity or program for the approval of such portion by such Federal agency head; or

“(B) coordinate approval of the portion of the State unified plan covering an activity or program described in subsection (b)(2) with the head of the Federal agency who exercises administrative authority over the activity or program.

“(2) TIMELINE.—A State unified plan shall be considered to be approved by the Secretary at the end of the 90-day period beginning on the day the Secretary receives the plan, unless the Secretary makes a written determination, during the 90-day period, that details how the plan is not consistent with the requirements of the Federal statute authorizing an activity or program described in subsection (b)(2) and covered under the plan or how the plan is not consistent with the requirements of subsection (c)(3).

“(3) SCOPE OF PORTION.—For purposes of paragraph (1), the portion of the State unified plan covering an activity or program shall be considered to include the plan described in subsection (c)(3) and any proposal described in subsection (e)(2), as that part and proposal relate to the activity or program.”; and

(4) by adding at the end the following:

“(e) ADDITIONAL EMPLOYMENT AND TRAINING FUNDS.—

“(1) PURPOSE.—It is the purpose of this subsection to reduce inefficiencies in the administration of federally funded State and local employment and training programs.

“(2) IN GENERAL.—In developing a State unified plan for the activities or programs described in subsection (b)(2), and subject to paragraph (4) and to the State plan approval process under subsection (d), a State may propose to consolidate the amount, in whole or part, provided for the activities or programs covered by the plan into the Workforce Investment Fund under section 132(b) to improve the administration of State and local employment and training programs.

“(3) REQUIREMENTS.—A State that has a State unified plan approved under subsection (d) with a proposal for consolidation under paragraph (2), and that is carrying out such consolidation, shall—

“(A) in providing an activity or program for which an amount is consolidated into the Workforce Investment Fund—

“(i) continue to meet the program requirements, limitations, and prohibitions of any Federal statute authorizing the activity or program; and

“(ii) meet the intent and purpose for the activity or program; and

“(B) continue to make reservations and allotments under subsections (a) and (b) of section 133.

“(4) EXCEPTIONS.—A State may not consolidate an amount under paragraph (2) that is allocated to the State under—

“(A) the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.); or

“(B) title I of the Rehabilitation Act of 1973 (29 U.S.C. 710 et seq.).”.

Subtitle B—Adult Education and Family Literacy Education

SEC. 261. AMENDMENT.

Title II (20 U.S.C. 9201 et seq.) is amended to read as follows:

“TITLE II—ADULT EDUCATION AND FAMILY LITERACY EDUCATION

“SEC. 201. SHORT TITLE.

“This title may be cited as the ‘Adult Education and Family Literacy Education Act’.

“SEC. 202. PURPOSE.

“It is the purpose of this title to provide instructional opportunities for adults seeking to improve their literacy skills, including their basic reading, writing, speaking, and mathematics skills, and support States and local communities in providing, on a voluntary basis, adult education and family literacy education programs, in order to—

“(1) increase the literacy of adults, including the basic reading, writing, speaking, and mathematics skills, to a level of proficiency necessary for adults to obtain employment and self-sufficiency and to successfully advance in the workforce;

“(2) assist adults in the completion of a secondary school education (or its equivalent) and the transition to a postsecondary educational institution;

“(3) assist adults who are parents to enable them to support the educational development of their children and make informed choices regarding their children’s education including, through instruction in basic reading, writing, speaking, and mathematics skills; and

“(4) assist adults who are not proficient in English in improving their reading, writing, speaking, listening, comprehension, and mathematics skills.

“SEC. 203. DEFINITIONS.

“In this title:

“(1) ADULT EDUCATION AND FAMILY LITERACY EDUCATION PROGRAMS.—The term ‘adult education and family literacy education programs’ means a sequence of academic instruction and educational services below the postsecondary level that increase an individual’s ability to read, write, and speak English and perform mathematical computations leading to a level of proficiency equivalent to at least a secondary school completion that is provided for individuals—

“(A) who are at least 16 years of age;

“(B) who are not enrolled or required to be enrolled in secondary school under State law; and

“(C) who—

“(i) lack sufficient mastery of basic reading, writing, speaking, and mathematics skills to enable the individuals to function effectively in society;

“(ii) do not have a secondary school diploma or its equivalent and have not achieved an equivalent level of education; or

“(iii) are English learners.

“(2) ELIGIBLE AGENCY.—The term ‘eligible agency’—

“(A) means the primary entity or agency in a State or an outlying area responsible for administering or supervising policy for adult education and family literacy education programs in the State or outlying area, respectively, consistent with the law of the State or outlying area, respectively; and

“(B) may be the State educational agency, the State agency responsible for administering workforce investment activities, or the State agency responsible for administering community or technical colleges.

“(3) ELIGIBLE PROVIDER.—The term ‘eligible provider’ means an organization of demonstrated effectiveness that is—

“(A) a local educational agency;

“(B) a community-based or faith-based organization;

“(C) a volunteer literacy organization;

“(D) an institution of higher education;

“(E) a public or private educational agency;

“(F) a library;

“(G) a public housing authority;

“(H) an institution that is not described in any of subparagraphs (A) through (G) and has the ability to provide adult education, basic skills, and family literacy education programs to adults and families; or

“(I) a consortium of the agencies, organizations, institutions, libraries, or authorities described in any of subparagraphs (A) through (H).

“(4) ENGLISH LANGUAGE ACQUISITION PROGRAM.—The term ‘English language acquisition program’ means a program of instruction—

“(A) designed to help English learners achieve competence in reading, writing, speaking, and comprehension of the English language; and

“(B) that may lead to—

“(i) attainment of a secondary school diploma or its recognized equivalent;

“(ii) transition to success in postsecondary education and training; and

“(iii) employment or career advancement.

“(5) FAMILY LITERACY EDUCATION PROGRAM.—The term ‘family literacy education program’ means an educational program that—

“(A) assists parents and students, on a voluntary basis, in achieving the purpose of this title as described in section 202; and

“(B) is of sufficient intensity in terms of hours and of sufficient quality to make sustainable changes in a family, is evidence-based, and, for the purpose of substantially increasing the ability of parents and children to read, write, and speak English, integrates—

“(i) interactive literacy activities between parents and their children;

“(ii) training for parents regarding how to be the primary teacher for their children and full partners in the education of their children;

“(iii) parent literacy training that leads to economic self-sufficiency; and

“(iv) an age-appropriate education to prepare children for success in school and life experiences.

“(6) GOVERNOR.—The term ‘Governor’ means the chief executive officer of a State or outlying area.

“(7) INDIVIDUAL WITH A DISABILITY.—

“(A) IN GENERAL.—The term ‘individual with a disability’ means an individual with any disability (as defined in section 3 of the Americans with Disabilities Act of 1990).

“(B) INDIVIDUALS WITH DISABILITIES.—The term ‘individuals with disabilities’ means more than one individual with a disability.

“(8) ENGLISH LEARNER.—The term ‘English learner’ means an adult or out-of-school youth who has limited ability in reading, writing, speaking, or understanding the English language, and—

“(A) whose native language is a language other than English; or

“(B) who lives in a family or community environment where a language other than English is the dominant language.

“(9) INTEGRATED EDUCATION AND TRAINING.—The term ‘integrated education and training’ means services that provide adult education and literacy activities contextually and concurrently with workforce preparation activities and workforce training for a specific occupation or occupational cluster. Such services may include offering adult education services concurrent with

postsecondary education and training, including through co-instruction.

“(10) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965.

“(11) LITERACY.—The term ‘literacy’ means an individual’s ability to read, write, and speak in English, compute, and solve problems at a level of proficiency necessary to obtain employment and to successfully make the transition to postsecondary education.

“(12) LOCAL EDUCATIONAL AGENCY.—The term ‘local educational agency’ has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.

“(13) OUTLYING AREA.—The term ‘outlying area’ has the meaning given the term in section 101 of this Act.

“(14) POSTSECONDARY EDUCATIONAL INSTITUTION.—The term ‘postsecondary educational institution’ means—

“(A) an institution of higher education that provides not less than a 2-year program of instruction that is acceptable for credit toward a bachelor’s degree;

“(B) a tribally controlled community college; or

“(C) a nonprofit educational institution offering certificate or apprenticeship programs at the postsecondary level.

“(15) SECRETARY.—The term ‘Secretary’ means the Secretary of Education.

“(16) STATE.—The term ‘State’ means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

“(17) STATE EDUCATIONAL AGENCY.—The term ‘State educational agency’ has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.

“(18) WORKPLACE LITERACY PROGRAM.—The term ‘workplace literacy program’ means an educational program that is offered in collaboration between eligible providers and employers or employee organizations for the purpose of improving the productivity of the workforce through the improvement of reading, writing, speaking, and mathematics skills.

“SEC. 204. HOME SCHOOLS.

“Nothing in this title shall be construed to affect home schools, whether or not a home school is treated as a home school or a private school under State law, or to compel a parent engaged in home schooling to participate in adult education and family literacy education activities under this title.

“SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this title, \$606,294,933 for fiscal year 2015 and for each of the 6 succeeding fiscal years.

“Subtitle A—Federal Provisions

“SEC. 211. RESERVATION OF FUNDS; GRANTS TO ELIGIBLE AGENCIES; ALLOTMENTS.

“(a) RESERVATION OF FUNDS.—From the sums appropriated under section 205 for a fiscal year, the Secretary shall reserve 2.0 percent to carry out section 242.

“(b) GRANTS TO ELIGIBLE AGENCIES.—

“(1) IN GENERAL.—From the sums appropriated under section 205 and not reserved under subsection (a) for a fiscal year, the Secretary shall award a grant to each eligible agency having a State plan approved under section 224 in an amount equal to the sum of the initial allotment under subsection (c)(1) and the additional allotment under subsection (c)(2) for the eligible agency for the fiscal year, subject to subsections (f) and (g).

“(2) PURPOSE OF GRANTS.—The Secretary may award a grant under paragraph (1) only if the eligible agency involved agrees to ex-

pend the grant in accordance with the provisions of this title.

“(c) ALLOTMENTS.—

“(1) INITIAL ALLOTMENTS.—From the sums appropriated under section 205 and not reserved under subsection (a) for a fiscal year, the Secretary shall allot to each eligible agency having a State plan approved under section 224—

“(A) \$100,000, in the case of an eligible agency serving an outlying area; and

“(B) \$250,000, in the case of any other eligible agency.

“(2) ADDITIONAL ALLOTMENTS.—From the sums appropriated under section 205, not reserved under subsection (a), and not allotted under paragraph (1), for a fiscal year, the Secretary shall allot to each eligible agency that receives an initial allotment under paragraph (1) an additional amount that bears the same relationship to such sums as the number of qualifying adults in the State or outlying area served by the eligible agency bears to the number of such adults in all States and outlying areas.

“(d) QUALIFYING ADULT.—For the purpose of subsection (c)(2), the term ‘qualifying adult’ means an adult who—

“(1) is at least 16 years of age;

“(2) is beyond the age of compulsory school attendance under the law of the State or outlying area;

“(3) does not have a secondary school diploma or its recognized equivalent; and

“(4) is not enrolled in secondary school.

“(e) SPECIAL RULE.—

“(1) IN GENERAL.—From amounts made available under subsection (c) for the Republic of Palau, the Secretary shall award grants to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the Republic of Palau to carry out activities described in this title in accordance with the provisions of this title as determined by the Secretary.

“(2) TERMINATION OF ELIGIBILITY.—Notwithstanding any other provision of law, the Republic of Palau shall be eligible to receive a grant under this title until an agreement for the extension of United States education assistance under the Compact of Free Association for the Republic of Palau becomes effective.

“(f) HOLD-HARMLESS PROVISIONS.—

“(1) IN GENERAL.—Notwithstanding subsection (c) and subject to paragraph (2), for—

“(A) fiscal year 2015, no eligible agency shall receive an allotment under this title that is less than 90 percent of the allotment the eligible agency received for fiscal year 2012 under this title; and

“(B) fiscal year 2016 and each succeeding fiscal year, no eligible agency shall receive an allotment under this title that is less than 90 percent of the allotment the eligible agency received for the preceding fiscal year under this title.

“(2) RATABLE REDUCTION.—If, for any fiscal year the amount available for allotment under this title is insufficient to satisfy the provisions of paragraph (1), the Secretary shall ratable reduce the payments to all eligible agencies, as necessary.

“(g) REALLOTMENT.—The portion of any eligible agency’s allotment under this title for a fiscal year that the Secretary determines will not be required for the period such allotment is available for carrying out activities under this title, shall be available for reallocation from time to time, on such dates during such period as the Secretary shall fix, to other eligible agencies in proportion to the original allotments to such agencies under this title for such year.

“SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.

“Programs and activities authorized under this title are subject to the performance ac-

countability provisions described in paragraph (2)(A) and (3) of section 136(b) and may, at a State’s discretion, include additional indicators identified in the State plan approved under section 224.

“Subtitle B—State Provisions

“SEC. 221. STATE ADMINISTRATION.

“Each eligible agency shall be responsible for the following activities under this title:

“(1) The development, submission, implementation, and monitoring of the State plan.

“(2) Consultation with other appropriate agencies, groups, and individuals that are involved in, or interested in, the development and implementation of activities assisted under this title.

“(3) Coordination and avoidance of duplication with other Federal and State education, training, corrections, public housing, and social service programs.

“SEC. 222. STATE DISTRIBUTION OF FUNDS; MATCHING REQUIREMENT.

“(a) STATE DISTRIBUTION OF FUNDS.—Each eligible agency receiving a grant under this title for a fiscal year—

“(1) shall use not less than 82.5 percent of the grant funds to award grants and contracts under section 231 and to carry out section 225, of which not more than 10 percent of such amount shall be available to carry out section 225;

“(2) shall use not more than 12.5 percent of the grant funds to carry out State leadership activities under section 223; and

“(3) shall use not more than 5 percent of the grant funds, or \$65,000, whichever is greater, for the administrative expenses of the eligible agency.

“(b) MATCHING REQUIREMENT.—

“(1) IN GENERAL.—In order to receive a grant from the Secretary under section 211(b), each eligible agency shall provide, for the costs to be incurred by the eligible agency in carrying out the adult education and family literacy education programs for which the grant is awarded, a non-Federal contribution in an amount that is not less than—

“(A) in the case of an eligible agency serving an outlying area, 12 percent of the total amount of funds expended for adult education and family literacy education programs in the outlying area, except that the Secretary may decrease the amount of funds required under this subparagraph for an eligible agency; and

“(B) in the case of an eligible agency serving a State, 25 percent of the total amount of funds expended for adult education and family literacy education programs in the State.

“(2) NON-FEDERAL CONTRIBUTION.—An eligible agency’s non-Federal contribution required under paragraph (1) may be provided in cash or in kind, fairly evaluated, and shall include only non-Federal funds that are used for adult education and family literacy education programs in a manner that is consistent with the purpose of this title.

“SEC. 223. STATE LEADERSHIP ACTIVITIES.

“(a) IN GENERAL.—Each eligible agency may use funds made available under section 222(a)(2) for any of the following adult education and family literacy education programs:

“(1) The establishment or operation of professional development programs to improve the quality of instruction provided pursuant to local activities required under section 231(b).

“(2) The provision of technical assistance to eligible providers of adult education and family literacy education programs, including for the development and dissemination of evidence based research instructional practices in reading, writing, speaking, mathematics, and English language acquisition programs.

“(3) The provision of assistance to eligible providers in developing, implementing, and reporting measurable progress in achieving the objectives of this title.

“(4) The monitoring and evaluation of the quality of, and the improvement in, adult education and literacy activities.

“(5) The provision of technology assistance, including staff training, to eligible providers of adult education and family literacy education programs, including distance education activities, to enable the eligible providers to improve the quality of such activities.

“(6) The development and implementation of technology applications or distance education, including professional development to support the use of instructional technology.

“(7) Coordination with other public programs, including programs under title I of this Act, and other welfare-to-work, workforce development, and job training programs.

“(8) Coordination with existing support services, such as transportation, child care, and other assistance designed to increase rates of enrollment in, and successful completion of, adult education and family literacy education programs, for adults enrolled in such activities.

“(9) The development and implementation of a system to assist in the transition from adult basic education to postsecondary education.

“(10) Activities to promote workplace literacy programs.

“(11) Other activities of statewide significance, including assisting eligible providers in achieving progress in improving the skill levels of adults who participate in programs under this title.

“(12) Integration of literacy, instructional, and occupational skill training and promotion of linkages with employees.

“(b) COORDINATION.—In carrying out this section, eligible agencies shall coordinate where possible, and avoid duplicating efforts, in order to maximize the impact of the activities described in subsection (a).

“(c) STATE-IMPOSED REQUIREMENTS.—Whenever a State or outlying area implements any rule or policy relating to the administration or operation of a program authorized under this title that has the effect of imposing a requirement that is not imposed under Federal law (including any rule or policy based on a State or outlying area interpretation of a Federal statute, regulation, or guideline), the State or outlying area shall identify, to eligible providers, the rule or policy as being imposed by the State or outlying area.

“SEC. 224. STATE PLAN.

“(a) 3-YEAR PLANS.—

“(1) IN GENERAL.—Each eligible agency desiring a grant under this title for any fiscal year shall submit to, or have on file with, the Secretary a 3-year State plan.

“(2) STATE UNIFIED PLAN.—The eligible agency may submit the State plan as part of a State unified plan described in section 501.

“(b) PLAN CONTENTS.—The eligible agency shall include in the State plan or any revisions to the State plan—

“(1) an objective assessment of the needs of individuals in the State or outlying area for adult education and family literacy education programs, including individuals most in need or hardest to serve;

“(2) a description of the adult education and family literacy education programs that will be carried out with funds received under this title;

“(3) an assurance that the funds received under this title will not be expended for any purpose other than for activities under this title;

“(4) a description of how the eligible agency will annually evaluate and measure the effectiveness and improvement of the adult education and family literacy education programs funded under this title using the indicators of performance described in section 136, including how the eligible agency will conduct such annual evaluations and measures for each grant received under this title;

“(5) a description of how the eligible agency will fund local activities in accordance with the measurable goals described in section 231(d);

“(6) an assurance that the eligible agency will expend the funds under this title only in a manner consistent with fiscal requirements in section 241;

“(7) a description of the process that will be used for public participation and comment with respect to the State plan, which—

“(A) shall include consultation with the State workforce investment board, the State board responsible for administering community or technical colleges, the Governor, the State educational agency, the State board or agency responsible for administering block grants for temporary assistance to needy families under title IV of the Social Security Act, the State council on disabilities, the State vocational rehabilitation agency, and other State agencies that promote the improvement of adult education and family literacy education programs, and direct providers of such programs; and

“(B) may include consultation with the State agency on higher education, institutions responsible for professional development of adult education and family literacy education programs instructors, representatives of business and industry, refugee assistance programs, and faith-based organizations;

“(8) a description of the eligible agency's strategies for serving populations that include, at a minimum—

“(A) low-income individuals;

“(B) individuals with disabilities;

“(C) the unemployed;

“(D) the underemployed; and

“(E) individuals with multiple barriers to educational enhancement, including English learners;

“(9) a description of how the adult education and family literacy education programs that will be carried out with any funds received under this title will be integrated with other adult education, career development, and employment and training activities in the State or outlying area served by the eligible agency;

“(10) a description of the steps the eligible agency will take to ensure direct and equitable access, as required in section 231(c)(1), including—

“(A) how the State will build the capacity of community-based and faith-based organizations to provide adult education and family literacy education programs; and

“(B) how the State will increase the participation of business and industry in adult education and family literacy education programs;

“(11) an assessment of the adequacy of the system of the State or outlying area to ensure teacher quality and a description of how the State or outlying area will use funds received under this subtitle to improve teacher quality, including evidence-based professional development to improve instruction; and

“(12) a description of how the eligible agency will consult with any State agency responsible for postsecondary education to develop adult education that prepares students to enter postsecondary education without the need for remediation upon completion of secondary school equivalency programs.

“(c) PLAN REVISIONS.—When changes in conditions or other factors require substantial revisions to an approved State plan, the eligible agency shall submit the revisions of the State plan to the Secretary.

“(d) CONSULTATION.—The eligible agency shall—

“(1) submit the State plan, and any revisions to the State plan, to the Governor, the chief State school officer, or the State officer responsible for administering community or technical colleges, or outlying area for review and comment; and

“(2) ensure that any comments regarding the State plan by the Governor, the chief State school officer, or the State officer responsible for administering community or technical colleges, and any revision to the State plan, are submitted to the Secretary.

“(e) PLAN APPROVAL.—The Secretary shall—

“(1) approve a State plan within 90 days after receiving the plan unless the Secretary makes a written determination within 30 days after receiving the plan that the plan does not meet the requirements of this section or is inconsistent with specific provisions of this subtitle; and

“(2) not finally disapprove of a State plan before offering the eligible agency the opportunity, prior to the expiration of the 30-day period beginning on the date on which the eligible agency received the written determination described in paragraph (1), to review the plan and providing technical assistance in order to assist the eligible agency in meeting the requirements of this subtitle.

“SEC. 225. PROGRAMS FOR CORRECTIONS EDUCATION AND OTHER INSTITUTIONALIZED INDIVIDUALS.

“(a) PROGRAM AUTHORIZED.—From funds made available under section 222(a)(1) for a fiscal year, each eligible agency shall carry out corrections education and education for other institutionalized individuals.

“(b) USES OF FUNDS.—The funds described in subsection (a) shall be used for the cost of educational programs for criminal offenders in correctional institutions and for other institutionalized individuals, including academic programs for—

“(1) basic skills education;

“(2) special education programs as determined by the eligible agency;

“(3) reading, writing, speaking, and mathematics programs;

“(4) secondary school credit or diploma programs or their recognized equivalent; and

“(5) integrated education and training.

“(c) PRIORITY.—Each eligible agency that is using assistance provided under this section to carry out a program for criminal offenders within a correctional institution shall give priority to serving individuals who are likely to leave the correctional institution within 5 years of participation in the program.

“(d) DEFINITIONS.—In this section:

“(1) CORRECTIONAL INSTITUTION.—The term ‘correctional institution’ means any—

“(A) prison;

“(B) jail;

“(C) reformatory;

“(D) work farm;

“(E) detention center; or

“(F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders.

“(2) CRIMINAL OFFENDER.—The term ‘criminal offender’ means any individual who is charged with, or convicted of, any criminal offense.

“Subtitle C—Local Provisions

“SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS.

“(a) GRANTS AND CONTRACTS.—From grant funds made available under section 222(a)(1),

each eligible agency shall award multi-year grants or contracts, on a competitive basis, to eligible providers within the State or outlying area that meet the conditions and requirements of this title to enable the eligible providers to develop, implement, and improve adult education and family literacy education programs within the State.

“(b) **LOCAL ACTIVITIES.**—The eligible agency shall require eligible providers receiving a grant or contract under subsection (a) to establish or operate—

“(1) programs that provide adult education and literacy activities;

“(2) programs that provide integrated education and training activities; or

“(3) credit-bearing postsecondary coursework.

“(c) **DIRECT AND EQUITABLE ACCESS; SAME PROCESS.**—Each eligible agency receiving funds under this title shall ensure that—

“(1) all eligible providers have direct and equitable access to apply for grants or contracts under this section; and

“(2) the same grant or contract announcement process and application process is used for all eligible providers in the State or outlying area.

“(d) **MEASURABLE GOALS.**—The eligible agency shall require eligible providers receiving a grant or contract under subsection (a) to demonstrate—

“(1) the eligible provider's measurable goals for participant outcomes to be achieved annually on the core indicators of performance described in section 136(b)(2)(A);

“(2) the past effectiveness of the eligible provider in improving the basic academic skills of adults and, for eligible providers receiving grants in the prior year, the success of the eligible provider receiving funding under this title in exceeding its performance goals in the prior year;

“(3) the commitment of the eligible provider to serve individuals in the community who are the most in need of basic academic skills instruction services, including individuals with disabilities and individuals who are low-income or have minimal reading, writing, speaking, and mathematics skills, or are English learners;

“(4) the program is of sufficient intensity and quality for participants to achieve substantial learning gains;

“(5) educational practices are evidence-based;

“(6) the activities of the eligible provider effectively employ advances in technology, and delivery systems including distance education;

“(7) the activities provide instruction in real-life contexts, including integrated education and training when appropriate, to ensure that an individual has the skills needed to compete in the workplace and exercise the rights and responsibilities of citizenship;

“(8) the activities are staffed by well-trained instructors, counselors, and administrators who meet minimum qualifications established by the State;

“(9) the activities are coordinated with other available resources in the community, such as through strong links with elementary schools and secondary schools, postsecondary educational institutions, local workforce investment boards, one-stop centers, job training programs, community-based and faith-based organizations, and social service agencies;

“(10) the activities offer flexible schedules and support services (such as child care and transportation) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs;

“(11) the activities include a high-quality information management system that has the capacity to report measurable partici-

pant outcomes (consistent with section 136) and to monitor program performance;

“(12) the local communities have a demonstrated need for additional English language acquisition programs, and integrated education and training programs;

“(13) the capacity of the eligible provider to produce valid information on performance results, including enrollments and measurable participant outcomes;

“(14) adult education and family literacy education programs offer rigorous reading, writing, speaking, and mathematics content that are evidence based; and

“(15) applications of technology, and services to be provided by the eligible providers, are of sufficient intensity and duration to increase the amount and quality of learning and lead to measurable learning gains within specified time periods.

“(e) **SPECIAL RULE.**—Eligible providers may use grant funds under this title to serve children participating in family literacy programs assisted under this part, provided that other sources of funds available to provide similar services for such children are used first.

“SEC. 232. LOCAL APPLICATION.

“Each eligible provider desiring a grant or contract under this title shall submit an application to the eligible agency containing such information and assurances as the eligible agency may require, including—

“(1) a description of how funds awarded under this title will be spent consistent with the requirements of this title;

“(2) a description of any cooperative arrangements the eligible provider has with other agencies, institutions, or organizations for the delivery of adult education and family literacy education programs; and

“(3) each of the demonstrations required by section 231(d).

“SEC. 233. LOCAL ADMINISTRATIVE COST LIMITS.

“(a) **IN GENERAL.**—Subject to subsection (b), of the amount that is made available under this title to an eligible provider—

“(1) at least 95 percent shall be expended for carrying out adult education and family literacy education programs; and

“(2) the remaining amount shall be used for planning, administration, personnel and professional development, development of measurable goals in reading, writing, speaking, and mathematics, and interagency coordination.

“(b) **SPECIAL RULE.**—In cases where the cost limits described in subsection (a) are too restrictive to allow for adequate planning, administration, personnel development, and interagency coordination, the eligible provider may negotiate with the eligible agency in order to determine an adequate level of funds to be used for noninstructional purposes.

“Subtitle D—General Provisions

“SEC. 241. ADMINISTRATIVE PROVISIONS.

“Funds made available for adult education and family literacy education programs under this title shall supplement and not supplant other State or local public funds expended for adult education and family literacy education programs.

“SEC. 242. NATIONAL ACTIVITIES.

“The Secretary shall establish and carry out a program of national activities that may include the following:

“(1) Providing technical assistance to eligible entities, on request, to—

“(A) improve their fiscal management, research-based instruction, and reporting requirements to carry out the requirements of this title;

“(B) improve its performance on the core indicators of performance described in section 136;

“(C) provide adult education professional development; and

“(D) use distance education and improve the application of technology in the classroom, including instruction in English language acquisition for English learners.

“(2) Providing for the conduct of research on national literacy basic skill acquisition levels among adults, including the number of adult English learners functioning at different levels of reading proficiency.

“(3) Improving the coordination, efficiency, and effectiveness of adult education and workforce development services at the national, State, and local levels.

“(4) Determining how participation in adult education, English language acquisition, and family literacy education programs prepares individuals for entry into and success in postsecondary education and employment, and in the case of prison-based services, the effect on recidivism.

“(5) Evaluating how different types of providers, including community and faith-based organizations or private for-profit agencies measurably improve the skills of participants in adult education, English language acquisition, and family literacy education programs.

“(6) Identifying model integrated basic and workplace skills education programs, including programs for English learners coordinated literacy and employment services, and effective strategies for serving adults with disabilities.

“(7) Initiating other activities designed to improve the measurable quality and effectiveness of adult education, English language acquisition, and family literacy education programs nationwide.”

Subtitle C—Amendments to the Wagner-Peyser Act

SEC. 266. AMENDMENTS TO THE WAGNER-PEYSER ACT.

Section 15 of the Wagner-Peyser Act (29 U.S.C. 491-2) is amended to read as follows:

“SEC. 15. WORKFORCE AND LABOR MARKET INFORMATION SYSTEM.

“(a) **SYSTEM CONTENT.**—

“(1) **IN GENERAL.**—The Secretary of Labor (referred to in this section as the ‘Secretary’), in accordance with the provisions of this section, shall oversee the development, maintenance, and continuous improvement of a nationwide workforce and labor market information system that includes—

“(A) statistical data from cooperative statistical survey and projection programs and data from administrative reporting systems that, taken together, enumerate, estimate, and project employment opportunities and conditions at national, State, and local levels in a timely manner, including statistics on—

“(i) employment and unemployment status of national, State, and local populations, including self-employed, part-time, and seasonal workers;

“(ii) industrial distribution of occupations, as well as current and projected employment opportunities, wages, benefits (where data is available), and skill trends by occupation and industry, with particular attention paid to State and local conditions;

“(iii) the incidence of, industrial and geographical location of, and number of workers displaced by, permanent layoffs and plant closings; and

“(iv) employment and earnings information maintained in a longitudinal manner to be used for research and program evaluation;

“(B) information on State and local employment opportunities, and other appropriate statistical data related to labor market dynamics, which—

“(i) shall be current and comprehensive;

“(ii) shall meet the needs identified through the consultations described in subparagraphs (C) and (D) of subsection (e)(1); and

“(iii) shall meet the needs for the information identified in section 121(e)(1)(E) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(e)(1)(E));

“(C) technical standards (which the Secretary shall publish annually) for data and information described in subparagraphs (A) and (B) that, at a minimum, meet the criteria of chapter 35 of title 44, United States Code;

“(D) procedures to ensure compatibility and additivity of the data and information described in subparagraphs (A) and (B) from national, State, and local levels;

“(E) procedures to support standardization and aggregation of data from administrative reporting systems described in subparagraph (A) of employment-related programs;

“(F) analysis of data and information described in subparagraphs (A) and (B) for uses such as—

“(i) national, State, and local policy-making;

“(ii) implementation of Federal policies (including allocation formulas);

“(iii) program planning and evaluation; and

“(iv) researching labor market dynamics;

“(G) wide dissemination of such data, information, and analysis in a user-friendly manner and voluntary technical standards for dissemination mechanisms; and

“(H) programs of—

“(i) training for effective data dissemination;

“(ii) research and demonstration; and

“(iii) programs and technical assistance.

“(2) INFORMATION TO BE CONFIDENTIAL.—

“(A) IN GENERAL.—No officer or employee of the Federal Government or agent of the Federal Government may—

“(i) use any submission that is furnished for exclusively statistical purposes under the provisions of this section for any purpose other than the statistical purposes for which the submission is furnished;

“(ii) disclose to the public any publication or media transmittal of the data contained in the submission described in clause (i) that permits information concerning an individual subject to be reasonably inferred by either direct or indirect means; or

“(iii) permit anyone other than a sworn officer, employee, or agent of any Federal department or agency, or a contractor (including an employee of a contractor) of such department or agency, to examine an individual submission described in clause (i), without the consent of the individual, agency, or other person who is the subject of the submission or provides that submission.

“(B) IMMUNITY FROM LEGAL PROCESS.—Any submission (including any data derived from the submission) that is collected and retained by a Federal department or agency, or an officer, employee, agent, or contractor of such a department or agency, for exclusively statistical purposes under this section shall be immune from the legal process and shall not, without the consent of the individual, agency, or other person who is the subject of the submission or provides that submission, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding.

“(C) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide immunity from the legal process for such submission (including any data derived from the submission) if the submission is in the possession of any person, agency, or entity other than the Federal Government or an officer, employee, agent, or contractor of the Federal Government, or if the submission is

independently collected, retained, or produced for purposes other than the purposes of this Act.

“(b) SYSTEM RESPONSIBILITIES.—

“(1) IN GENERAL.—The workforce and labor market information system described in subsection (a) shall be planned, administered, overseen, and evaluated through a cooperative governance structure involving the Federal Government and States.

“(2) DUTIES.—The Secretary, with respect to data collection, analysis, and dissemination of workforce and labor market information for the system, shall carry out the following duties:

“(A) Assign responsibilities within the Department of Labor for elements of the workforce and labor market information system described in subsection (a) to ensure that all statistical and administrative data collected is consistent with appropriate Bureau of Labor Statistics standards and definitions.

“(B) Actively seek the cooperation of other Federal agencies to establish and maintain mechanisms for ensuring complementarity and nonduplication in the development and operation of statistical and administrative data collection activities.

“(C) Eliminate gaps and duplication in statistical undertakings, with the systemization of wage surveys as an early priority.

“(D) In collaboration with the Bureau of Labor Statistics and States, develop and maintain the elements of the workforce and labor market information system described in subsection (a), including the development of consistent procedures and definitions for use by the States in collecting the data and information described in subparagraphs (A) and (B) of subsection (a)(1).

“(E) Establish procedures for the system to ensure that—

“(i) such data and information are timely;

“(ii) paperwork and reporting for the system are reduced to a minimum; and

“(iii) States and localities are fully involved in the development and continuous improvement of the system at all levels.

“(c) NATIONAL ELECTRONIC TOOLS TO PROVIDE SERVICES.—The Secretary is authorized to assist in the development of national electronic tools that may be used to facilitate the delivery of work ready services described in section 134(c)(2) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(c)(2)) and to provide workforce and labor market information to individuals through the one-stop delivery systems described in section 121 and through other appropriate delivery systems.

“(d) COORDINATION WITH THE STATES.—

“(1) IN GENERAL.—The Secretary, working through the Bureau of Labor Statistics and the Employment and Training Administration, shall regularly consult with representatives of State agencies carrying out workforce information activities regarding strategies for improving the workforce and labor market information system.

“(2) FORMAL CONSULTATIONS.—At least twice each year, the Secretary, working through the Bureau of Labor Statistics, shall conduct formal consultations regarding programs carried out by the Bureau of Labor Statistics with representatives of each of the Federal regions of the Bureau of Labor Statistics, elected (pursuant to a process established by the Secretary) from the State directors affiliated with State agencies that perform the duties described in subsection (e)(1).

“(e) STATE RESPONSIBILITIES.—

“(1) IN GENERAL.—In order to receive Federal financial assistance under this section, the Governor of a State shall—

“(A) be responsible for the management of the portions of the workforce and labor market information system described in sub-

section (a) that comprise a statewide workforce and labor market information system;

“(B) establish a process for the oversight of such system;

“(C) consult with State and local employers, participants, and local workforce investment boards about the labor market relevance of the data to be collected and disseminated through the statewide workforce and labor market information system;

“(D) consult with State educational agencies and local educational agencies concerning the provision of workforce and labor market information in order to meet the needs of secondary school and postsecondary school students who seek such information;

“(E) collect and disseminate for the system, on behalf of the State and localities in the State, the information and data described in subparagraphs (A) and (B) of subsection (a)(1);

“(F) maintain and continuously improve the statewide workforce and labor market information system in accordance with this section;

“(G) perform contract and grant responsibilities for data collection, analysis, and dissemination for such system;

“(H) conduct such other data collection, analysis, and dissemination activities as will ensure an effective statewide workforce and labor market information system;

“(I) actively seek the participation of other State and local agencies in data collection, analysis, and dissemination activities in order to ensure complementarity, compatibility, and usefulness of data;

“(J) participate in the development of, and submit to the Secretary, an annual plan to carry out the requirements and authorities of this subsection; and

“(K) utilize the quarterly records described in section 136(f)(2) of the Workforce Investment Act of 1998 (29 U.S.C. 2871(f)(2)) to assist the State and other States in measuring State progress on State performance measures.

“(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting the ability of a Governor to conduct additional data collection, analysis, and dissemination activities with State funds or with Federal funds from sources other than this section.

“(f) NONDUPLICATION REQUIREMENT.—None of the functions and activities carried out pursuant to this section shall duplicate the functions and activities carried out under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

“(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$60,153,000 for fiscal year 2015 and each of the 6 succeeding fiscal years.”

Subtitle D—Repeals and Conforming Amendments

SEC. 271. REPEALS.

The following provisions are repealed:

(1) Chapter 4 of subtitle B of title I, and sections 123, 155, 166, 167, 168, 169, 171, 173, 173A, 174, 192, 194, 502, 503, and 506 of the Workforce Investment Act of 1998, as in effect on the day before the date of enactment of the SKILLS Act.

(2) Title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.).

(3) Sections 1 through 14 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.).

(4) The Twenty-First Century Workforce Commission Act (29 U.S.C. 2701 note).

(5) Public Law 91–378, 16 U.S.C. 1701 et seq. (popularly known as the “Youth Conservation Corps Act of 1970”).

(6) Section 821 of the Higher Education Amendments of 1998 (20 U.S.C. 1151).

(7) The Women in Apprenticeship and Non-traditional Occupations Act (29 U.S.C. 2501 et seq.).

(8) Sections 4103A and 4104 of title 38, United States Code.

SEC. 272. AMENDMENTS TO OTHER LAWS.

Section 104(k)(6)(A) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(6)(A)) is amended by striking “training, research, and” and inserting “research and”.

(a) AMENDMENTS TO THE FOOD AND NUTRITION ACT OF 2008.—

(1) DEFINITION.—Section 3(t) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(t)) is amended—

(A) by striking “means (1) the agency” and inserting the following: “means—

“(A) the agency”;

(B) by striking “programs, and (2) the tribal” and inserting the following: “programs;

“(B) the tribal”;

(C) by striking “this Act.” and inserting the following: “this Act; and

“(C) in the context of employment and training activities under section 6(d)(4), a State board as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801).”.

(2) ELIGIBLE HOUSEHOLDS.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(A) in subsection (d)(14) by striking “section 6(d)(4)(I)” and inserting “section 6(d)(4)(C)”, and

(B) in subsection (g)(3), in the first sentence, by striking “constitutes adequate participation in an employment and training program under section 6(d)” and inserting “allows the individual to participate in employment and training activities under section 6(d)(4)”.

(3) ELIGIBILITY DISQUALIFICATIONS.—Section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)) is amended to read as follows:

“(D) EMPLOYMENT AND TRAINING.—

“(i) IMPLEMENTATION.—Each State agency shall provide employment and training services authorized under section 134 of the Workforce Investment Act of 1998 (29 U.S.C. 2864) to eligible members of households participating in the supplemental nutrition assistance program in gaining skills, training, work, or experience that will increase their ability to obtain regular employment.

“(ii) STATEWIDE WORKFORCE DEVELOPMENT SYSTEM.—Consistent with subparagraph (A), employment and training services shall be provided through the statewide workforce development system, including the one-stop delivery system authorized by the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.).

“(iii) REIMBURSEMENTS.—

“(I) ACTUAL COSTS.—The State agency shall provide payments or reimbursement to participants served under this paragraph for—

“(aa) the actual costs of transportation and other actual costs (other than dependent care costs) that are reasonably necessary and directly related to the individual participating in employment and training activities; and

“(bb) the actual costs of such dependent care expenses as are determined by the State agency to be necessary for the individual to participate in employment and training activities (other than an individual who is the caretaker relative of a dependent in a family receiving benefits under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) in a local area where an employment, training, or education program under title IV of that Act is in operation), except that no such payment or reimbursement shall exceed the applicable local market rate.

“(II) SERVICE CONTRACTS AND VOUCHERS.—In lieu of providing reimbursements or payments for dependent care expenses under clause (i), a State agency may, at the option of the State agency, arrange for dependent care through providers by the use of purchase of service contracts or vouchers or by providing vouchers to the household.

“(III) VALUE OF REIMBURSEMENTS.—The value of any dependent care services provided for or arranged under clause (ii), or any amount received as a payment or reimbursement under clause (i), shall—

“(aa) not be treated as income for the purposes of any other Federal or federally assisted program that bases eligibility for, or the amount of benefits on, need; and

“(bb) not be claimed as an employment-related expense for the purposes of the credit provided under section 21 of the Internal Revenue Code of 1986 (26 U.S.C. 21).”.

(4) ADMINISTRATION.—Section 11(e)(19) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)(11)) is amended to read as follows:

“(S) the plans of the State agency for providing employment and training services under section 6(d)(4);”.

(5) ADMINISTRATIVE COST-SHARING AND QUALITY CONTROL.—Section 16(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “carry out employment and training programs” and inserting “provide employment and training services to eligible households under section 6(d)(4);” and

(ii) in subparagraph (D), by striking “operating an employment and training program” and inserting “providing employment and training services consistent with section 6(d)(4)”;

(B) in paragraph (3)—

(i) by striking “participation in an employment and training program” and inserting “the individual participating in employment and training activities”; and

(ii) by striking “section 6(d)(4)(I)(II)” and inserting “section 6(d)(4)(C)(i)(II)”;

(C) in paragraph (4), by striking “for operating an employment and training program” and inserting “to provide employment and training services”; and

(D) by striking paragraph (5) and inserting the following:

“(E) MONITORING.—

“(i) IN GENERAL.—The Secretary, in conjunction with the Secretary of Labor, shall monitor each State agency responsible for administering employment and training services under section 6(d)(4) to ensure funds are being spent effectively and efficiently.

“(ii) ACCOUNTABILITY.—Each program of employment and training receiving funds under section 6(d)(4) shall be subject to the requirements of the performance accountability system, including having to meet the State performance measures described in section 136 of the Workforce Investment Act (29 U.S.C. 2871).”.

(6) RESEARCH, DEMONSTRATION, AND EVALUATIONS.—Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) is amended—

(A) in subsection (b)—

(i) in paragraph (1)(B)(iv)(III)(dd), by striking “, (4)(F)(i), or (4)(K)” and inserting “or (4)”; and

(ii) by striking paragraph (3); and

(B) in subsection (g), in the first sentence in the matter preceding paragraph (1)—

(i) by striking “programs established” and inserting “activities provided to eligible households”; and

(ii) by inserting “, in conjunction with the Secretary of Labor,” after “Secretary”.

(7) MINNESOTA FAMILY INVESTMENT PROJECT.—Section 22(b)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(b)(4)) is

amended by striking “equivalent to those offered under the employment and training program”.

(b) AMENDMENTS TO SECTION 412 OF THE IMMIGRATION AND NATIONALITY ACT.—

(1) CONDITIONS AND CONSIDERATIONS.—Section 412(a) of the Immigration and Nationality Act (8 U.S.C. 1522(a)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A)(i), by striking “make available sufficient resources for employment training and placement” and inserting “provide refugees with the opportunity to access employment and training services, including job placement,”; and

(ii) in subparagraph (B)(ii), by striking “services,” and inserting “services provided through the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)”; and

(B) in paragraph (2)(C)(iii)(II), by inserting “and training” after “employment”;

(C) in paragraph (6)(A)(ii)—

(i) by striking “insure” and inserting “ensure”;

(ii) by inserting “and training” after “employment”; and

(iii) by inserting after “available” the following: “through the one-stop delivery system under section 121 of the Workforce Investment Act of 1998 (29 U.S.C. 2841)”;

(D) in paragraph (9), by inserting “the Secretary of Labor,” after “Education.”.

(2) PROGRAM OF INITIAL RESETTLEMENT.—Section 412(b)(2) of such Act (8 U.S.C. 1522(b)(2)) is amended—

(A) by striking “orientation, instruction” and inserting “orientation and instruction”; and

(B) by striking “, and job training for refugees, and such other education and training of refugees, as facilitates” and inserting “for refugees to facilitate”.

(3) PROJECT GRANTS AND CONTRACTS FOR SERVICES FOR REFUGEES.—Section 412(c) of such Act (8 U.S.C. 1522(c)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A)(i), by inserting “and training” after “employment”; and

(ii) by striking subparagraph (C);

(B) in paragraph (2)(B), by striking “paragraph—” and all that follows through “in a manner” and inserting “paragraph in a manner”; and

(C) by adding at the end the following:

“(C) In carrying out this section, the Director shall ensure that employment and training services are provided through the statewide workforce development system, as appropriate, authorized by the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.). Such action may include—

“(i) making employment and training activities described in section 134 of such Act (29 U.S.C. 2864) available to refugees; and

“(ii) providing refugees with access to a one-stop delivery system established under section 121 of such Act (29 U.S.C. 2841).”.

(4) CASH ASSISTANCE AND MEDICAL ASSISTANCE TO REFUGEES.—Section 412(e) of such Act (8 U.S.C. 1522(e)) is amended—

(A) in paragraph (2)(A)(i), by inserting “and training” after “providing employment”; and

(B) in paragraph (3), by striking “The” and inserting “Consistent with subsection (c)(3), the”.

(c) AMENDMENTS RELATING TO THE SECOND CHANCE ACT OF 2007.—

(1) FEDERAL PRISONER REENTRY INITIATIVE.—Section 231 of the Second Chance Act of 2007 (42 U.S.C. 17541) is amended—

(A) in subsection (a)(1)(E)—

(i) by inserting “the Department of Labor and” before “other Federal agencies”; and

(ii) by inserting “State and local workforce investment boards,” after “community-based organizations,”;

(B) in subsection (c)—

(i) in paragraph (2), by striking at the end “and”;

(ii) in paragraph (3), by striking at the end the period and inserting “; and”; and

(iii) by adding at the end the following new paragraph:

“(D) to coordinate reentry programs with the employment and training services provided through the statewide workforce investment system under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.).”; and

(C) in subsection (d), by adding at the end the following new paragraph:

“(F) INTERACTION WITH THE WORKFORCE INVESTMENT SYSTEM.—

“(i) IN GENERAL.—In carrying out this section, the Director shall ensure that employment and training services, including such employment and services offered through reentry programs, are provided, as appropriate, through the statewide workforce investment system under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.), which may include—

“(I) making employment and training services available to prisoners prior to and immediately following the release of such prisoners; or

“(II) providing prisoners with access by remote means to a one-stop delivery system under section 121 of the Workforce Investment Act of 1998 (29 U.S.C. 2841) in the State in which the prison involved is located.

“(ii) SERVICE DEFINED.—In this paragraph, the term ‘employment and training services’ means those services described in section 134 of the Workforce Investment Act of 1998 (29 U.S.C. 2864) offered by the Bureau of Prisons, including—

“(I) the skills assessment described in subsection (a)(1)(A);

“(II) the skills development plan described in subsection (a)(1)(B); and

“(III) the enhancement, development, and implementation of reentry and skills development programs.”.

(2) DUTIES OF THE BUREAU OF PRISONS.—Section 4042(a) of title 18, United States Code, is amended—

(A) by redesignating subparagraphs (D) and (E), as added by section 231(d)(1)(C) of the Second Chance Act of 2007 (Public Law 110-199; 122 Stat. 685), as paragraphs (6) and (7), respectively, and adjusting the margin accordingly;

(B) in paragraph (6), as so redesignated, by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and adjusting the margin accordingly;

(C) in paragraph (7), as so redesignated—

(i) in clause (ii), by striking “Employment” and inserting “Employment and training services (as defined in paragraph (6) of section 231(d) of the Second Chance Act of 2007), including basic skills attainment, consistent with such paragraph”;

(ii) by striking clause (iii); and

(D) by redesignating clauses (i), (ii), (iv), (v), (vi), and (vii) as subparagraphs (A), (B), (C), (D), (E), and (F), respectively, and adjusting the margin accordingly.

(d) AMENDMENTS TO THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968.—Section 2976 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “vocational” and inserting “career and technical education (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) and training”;

(B) by redesignating paragraphs (4), (5), (6), and (7) as paragraphs (5), (6), (7), and (8), respectively; and

(C) by inserting after paragraph (3) the following new paragraph:

“(D) coordinating employment and training services provided through the statewide workforce investment system under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.), including a one-stop delivery system under section 121 of such Act (29 U.S.C. 2841), for offenders upon release from prison, jail, or a juvenile facility, as appropriate.”;

(2) in subsection (d)(2), by inserting “, including local workforce investment boards established under section 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2832),” after “nonprofit organizations”;

(3) in subsection (e)—

(A) in paragraph (3), by striking “victims services, and employment services” and inserting “and victim services”;

(B) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(C) by inserting after paragraph (3) the following new paragraph:

“(D) provides employment and training services through the statewide workforce investment system under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.), including a one-stop delivery system under section 121 of such Act (29 U.S.C. 2841);”; and

(4) in subsection (k)—

(A) in paragraph (1)(A), by inserting “, in accordance with paragraph (2)” after “under this section”;

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(C) by inserting after paragraph (1) the following new paragraph:

“(B) EMPLOYMENT AND TRAINING.—The Attorney General shall require each grantee under this section to measure the core indicators of performance as described in section 136(b)(2)(A) of the Workforce Investment Act of 1998 (29 U.S.C. 2871(b)(2)(A)) with respect to the program of such grantee funded with a grant under this section.”.

(e) CONFORMING AMENDMENTS TO TITLE 38, UNITED STATES CODE.—Title 38, United States Code, is amended—

(1) in section 3672(d)(1), by striking “disabled veterans’ outreach program specialists under section 4103A” and inserting “veteran employment specialists appointed under section 134(f) of the Workforce Investment Act of 1998”;

(2) in the table of sections at the beginning of chapter 41, by striking the items relating to sections 4103A and 4104;

(3) in section 4102A—

(A) in subsection (b)—

(i) by striking paragraphs (5), (6), and (7); and

(ii) by redesignating paragraph (8) as paragraph (5);

(B) by striking subsections (c) and (h);

(C) by redesignating subsections (d), (e), (f), and (g) as subsections (c), (d), (e), and (f); and

(D) in subsection (e)(1) (as so redesignated)—

(i) by striking “, including disabled veterans’ outreach program specialists and local veterans’ employment representatives providing employment, training, and placement services under this chapter in a State”; and

(ii) by striking “for purposes of subsection (c)”;

(4) in section 4104A—

(A) in subsection (b)(1), by striking subparagraph (A) and inserting the following:

“(i) the appropriate veteran employment specialist (in carrying out the functions described in section 134(f) of the Workforce Investment Act of 1998);”; and

(B) in subsection (c)(1), by striking subparagraph (A) and inserting the following:

“(i) collaborate with the appropriate veteran employment specialist (as described in section 134(f) and the appropriate State

boards and local boards (as such terms are defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801));”;

(5) in section 4109—

(A) in subsection (a), by striking “disabled veterans’ outreach program specialists and local veterans’ employment representative” and inserting “veteran employment specialists appointed under section 134(f) of the Workforce Investment Act of 1998”; and

(B) in subsection (d)(1), by striking “disabled veterans’ outreach program specialists and local veterans’ employment representatives” and inserting “veteran employment specialists appointed under section 134(f) of the Workforce Investment Act of 1998”; and

(6) in section 4112(d)—

(A) in paragraph (1), by striking “disabled veterans’ outreach program specialist” and inserting “veteran employment specialist appointed under section 134(f) of the Workforce Investment Act of 1998”; and

(B) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

SEC. 273. CONFORMING AMENDMENT TO TABLE OF CONTENTS.

The table of contents in section 1(b) is amended to read as follows:

“(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

“Sec. 1. Short title; table of contents.

“TITLE I—WORKFORCE INVESTMENT SYSTEMS

“Subtitle A—Workforce Investment Definitions

“Sec. 101. Definitions.

“Subtitle B—Statewide and Local Workforce Investment Systems

“Sec. 106. Purpose.

“CHAPTER 1—STATE PROVISIONS

“Sec. 111. State workforce investment boards.

“Sec. 112. State plan.

“CHAPTER 2—LOCAL PROVISIONS

“Sec. 116. Local workforce investment areas.

“Sec. 117. Local workforce investment boards.

“Sec. 118. Local plan.

“CHAPTER 3—WORKFORCE INVESTMENT ACTIVITIES PROVIDERS

“Sec. 121. Establishment of one-stop delivery systems.

“Sec. 122. Identification of eligible providers of training services.

“CHAPTER 5—EMPLOYMENT AND TRAINING ACTIVITIES

“Sec. 131. General authorization.

“Sec. 132. State allotments.

“Sec. 133. Within State allocations.

“Sec. 134. Use of funds for employment and training activities.

“CHAPTER 6—GENERAL PROVISIONS

“Sec. 136. Performance accountability system.

“Sec. 137. Authorization of appropriations.

“Subtitle C—Job Corps

“Sec. 141. Purposes.

“Sec. 142. Definitions.

“Sec. 143. Establishment.

“Sec. 144. Individuals eligible for the Job Corps.

“Sec. 145. Recruitment, screening, selection, and assignment of enrollees.

“Sec. 146. Enrollment.

“Sec. 147. Job Corps centers.

“Sec. 148. Program activities.

“Sec. 149. Counseling and job placement.

“Sec. 150. Support.

“Sec. 151. Operations.

“Sec. 152. Standards of conduct.

“Sec. 153. Community participation.

“Sec. 154. Workforce councils.

“Sec. 156. Technical assistance to centers.
 “Sec. 157. Application of provisions of Federal law.
 “Sec. 158. Special provisions.
 “Sec. 159. Performance accountability and management.
 “Sec. 160. General provisions.
 “Sec. 161. Authorization of appropriations.
 “Subtitle D—National Programs
 “Sec. 170. Technical assistance.
 “Sec. 172. Evaluations.
 “Subtitle E—Administration
 “Sec. 181. Requirements and restrictions.
 “Sec. 182. Prompt allocation of funds.
 “Sec. 183. Monitoring.
 “Sec. 184. Fiscal controls; sanctions.
 “Sec. 185. Reports; recordkeeping; investigations.
 “Sec. 186. Administrative adjudication.
 “Sec. 187. Judicial review.
 “Sec. 188. Nondiscrimination.
 “Sec. 189. Administrative provisions.
 “Sec. 190. References.
 “Sec. 191. State legislative authority.
 “Sec. 193. Transfer of Federal equity in State employment security real property to the States.
 “Sec. 195. General program requirements.
 “Sec. 196. Federal agency staff.
 “Sec. 197. Restrictions on lobbying and political activities.
 “Subtitle F—Repeals and Conforming Amendments
 “Sec. 199. Repeals.
 “Sec. 199A. Conforming amendments.
 “TITLE II—ADULT EDUCATION AND FAMILY LITERACY EDUCATION
 “Sec. 201. Short title.
 “Sec. 202. Purpose.
 “Sec. 203. Definitions.
 “Sec. 204. Home schools.
 “Sec. 205. Authorization of appropriations.
 “Subtitle A—Federal Provisions
 “Sec. 211. Reservation of funds; grants to eligible agencies; allotments.
 “Sec. 212. Performance accountability system.
 “Subtitle B—State Provisions
 “Sec. 221. State administration.
 “Sec. 222. State distribution of funds; matching requirement.
 “Sec. 223. State leadership activities.
 “Sec. 224. State plan.
 “Sec. 225. Programs for corrections education and other institutionalized individuals.
 “Subtitle C—Local Provisions
 “Sec. 231. Grants and contracts for eligible providers.
 “Sec. 232. Local application.
 “Sec. 233. Local administrative cost limits.
 “Subtitle D—General Provisions
 “Sec. 241. Administrative provisions.
 “Sec. 242. National activities.
 “TITLE III—WORKFORCE INVESTMENT-RELATED ACTIVITIES
 “Subtitle A—Wagner-Peyser Act
 “Sec. 301. Definitions.
 “Sec. 302. Functions.
 “Sec. 303. Designation of State agencies.
 “Sec. 304. Appropriations.
 “Sec. 305. Disposition of allotted funds.
 “Sec. 306. State plans.
 “Sec. 307. Repeal of Federal advisory council.
 “Sec. 308. Regulations.
 “Sec. 309. Employment statistics.
 “Sec. 310. Technical amendments.
 “Sec. 311. Effective date.
 “Subtitle B—Linkages With Other Programs
 “Sec. 321. Trade Act of 1974.
 “Sec. 322. Veterans’ employment programs.
 “Sec. 323. Older Americans Act of 1965.

“Subtitle D—Application of Civil Rights and Labor-Management Laws to the Smithsonian Institution
 “Sec. 341. Application of civil rights and labor-management laws to the Smithsonian Institution.

“TITLE IV—REHABILITATION ACT AMENDMENTS OF 1998

“Sec. 401. Short title.
 “Sec. 402. Title.
 “Sec. 403. General provisions.
 “Sec. 404. Vocational rehabilitation services.
 “Sec. 405. Research and training.
 “Sec. 406. Professional development and special projects and demonstrations.
 “Sec. 407. National Council on Disability.
 “Sec. 408. Rights and advocacy.
 “Sec. 409. Employment opportunities for individuals with disabilities.
 “Sec. 410. Independent living services and centers for independent living.
 “Sec. 411. Repeal.
 “Sec. 412. Helen Keller National Center Act.
 “Sec. 413. President’s Committee on Employment of People With Disabilities.
 “Sec. 414. Conforming amendments.
 “TITLE V—GENERAL PROVISIONS
 “Sec. 501. State unified plan.
 “Sec. 504. Privacy.
 “Sec. 505. Buy-American requirements.
 “Sec. 507. Effective date.”.

Subtitle E—Amendments to the Rehabilitation Act of 1973

SEC. 276. FINDINGS.

Section 2(a) of the Rehabilitation Act of 1973 (29 U.S.C. 701(a)) is amended—

(1) in paragraph (5), by striking “and” at the end;
 (2) in paragraph (6), by striking the period and inserting “; and”; and
 (3) by adding at the end the following:
 “(7) there is a substantial need to improve and expand services for students with disabilities under this Act.”.

SEC. 277. REHABILITATION SERVICES ADMINISTRATION.

(a) REHABILITATION SERVICES ADMINISTRATION.—The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is amended—

(1) in section 3(a) (29 U.S.C. 702(a))—
 (A) by striking “Office of the Secretary” and inserting “Department of Education”;
 (B) by striking “President by and with the advice and consent of the Senate” and inserting “Secretary”; and
 (C) by striking “, and the Commissioner shall be the principal officer.”;
 (2) by striking “Commissioner” each place it appears (except in section 21) and inserting “Director”;
 (3) in section 12(c) (29 U.S.C. 709(c)), by striking “Commissioner’s” and inserting “Director’s”;
 (4) in section 21 (29 U.S.C. 718)—
 (A) in subsection (b)(1)—
 (i) by striking “Commissioner” the first place it appears and inserting “Director of the Rehabilitation Services Administration”;
 (ii) by striking “(referred to in this subsection as the ‘Director’)”; and
 (iii) by striking “The Commissioner and the Director” and inserting “Both such Directors”; and
 (B) by striking “the Commissioner and the Director” each place it appears and inserting “both such Directors”;
 (5) in the heading for subparagraph (B) of section 100(d)(2) (29 U.S.C. 720(d)(2)), by striking “COMMISSIONER” and inserting “DIRECTOR”;
 (6) in section 401(a)(1) (29 U.S.C. 781(a)(1)), by inserting “of the National Institute on

Disability and Rehabilitation Research” after “Director”;

(7) in the heading for section 706 (29 U.S.C. 796d-1), by striking “COMMISSIONER” and inserting “DIRECTOR”; and

(8) in the heading for paragraph (3) of section 723(a) (29 U.S.C. 796f-2(a)), by striking “COMMISSIONER” and inserting “DIRECTOR”.

(b) EFFECTIVE DATE; APPLICATION.—The amendments made by subsection (a) shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply with respect to the appointments of Directors of the Rehabilitation Services Administration made on or after the date of enactment of this Act, and the Directors so appointed.

SEC. 278. DEFINITIONS.

Section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705) is amended—

(1) by redesignating paragraphs (35) through (39) as paragraphs (36) through (40), respectively;

(2) in subparagraph (A)(ii) of paragraph (36) (as redesignated by paragraph (1)), by striking “paragraph (36)(C)” and inserting “paragraph (37)(C)”; and

(3) by inserting after paragraph (34) the following:

“(35)(A) The term ‘student with a disability’ means an individual with a disability who—

“(i) is not younger than 16 and not older than 21;

“(ii) has been determined to be eligible under section 102(a) for assistance under this title; and

“(iii)(I) is eligible for, and is receiving, special education under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.); or

“(II) is an individual with a disability, for purposes of section 504.

“(B) The term ‘students with disabilities’ means more than 1 student with a disability.”.

SEC. 279. CARRYOVER.

Section 19(a)(1) of the Rehabilitation Act of 1973 (29 U.S.C. 716(a)(1)) is amended by striking “part B of title VI.”.

SEC. 280. TRADITIONALLY UNDERSERVED POPULATIONS.

Section 21 of the Rehabilitation Act of 1973 (29 U.S.C. 718) is amended, in paragraphs (1) and (2)(A) of subsection (b), and in subsection (c), by striking “VI.”.

SEC. 281. STATE PLAN.

Section 101(a) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)) is amended—

(1) in paragraph (10)—

(A) in subparagraph (B), by striking “on the eligible individuals” and all that follows and inserting “of information necessary to assess the State’s performance on the core indicators of performance described in section 136(b)(2)(A) of the Workforce Investment Act of 1998 (29 U.S.C. 2871(b)(2)(A)).”; and

(B) in subparagraph (E)(ii), by striking “, to the extent the measures are applicable to individuals with disabilities”;

(2) in paragraph (11)—

(A) in subparagraph (D)(i), by inserting before the semicolon the following: “, which may be provided using alternative means of meeting participation (such as participation through video conferences and conference calls)”; and

(B) by adding at the end the following:

“(G) COORDINATION WITH ASSISTIVE TECHNOLOGY PROGRAMS.—The State plan shall include an assurance that the designated State unit and the lead agency or implementing entity responsible for carrying out duties under the Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.) have developed working relationships and coordinate their activities.”;

(3) in paragraph (15)—
 (A) in subparagraph (A)—
 (i) in clause (i)—
 (I) in subclause (II), by striking “and” at the end;
 (II) in subclause (III), by adding “and” at the end; and
 (III) by adding at the end the following:
 “(IV) students with disabilities, including their need for transition services;”;
 (ii) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and
 (iii) by inserting after clause (i) the following:
 “(ii) include an assessment of the transition services provided under this Act, and coordinated with transition services provided under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), about the extent to which those 2 types of services meet the needs of individuals with disabilities;” and
 (B) in subparagraph (B)(ii), by striking “and under part B of title VI”;
 (C) in subparagraph (D)—
 (i) by redesignating clauses (iii), (iv), and (v) as clauses (iv), (v), and (vi), respectively;
 (ii) by inserting after clause (ii) the following:
 “(iii) the methods to be used to improve and expand vocational rehabilitation services for students with disabilities, including the coordination of services designed to facilitate the transition of such students from the receipt of educational services in school to the receipt of vocational rehabilitation services under this title or to postsecondary education or employment;” and
 (iii) in clause (v), as redesignated by clause (i) of this subparagraph, by striking “evaluation standards” and inserting “performance standards”;
 (4) in paragraph (22)—
 (A) in the paragraph heading, by striking “STATE PLAN SUPPLEMENT”;
 (B) by striking “carrying out part B of title VI, including”; and
 (C) by striking “that part to supplement funds made available under part B of”;
 (5) in paragraph (24)—
 (A) in the paragraph heading, by striking “CONTRACTS” and inserting “GRANTS”; and
 (B) in subparagraph (A)—
 (i) in the subparagraph heading, by striking “CONTRACTS” and inserting “GRANTS”; and
 (ii) by striking “part A of title VI” and inserting “section 109A”; and
 (6) by adding at the end the following:
 “(25) **COLLABORATION WITH INDUSTRY.**—The State plan shall describe how the designated State agency will carry out the provisions of section 109A, including—
 “(A) the criteria such agency will use to award grants under such section; and
 “(B) how the activities carried out under such grants will be coordinated with other services provided under this title.
 “(26) **SERVICES FOR STUDENTS WITH DISABILITIES.**—The State plan shall provide an assurance satisfactory to the Secretary that the State—
 “(A) has developed and implemented strategies to address the needs identified in the assessments described in paragraph (15), and achieve the goals and priorities identified by the State in that paragraph, to improve and expand vocational rehabilitation services for students with disabilities on a statewide basis in accordance with paragraph (15); and
 “(B) from funds reserved under section 110A, shall carry out programs or activities designed to improve and expand vocational rehabilitation services for students with disabilities that—
 “(i) facilitate the transition of students with disabilities from the receipt of educational services in school, to the receipt of

vocational rehabilitation services under this title, including, at a minimum, those services specified in the interagency agreement required in paragraph (11)(D);

“(ii) improve the achievement of post-school goals of students with disabilities, including improving the achievement through participation (as appropriate when career goals are discussed) in meetings regarding individualized education programs developed under section 614 of the Individuals with Disabilities Education Act (20 U.S.C. 1414);

“(iii) provide career guidance, career exploration services, job search skills and strategies, and technical assistance to students with disabilities;

“(iv) support the provision of training and technical assistance to State and local educational agencies and designated State agency personnel responsible for the planning and provision of services to students with disabilities; and

“(v) support outreach activities to students with disabilities who are eligible for, and need, services under this title.”.

SEC. 282. SCOPE OF SERVICES.

Section 103 of the Rehabilitation Act of 1973 (29 U.S.C. 723) is amended—

(1) in subsection (a), by striking paragraph (15) and inserting the following:

“(15) transition services for students with disabilities, that facilitate the achievement of the employment outcome identified in the individualized plan for employment involved, including services described in clauses (i) through (iii) of section 101(a)(26)(B);”;

(2) in subsection (b), by striking paragraph (6) and inserting the following:

“(6)(A)(i) Consultation and technical assistance services to assist State and local educational agencies in planning for the transition of students with disabilities from school to post-school activities, including employment.

“(ii) Training and technical assistance described in section 101(a)(26)(B)(iv).

“(B) Services for groups of individuals with disabilities who meet the requirements of clauses (i) and (iii) of section 7(35)(A), including services described in clauses (i), (ii), (iii), and (v) of section 101(a)(26)(B), to assist in the transition from school to post-school activities.”; and

(3) in subsection (b), by inserting at the end the following:

“(7) The establishment, development, or improvement of assistive technology demonstration, loan, reutilization, or financing programs in coordination with activities authorized under the Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.) to promote access to assistive technology for individuals with disabilities and employers.”.

SEC. 283. STANDARDS AND INDICATORS.

(a) **IN GENERAL.**—Section 106 of the Rehabilitation Act of 1973 (29 U.S.C. 726) is amended—

(1) in the section heading, by striking “EVALUATION STANDARDS” and inserting “PERFORMANCE STANDARDS”;

(2) by striking subsection (a) and inserting the following:

“(a) **STANDARDS AND INDICATORS.**—The performance standards and indicators for the vocational rehabilitation program carried out under this title—

“(1) shall be subject to paragraphs (2)(A) and (3) of section 136(b) of the Workforce Investment Act of 1998 (29 U.S.C. 2871(b)); and

“(2) may, at a State’s discretion, include additional indicators identified in the State plan submitted under section 101.”; and

(3) in subsection (b)(2)(B), by striking clause (i) and inserting the following:

“(i) on a biannual basis, review the program improvement efforts of the State and, if the State has not improved its perform-

ance to acceptable levels, as determined by the Director, direct the State to make revisions to the plan to improve performance; and”.

(b) **CONFORMING AMENDMENTS.**—Section 107 of the Rehabilitation Act of 1973 (29 U.S.C. 727) is amended—

(1) in subsections (a)(1)(B) and (b)(2), by striking “evaluation standards” and inserting “performance standards”; and

(2) in subsection (c)(1)(B), by striking “an evaluation standard” and inserting “a performance standard”.

SEC. 284. EXPENDITURE OF CERTAIN AMOUNTS.

Section 108(a) of the Rehabilitation Act of 1973 (29 U.S.C. 728(a)) is amended by striking “under part B of title VI, or”.

SEC. 285. COLLABORATION WITH INDUSTRY.

The Rehabilitation Act of 1973 is amended by inserting after section 109 (29 U.S.C. 728a) the following:

“SEC. 109A. COLLABORATION WITH INDUSTRY.

“(a) **ELIGIBLE ENTITY DEFINED.**—For the purposes of this section, the term ‘eligible entity’ means a for-profit business, alone or in partnership with one or more of the following:

“(1) Community rehabilitation program providers.

“(2) Indian tribes.

“(3) Tribal organizations.

“(b) **AUTHORITY.**—A State shall use not less than one-half of one percent of the payment the State receives under section 111 for a fiscal year to award grants to eligible entities to pay for the Federal share of the cost of carrying out collaborative programs, to create practical job and career readiness and training programs, and to provide job placement and career advancement.

“(c) **AWARDS.**—Grants under this section shall—

“(1) be awarded for a period not to exceed 5 years; and

“(2) be awarded competitively.

“(d) **APPLICATION.**—To receive a grant under this section, an eligible entity shall submit an application to a designated State agency at such time, in such manner, and containing such information as such agency shall require. Such application shall include, at a minimum—

“(1) a plan for evaluating the effectiveness of the collaborative program;

“(2) a plan for collecting and reporting the data and information described under subparagraphs (A) through (C) of section 101(a)(10), as determined appropriate by the designated State agency; and

“(3) a plan for providing for the non-Federal share of the costs of the program.

“(e) **ACTIVITIES.**—An eligible entity receiving a grant under this section shall use the grant funds to carry out a program that provides one or more of the following:

“(1) Job development, job placement, and career advancement services for individuals with disabilities.

“(2) Training in realistic work settings in order to prepare individuals with disabilities for employment and career advancement in the competitive market.

“(3) Providing individuals with disabilities with such support services as may be required in order to maintain the employment and career advancement for which the individuals have received training.

“(f) **ELIGIBILITY FOR SERVICES.**—An individual shall be eligible for services provided under a program under this section if the individual is determined under section 102(a)(1) to be eligible for assistance under this title.

“(g) **FEDERAL SHARE.**—The Federal share for a program under this section shall not exceed 80 percent of the costs of the program.”.

SEC. 286. RESERVATION FOR EXPANDED TRANSITION SERVICES.

The Rehabilitation Act of 1973 is amended by inserting after section 110 (29 U.S.C. 730) the following:

“SEC. 110A. RESERVATION FOR EXPANDED TRANSITION SERVICES.

“Each State shall reserve not less than 10 percent of the funds allotted to the State under section 110(a) to carry out programs or activities under sections 101(a)(26)(B) and 103(b)(6).”.

SEC. 287. CLIENT ASSISTANCE PROGRAM.

Section 112(e)(1) of the Rehabilitation Act of 1973 (29 U.S.C. 732(e)(1)) is amended by redesignating subparagraph (D) as subparagraph (E) and inserting after subparagraph (C) the following:

“(D) The Secretary shall make grants to the protection and advocacy system serving the American Indian Consortium under the Developmental Disabilities and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.) to provide services in accordance with this section, as determined by the Secretary. The amount of such grants shall be the same as the amount provided to territories under this subsection.”.

SEC. 288. RESEARCH.

Section 204(a)(2)(A) of the Rehabilitation Act of 1973 (29 U.S.C. 764(a)(2)(A)) is amended by striking “VI.”.

SEC. 289. TITLE III AMENDMENTS.

Title III of the Rehabilitation Act of 1973 (29 U.S.C. 771 et seq.) is amended—

(1) in section 301(a) (21 U.S.C. 771(a))—
(A) in paragraph (2), by inserting “and” at the end;

(B) by striking paragraphs (3) and (4); and
(C) by redesignating paragraph (5) as paragraph (3);

(2) in section 302 (29 U.S.C. 772)—

(A) in subsection (g)—
(i) in the heading, by striking “AND IN SERVICE TRAINING”; and

(ii) by striking paragraph (3); and
(B) in subsection (h), by striking “section 306” and inserting “section 304”;

(3) in section 303 (29 U.S.C. 773)—

(A) in subsection (b)(1), by striking “section 306” and inserting “section 304”; and

(B) in subsection (c)—

(i) in paragraph (4)—

(I) by amending subparagraph (A)(ii) to read as follows:

“(ii) to coordinate activities and work closely with the parent training and information centers established pursuant to section 671 of the Individuals with Disabilities Education Act (20 U.S.C. 1471), the community parent resource centers established pursuant to section 672 of such Act (29 U.S.C. 1472), and the eligible entities receiving awards under section 673 of such Act (20 U.S.C. 1473); and”;

(II) in subparagraph (C), by inserting “, and demonstrate the capacity for serving,” after “serve”; and

(ii) by adding at the end the following:

“(8) RESERVATION.—From the amount appropriated to carry out this subsection for a fiscal year, 20 percent of such amount or \$500,000, whichever is less, shall be reserved to carry out paragraph (6).”;

(4) by striking sections 304 and 305 (29 U.S.C. 774, 775); and

(5) by redesignating section 306 (29 U.S.C. 776) as section 304.

SEC. 290. REPEAL OF TITLE VI.

Title VI of the Rehabilitation Act of 1973 (29 U.S.C. 795 et seq.) is repealed.

SEC. 291. TITLE VII GENERAL PROVISIONS.

(a) PURPOSE.—Section 701(3) of the Rehabilitation Act of 1973 (29 U.S.C. 796(3)) is amended by striking “State programs of supported employment services receiving assistance under part B of title VI.”.

(b) CHAIRPERSON.—Section 705(b)(5) of the Rehabilitation Act of 1973 (29 U.S.C. 796d(b)(5)) is amended to read as follows:

“(5) CHAIRPERSON.—The Council shall select a chairperson from among the voting membership of the Council.”.

SEC. 292. AUTHORIZATIONS OF APPROPRIATIONS.

The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is further amended—

(1) in section 100 (29 U.S.C. 720)—

(A) in subsection (b)(1), by striking “such sums as may be necessary for fiscal years 1999 through 2003” and inserting “\$3,066,192,000 for fiscal year 2015 and each of the 6 succeeding fiscal years”; and

(B) in subsection (d)(1)(B), by striking “2003” and inserting “2021”;

(2) in section 110(c) (29 U.S.C. 730(c)), by amending paragraph (2) to read as follows:

“(2) The sum referred to in paragraph (1) shall be, as determined by the Secretary, not less than 1 percent and not more than 1.5 percent of the amount referred to in paragraph (1) for each of fiscal years 2015 through 2020.”;

(3) in section 112(h) (29 U.S.C. 732(h)), by striking “such sums as may be necessary for fiscal years 1999 through 2003” and inserting “\$11,600,000 for fiscal year 2015 and each of the 6 succeeding fiscal years”;

(4) by amending subsection (a) of section 201 (29 U.S.C. 761(a)) to read as follows: “(a) There are authorized to be appropriated \$103,125,000 for fiscal year 2015 and each of the 6 succeeding fiscal years to carry out this title.”;

(5) in section 302(i) (29 U.S.C. 772(i)), by striking “such sums as may be necessary for each of the fiscal years 1999 through 2003” and inserting “\$33,657,000 for fiscal year 2015 and each of the 6 succeeding fiscal years”;

(6) in section 303(e) (29 U.S.C. 773(e)), by striking “such sums as may be necessary for each of the fiscal years 1999 through 2003” and inserting “\$5,046,000 for fiscal year 2015 and each of the 6 succeeding fiscal years”;

(7) in section 405 (29 U.S.C. 785), by striking “such sums as may be necessary for each of the fiscal years 1999 through 2003” and inserting “\$3,081,000 for fiscal year 2015 and each of the 6 succeeding fiscal years”;

(8) in section 502(j) (29 U.S.C. 792(j)), by striking “such sums as may be necessary for each of the fiscal years 1999 through 2003” and inserting “\$7,013,000 for fiscal year 2015 and each of the 6 succeeding fiscal years”;

(9) in section 509(l) (29 U.S.C. 794e(l)), by striking “such sums as may be necessary for each of the fiscal years 1999 through 2003” and inserting “\$17,088,000 for fiscal year 2015 and each of the 6 succeeding fiscal years”;

(10) in section 714 (29 U.S.C. 796e-3), by striking “such sums as may be necessary for each of the fiscal years 1999 through 2003” and inserting “\$22,137,000 for fiscal year 2015 and each of the 6 succeeding fiscal years”;

(11) in section 727 (29 U.S.C. 796f-6), by striking “such sums as may be necessary for each of the fiscal years 1999 through 2003” and inserting “\$75,772,000 for fiscal year 2015 and each of the 6 succeeding fiscal years”; and

(12) in section 753 (29 U.S.C. 796i), by striking “such sums as may be necessary for each of the fiscal years 1999 through 2003” and inserting “\$32,239,000 for fiscal year 2015 and each of the 6 succeeding fiscal years”.

SEC. 293. CONFORMING AMENDMENTS.

Section 1(b) of the Rehabilitation Act of 1973 is amended—

(1) by inserting after the item relating to section 109 the following:

“Sec. 109A. Collaboration with industry.”;

(2) by inserting after the item relating to section 110 the following:

“Sec. 110A. Reservation for expanded transition services.”;

(3) by striking the item related to section 304 and inserting the following:

“Sec. 304. Measuring of project outcomes and performance.”;

(4) by striking the items related to sections 305 and 306;

(5) by striking the items related to title VI; and

(6) by striking the item related to section 706 and inserting the following:

“Sec. 706. Responsibilities of the Director.”.

Subtitle F—Studies by the Comptroller General**SEC. 296. STUDY BY THE COMPTROLLER GENERAL ON EXHAUSTING FEDERAL PELL GRANTS BEFORE ACCESSING WIA FUNDS.**

Not later than 12 months after the date of enactment of this Act, the Comptroller General of the United States shall complete and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that—

(1) evaluates the effectiveness of subparagraph (B) of section 134(d)(4) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(d)(4)(B)) (as such subparagraph was in effect on the day before the date of enactment of this Act), including—

(A) a review of the regulations and guidance issued by the Secretary of Labor to State and local areas on how to comply with such subparagraph;

(B) a review of State policies to determine how local areas are required to comply with such subparagraph;

(C) a review of local area policies to determine how one-stop operators are required to comply with such subparagraph; and

(D) a review of a sampling of individuals receiving training services under section 134(d)(4) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(d)(4)) to determine if, before receiving such training services, such individuals have exhausted funds received through the Federal Pell Grant program under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

(2) makes appropriate recommendations with respect to the matters evaluated under paragraph (1).

SEC. 297. STUDY BY THE COMPTROLLER GENERAL ON ADMINISTRATIVE COST SAVINGS.

(a) STUDY.—Not later than 12 months after the date of the enactment of this Act, the Comptroller General of the United States shall complete and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that—

(1) determines the amount of administrative costs at the Federal and State levels for the most recent fiscal year for which satisfactory data are available for—

(A) each of the programs authorized under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) or repealed under section 401 of this Act, as such programs were in effect for such fiscal year; and

(B) each of the programs described in subparagraph (A) that have been repealed or consolidated on or after the date of enactment of this Act;

(2) determines the amount of administrative cost savings at the Federal and State levels as a result of repealing and consolidating programs by calculating the differences in the amount of administrative costs between subparagraph (A) and subparagraph (B) of paragraph (1); and

(3) estimates the administrative cost savings at the Federal and State levels for a fiscal year as a result of States consolidating

amounts under section 501(e) of the Workforce Investment Act of 1998 (20 U.S.C. 9271(e)) to reduce inefficiencies in the administration of federally-funded State and local employment and training programs.

(b) DEFINITION.—For purposes of this section, the term “administrative costs” has the meaning given the term in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801).

SA 2638. Mr. REID (for Mr. NELSON) submitted an amendment intended to be proposed by Mr. Reid of NV to the resolution S. Res. 312, urging the Government of Iran to fulfill their promises of assistance in this case of Robert Levinson, one of the longest held United States civilians in our Nation's history; as follows:

In the seventh whereas clause of the preamble, strike “and providing some initial indications that he was being held somewhere in southwest Asia”.

In the eighth whereas clause of the preamble, strike “further”.

SA 2639. Mr. REID (for Mr. NELSON) submitted an amendment intended to be proposed by Mr. Reid of NV to the resolution S. Res. 312, 0; as follows:

Amend the title so as to read: “A resolution urging the Government of Iran to fulfill their promises of assistance in this case of Robert Levinson, one of the longest held United States civilians in our Nation's history.”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on January 9, 2014, at 10:15 a.m., to hold a hearing entitled “The Situation in Sudan.”

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

COMMITTEE ON THE JUDICIARY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on January 9, 2014, at 9:30 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 9, 2014, at 2 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. HATCH. Mr. President, I ask unanimous consent that Kevin Rosenbaum, detailee to the Senate Committee on Finance, and Stephanie Dearie, clerk to the Senate Committee on Finance, be granted floor privileges for the duration of the Congress.

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

CALLING ON IRAN FOR ASSISTANCE IN THE CASE OF ROBERT LEVINSON

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 271, S. Res. 312.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 312) calling on the government of Iran to fulfill their promises of assistance in this case of Robert Levinson, one of the longest held United States civilians in our Nation's history.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I further ask that the resolution be agreed to; the Nelson amendment to the preamble be agreed to; the preamble, as amended, be agreed to; the amendment to the title be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 312) was agreed to.

The amendment (No. 2638) was agreed to as follows:

(Purpose: To make technical corrections in the preamble)

In the seventh whereas clause of the preamble, strike “and providing some initial indications that he was being held somewhere in southwest Asia”.

In the eighth whereas clause of the preamble, strike “further”.

The preamble, as amended, was agreed to.

The amendment (No. 2639) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: “A resolution urging the Government of Iran to fulfill their promises of assistance in this case of Robert Levinson, one of the longest held United States civilians in our Nation's history.”.

The resolution (S. Res. 312), with its preamble, as amended, and its title, as amended, reads as follows:

S. RES. 312

Whereas United States citizen Robert Levinson is a retired agent of the Federal Bureau of Investigation (FBI), a resident of Coral Springs, Florida, the husband of Christine Levinson, and father of their 7 children;

Whereas Robert Levinson traveled from Dubai to Kish Island, Iran, on March 8, 2007; Whereas after traveling to Kish Island and checking into the Hotel Maryam, Robert Levinson disappeared on March 9, 2007;

Whereas, in December 2007, Robert Levinson's wife, Christine, traveled to Kish Island to retrace Mr. Levinson's steps and met with officials of the Government of Iran who pledged to help in the investigation;

Whereas for more than 6 years, the United States Government has continually pressed the Government of Iran to provide any infor-

mation on the whereabouts of Robert Levinson and to help ensure his prompt and safe return to his family;

Whereas officials of the Government of Iran promised their continued assistance to the relatives of Robert Levinson during the visit of the family to the Islamic Republic of Iran in December 2007;

Whereas, in November 2010, the Levinson family received a video of Mr. Levinson in captivity, representing the first proof of life since his disappearance;

Whereas, in April 2011, the Levinson family received a series of pictures of Mr. Levinson, which provided indications that he was being held somewhere in southwest Asia;

Whereas Secretary John Kerry stated on August 28, 2013, “The United States respectfully asks the Government of the Islamic Republic of Iran to work cooperatively with us in our efforts to help U.S. citizen Robert Levinson.”;

Whereas, on September 28, 2013, during the first direct phone conversation between the leaders of the United States and Iran since 1979, President Barack Obama raised the case of Robert Levinson to President of Iran Hassan Rouhani and urged the President of Iran to help locate Mr. Levinson and reunite him with his family;

Whereas November 26, 2013, marked the 2,455th day since Mr. Levinson's disappearance, making him one of the longest held United States civilians in our Nation's history; and

Whereas the FBI has announced a \$1,000,000 reward for information leading to Mr. Levinson's safe return: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that Robert Levinson is one of the longest held United States civilians in our Nation's history;

(2) notes recent pledges by newly appointed officials of the Government of Iran to provide their Government's assistance in the case of Robert Levinson;

(3) urges the Government of Iran, as a humanitarian gesture, to intensify its cooperation on the case of Robert Levinson and to immediately share the results of its investigation into the disappearance of Robert Levinson with the United States Government;

(4) urges the President and the allies of the United States to continue to raise with officials of the Government of Iran the case of Robert Levinson at every opportunity, notwithstanding other serious disagreements the United States Government has had with the Government of Iran on a broad array of issues, including human rights, the nuclear program of Iran, the Middle East peace process, regional stability, and international terrorism; and

(5) expresses sympathy to the family of Robert Levinson for their anguish and expresses hope that their ordeal can be brought to an end in the near future.

UNANIMOUS CONSENT AGREEMENT—MANDATORY QUORUM CALL

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum required under rule XXII be waived with respect to the two cloture motions filed earlier today.

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

ORDERS FOR MONDAY, JANUARY 13, 2014

Mr. REID. Mr. President, I ask unanimous consent that when the Senate

completes its business today, it adjourn until Monday, January 13, 2014; that following the prayer and pledge, the morning hour be deemed expired, the journal of proceedings be approved to date, and the time of the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of S. 1845, the unemployment insurance extension; that the filing deadline for all first-degree amendments to S. 1845 be 3 p.m. Monday and the filing deadline for all second-degree amendments to the Reed amendment No. 2631 be 4:30 p.m. on Monday; further, that at 5 p.m. the Senate proceed to executive session to consider the nomination of Robert Wilkins to be U.S. circuit judge for the DC Circuit, with the time until 5:30 p.m. equally divided and controlled in the usual form prior to a vote on confirmation of the nomination; finally, that following disposition of the Wilkins nomination, the Senate resume legislative session and proceed to vote on the motion to invoke cloture on the Reed amendment No. 2631.

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

PROGRAM

Mr. REID. Mr. President, the next vote will be at 5:30 p.m. Monday, January 13, 2014, on the confirmation of the Wilkins nomination.

ADJOURNMENT UNTIL MONDAY, JANUARY 13, 2014, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:18 p.m., adjourned until Monday, January 13, 2014, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF THE INTERIOR

SUZETTE M. KIMBALL, OF WEST VIRGINIA, TO BE DIRECTOR OF THE UNITED STATES GEOLOGICAL SURVEY, VICE MARCIA K. MCNUTT, RESIGNED.

DEPARTMENT OF STATE

DEBORAH L. BIRX, OF MARYLAND, TO BE AMBASSADOR AT LARGE AND COORDINATOR OF UNITED STATES GOVERNMENT ACTIVITIES TO COMBAT HIV/AIDS GLOBALLY.

BROADCASTING BOARD OF GOVERNORS

MICHAEL W. KEMPNER, OF NEW JERSEY, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2015, VICE MICHAEL LYNTON, RESIGNED.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

HEIDI NEEL BIGGS, OF OREGON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2017, VICE ERIC J. TANENBLATT, TERM EXPIRED.

DEPARTMENT OF LABOR

CHRISTOPHER P. LU, OF VIRGINIA, TO BE DEPUTY SECRETARY OF LABOR, VICE SETH DAVID HARRIS.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

WESTLEY WATENDE OMARI MOORE, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

FOR A TERM EXPIRING OCTOBER 6, 2016, VICE STAN Z. SOLOWAY, TERM EXPIRED.

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

RANYA F. ABDELSAYED, OF VIRGINIA
ANDREW KEKOA ABORDONADO, OF CALIFORNIA
LAURA RENEE ALDRICH, OF VIRGINIA
LAREN A. ANTONYAN, OF NEVADA
DWAINE D. ATKINSON, OF VIRGINIA
AZIZOU ATTEDUDUE, OF MASSACHUSETTS
NICOLE R. BADEN, OF MARYLAND
DANIEL F. BAKER, OF MICHIGAN
CEDAR C. BALAZS, OF NORTH DAKOTA
CLAIRE T. BEA, OF THE DISTRICT OF COLUMBIA
JESSICA LUCIA BEDOYA HERMANN, OF VIRGINIA
KAREN D. BETTENCOURT, OF CALIFORNIA
CHARLES C. CALVO, OF VIRGINIA
ROSS STEVENSON CAMPBELL, OF VIRGINIA
KATIE CAPRULA, OF THE DISTRICT OF COLUMBIA
BENJAMIN B. CHAPMAN, OF MARYLAND
HEATHER MICHELLE CLASE, OF NEW HAMPSHIRE
MEGAN P. CHEN, OF ILLINOIS
JOHN T. CHENG, OF MASSACHUSETTS
GLORIA CHOU, OF CALIFORNIA
GRACE ELLEN CHUNG, OF WASHINGTON
JILLION MATHIAS COOPER, OF MASSACHUSETTS
COLIN MALLOY GRAM, OF THE DISTRICT OF COLUMBIA
COLLEEN E. DE BERNARDO, OF VIRGINIA
JACQUELINE A. DE OLIVEIRA, OF VIRGINIA
EDUARD DEHELEAN, OF ILLINOIS
BERNARDO A. DIAZ, OF MASSACHUSETTS
BROOKS W. DIEHL, OF VIRGINIA
EMILY CHRISTINE DIGNAN, OF FLORIDA
CHELSI L. DILDINE, OF VIRGINIA
CHRISTINE M. EICHINGER, OF ILLINOIS
CAROLINA ESCALERA, OF FLORIDA
REBECCA ELIZABETH FARMER, OF WASHINGTON
SORIBEL L. FELIZ, OF NEW YORK
BOLTON XAVIER FORD, OF VIRGINIA
CRAIG M. FRIED, OF VIRGINIA
KYLE PATRICK FRITSCHLE, OF VIRGINIA
BART L. GEWERTZ, OF THE DISTRICT OF COLUMBIA
CHRISTOPHER GIDDEON GRANGER, OF CONNECTICUT
ERIC W. GROFF, OF WASHINGTON
ALEXANDER CHARLES GUITTARD, OF THE DISTRICT OF COLUMBIA
JULIAN ANDREACCHI HADAS, OF THE DISTRICT OF COLUMBIA
CHARLES NORMAN HALL, OF MASSACHUSETTS
JOSEPH H. HART, OF PENNSYLVANIA
ZACHARY A. HAUZEN, OF THE DISTRICT OF COLUMBIA
AMANDA R. HECKER, OF THE DISTRICT OF COLUMBIA
MARIE SUZANNE HEGLUND, OF VIRGINIA
MASON BENJAMIN HOROWITZ, OF ILLINOIS
JENNIFER HOYLE, OF VIRGINIA
STEPHEN E. HUNEKE, OF THE DISTRICT OF COLUMBIA
GRANT HUNTER, OF MISSISSIPPI
KATE ERIN HUSBAND, OF MICHIGAN
MARK GEORGE JACKSON, OF MASSACHUSETTS
ARIEL ROSE JAHNER, OF CALIFORNIA
ESTHER B-H JOE, OF CALIFORNIA
CHRISTOPHER DAVID JOHNSON, OF NEW YORK
KEVIN PAUL KETCHUM, OF TEXAS
JUSTIN ANDREW KING, OF VIRGINIA
JOHN-MARSHALL KLEIN, OF VIRGINIA
ANNE MARIE ESTROSAS LEE, OF FLORIDA
SU LEE, OF VIRGINIA
STEPHANIE LELLA, OF NEW YORK
ADAM MIGUEL LEVY, OF MASSACHUSETTS
KYLE JOSEPH PATRICK LISTON, OF OHIO
LISA A. LUDKA, OF VIRGINIA
ANGELO MILO MAESTAS, OF WASHINGTON
MARK ROBERT MALONEY, OF VIRGINIA
CARA M. MAQSODI, OF VIRGINIA
ERICA M. MARRERO, OF VIRGINIA
SHIVA ALIM MARVASTI, OF CONNECTICUT
JONATHAN MATZNER, OF VIRGINIA
CATILIN ELIZABETH MAXWELL, OF VIRGINIA
CATHELINE E. McDONALD, OF WASHINGTON
TIMOTHY JAMES MCKENZIE, OF VIRGINIA
BRADLEY MEACHAM, OF WASHINGTON
JACOB DANIEL MECUM, OF OREGON
TERESA MILENKOVIC, OF VIRGINIA
RHETT MOBLEY, OF FLORIDA
THERESA MUSACCHIO, OF ILLINOIS
ADMIR MUZUROVIC, OF VIRGINIA
NAUREEN M. NALLIA, OF CALIFORNIA
MARY ELIZABETH NAMETH, OF MICHIGAN
ASHKAN NASSABI, OF MICHIGAN
DEBRA NEGRO, OF VIRGINIA
EUGENE NOVIKOV, OF PENNSYLVANIA
CHUKWUDI NWADIBIA, OF CALIFORNIA
JUAN A. ORTIZ MARQUEZ, OF VIRGINIA
CONNOR O'STEEN, OF WASHINGTON
STEPHANIE KATHRYN PARENTI-GIORDANO, OF FLORIDA

ANGELA KERRI PARHAM, OF VIRGINIA
ACHAEL NGUYEN PARRISH, OF MARYLAND
MEAGHAN H. PATRICK, OF VIRGINIA
MALALY PKAR VOLPI, OF VIRGINIA
SANDRA VALERIA PIZARRO, OF IDAHO
AARON HURLEY PRATT, OF MINNESOTA
MELISSA FISHER RANN, OF ILLINOIS
ANTHONY MARK READ, OF NEW YORK
ALEXANDRA RISTOVIC, OF WEST VIRGINIA
LAUREN ROBERTS, OF MARYLAND
JOHN ROBERTS, OF VIRGINIA
NICHOLAS ROBERT ROSSMANN, OF VIRGINIA

MEREDITH LEIGH SANDERSON, OF VIRGINIA
KATRINA J. SENGGER, OF VIRGINIA
MOIRA K. SHANAHAN, OF THE DISTRICT OF COLUMBIA
GRACE A. SHUGRUE, OF VIRGINIA
SAMARA LAKEIDRA ANNESE SIMMONS, OF NEW YORK
ERIC J. SKARPAC, OF MARYLAND
TABITHA JANETTE SNOWERBERGER, OF TENNESSEE
ROBERT D. SOLES, OF VIRGINIA
DANIEL BRENT STONE, OF VIRGINIA
BRYAN STRAUB, OF OHIO
MIKA STRICKLER, OF LOUISIANA
KEVIN J. SU, OF VIRGINIA
JORDAN DAVID SUN, OF VIRGINIA
JACOB DAWES STARNES SURFACE, OF INDIANA
SARAH A. TERRY, OF NEW HAMPSHIRE
EMILY TIETZ, OF TEXAS
SAMUEL D. TOOTLE, OF VIRGINIA
DANIEL GARRISON TOWNE, OF VERMONT
SEVAK TSATURYAN, OF CALIFORNIA
GEORGE M. TUCKER, OF THE DISTRICT OF COLUMBIA
SARAH MELISSA VAN HORNE, OF CALIFORNIA
SUSAN R. VAN WAES, OF VIRGINIA
DUNCAN T. VARD, OF VIRGINIA
JOHN VOLKOFF, OF MARYLAND
LILA F. WADE, OF OREGON
IDASHLA KANE WAGNER, OF VIRGINIA
COURTNEY M. WALTON, OF ILLINOIS
MATTHEW A. WARD, OF UTAH
MARC A. WHITAKER, OF CALIFORNIA
JEANELLE L. WICKS, OF ARIZONA
LISA MARIE WOOD, OF NEW JERSEY
ANGIE ZEIDAN, OF VIRGINIA
FIRENO F. ZORA, OF VIRGINIA

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COLONEL DENNIS J. GALLEGOS
COLONEL DAVID D. HAMLAR, JR.
COLONEL JOHN S. TUOHY

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COLONEL PAUL D. JACOBS
COLONEL TIMOTHY P. O'BRIEN
COLONEL ANDREW E. SALAS

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIGADIER GENERAL JON K. KELK
BRIGADIER GENERAL CASSIE A. STROM
BRIGADIER GENERAL KENNETH W. WISLAN

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIGADIER GENERAL DARYL L. BOHAC
BRIGADIER GENERAL ROBERT M. BRANYON
BRIGADIER GENERAL MICHAEL B. COMPTON
BRIGADIER GENERAL JAMES E. DANIEL, JR.
BRIGADIER GENERAL MATTHEW J. DZIALO
BRIGADIER GENERAL RICHARD N. HARRIS, JR.
BRIGADIER GENERAL WORTHIE S. HOLT, JR.
BRIGADIER GENERAL GARY W. KEEFE
BRIGADIER GENERAL DAVID T. KELLY
BRIGADIER GENERAL DONALD A. MCGREGOR
BRIGADIER GENERAL ROBERT L. SHANNON, JR.
BRIGADIER GENERAL ROBERT S. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL CHRISTOPHER J. BENICE
BRIGADIER GENERAL JACK L. BRIGGS II
BRIGADIER GENERAL DAVID J. BUCK
BRIGADIER GENERAL THOMAS A. BUSSIÈRE
BRIGADIER GENERAL STEPHEN A. CLARK
BRIGADIER GENERAL STEPHEN T. DENKER
BRIGADIER GENERAL JOHN L. DOLAN
BRIGADIER GENERAL MICHAEL E. FORTNEY
BRIGADIER GENERAL PETER E. GERSTEN
BRIGADIER GENERAL GINA M. GROSSO
BRIGADIER GENERAL JERRY D. HARRIS, JR.
BRIGADIER GENERAL DARYL J. HAUCK
BRIGADIER GENERAL JOHN M. HICKS
BRIGADIER GENERAL JOHN P. HORNER
BRIGADIER GENERAL JAMES R. MARRS
BRIGADIER GENERAL LAWRENCE M. MARTIN, JR.
BRIGADIER GENERAL JOHN K. MCMULLEN
BRIGADIER GENERAL BRADFORD J. SHWEDO
BRIGADIER GENERAL JAY B. SILVERIA
BRIGADIER GENERAL LINDA R. URRUTIA-VARHALL
BRIGADIER GENERAL JACQUELINE D. VAN OVOST
BRIGADIER GENERAL MARK W. WESTERGREN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PARTRICK J. DONAHUE II

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

L.T. GEN. WILLIAM B. GARRETT III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

L.T. GEN. DAVID D. HALVERSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624, 3037, AND 3064:

To be brigadier general, judge advocate general's corps

COL. STUART W. RISCH

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

KATHRYN L. AASEN
JASON T. BLACKHAM
JEFFERY A. CASEY
CHOL H. CHONG
SHERYL L. KANE
AMAR KOSARAJU
JAMES M. KUTNER
DAVID P. LEE
ZINDELL RICHARDSON
KEVIN J. STANGER
MICHAEL R. SUHLER
RICHARD D. TOWNSEND
JOHN K. WALTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

THERESE A. BOHUSCH
DAVID E. BYER
JAMES M. CANTRELL
VICTOR CARAVELLO
MARIE PAULETTE COLASANTI
CAROL M. COPELAND
MAUREEN O. HARBACK
BRENT A. JOHNSON
JAMES W. LASSWELL
KEVIN J. MCCAL
KRYSTAL L. MURPHY
RICHARD SCHOSKE
RANDOLPH R. SMITH
JAMES A. STEPHENSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DAVID M. BERTHE
PAUL N. CONNER
GREGORY S. CULLISON
CHRISTOPHER A. DUN
TIMOTHY A. DYKENS
ALFRED K. FLOWERS, JR.
LINDA M. GUERRERO
JOHN J. MAMMANO
TIMOTHY L. MARTINEZ
RONALD J. MERCHANT
TODD L. OSGOOD
MICHELLE A. PUFALL
SCOTT C. SUCKOW
JEFFREY J. WHITE
PAUL A. WILLINGHAM

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

AMY R. ASTONLASSITER
JENNIFER R. BEIN
MARIE ANTONETTE C. BRANCATO
JOHN A. BREWSTER
JARED W. CARDON
BENJAMIN R. CLARKE
LINDA K. COATES
JAY FEDOROWICZ
GEOFFREY L. GESSEL
SCOTT F. GRUWELL
CURTIS F. HAYES
PAUL B. HILFER
TYETUS T. HOHNSTEIN
NATHAN D. KRIVITZKY
KETU PANCHAL LINCOLN
PATRICK M. MCDONOUGH
DIONTE R. MONCRIEF
IRIS B. ORTIZ GONZALEZ
DANIEL J. PALAZZOLO
CHRISTOPHER K. FARRIS
JAKUB F. PIETROWSKI
CHAD R. RAPER
MATTHEW T. RAPER
JAROM J. RAY

MATTHEW M. ROGERS
DAVID A. ROTHAS
RENE SAENZ
CADE A. SALMON
LESLEY J. SALVAGGIO
BRETT A. SESHUL
KYRA Y. SHEA
CHRISTINA L. SHEETS
ANGELA K. STANTON
AIMEE N. ZAKALUZYNI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

RICHARD T. BARKER
ERIC G. BARNEY
ANGELICA BLACK
CHET K. BRYANT
CANG QUOC BUI
ERIC J. CAMERON
FRANCISCO J. CATALA
HEIDI L. CLARK
MICHAEL J. CUOMO
LINDA LEE CURRIER
JOHN A. DALOMBA
MICHAEL F. DETWEILER
THOMAS J. DOKER
DAVID A. EISENACH
TROY P. FAABORG
KELLY J. GAMBINOSHIREY
GREG J. GARRISON
GREGORY S. HENDRICKS
GEORGE A. HESTILOW
VINA E. HOWARTH
WEILUN HSU
TERESA MEAD HUGHES
CHAD A. JOHNSON
BRIAN A. KATEN
EDWARD D. KOSTERMAN III
CHRISTOPHER M. KURINEC
PATRICE L. LYONS
THOMAS N. MAGEE
MICHAEL D. MCCARTHY
ANN D. MCMANIS
MELISSA R. MEISTER
CORY J. MIDDEL
DENIS J. NOLAN
ERIC L. PHILLIPS
JOANNA L. RENTES
LARA L. RILEY
MOCHA LEE ROBINSON
ETHIEL RODRIGUEZ
MATTHEW W. SAKAL
STEFFANIE S. SARGEANT
ERIC J. SAWVEL
MELISSA HERGAN SIMMONS
JOHN E. SIMONS
LEONARDO E. TATO
STACEY S. VAN ORDEN
MICHELLE L. WAITERS
CAROL A. WEST
ROBBIE L. WHEELER
IAN P. WIECHERT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

ELIZABETH R. ANDERSONDOZE
MARK A. ANTONACCI
KARYN JESTER AYERS
DEVIN P. BECKSTRAND
LYNN G. BERRY
ALEXANDER B. BLACK
REBECCA SMILEY BLACKWELL
STEPHEN R. BODEN
STEF R. BOLIN
HANS C. BRUNTMYER
DARRIN E. CAMPBELL
MATTHEW B. CARROLL
NAILI A. CHEN
NICHOLAS G. CONGER
PATRICK J. DANAHER
EDWIN P. DAVIS, JR.
GERALD R. FORTUNA, JR.
KATHY J. GREEN
MARY L. GUYE
WILLIAM N. HANNAH, JR.
MATTHEW P. HANSON
CHRISTOPHER G. HAYES
CHRYSTAL D. HENDERSON
LAKEISHA RENEE HENRY
DAVID C. IVES
ROBERT A. JESINGER
JON M. JOHNSON
PETER H. KIM
KY M. KOBAYASHI
MICAL J. KUPKE
DONALD J. LANE
HENRY K. K. LAU
TERENCE PATRICK LONERGAN
MIKELLE A. MADDOX
JOHN D. MCARTHUR
LISA C. MITCHELL
STEPHEN W. MITCHELL
MEREDITH L. MOORE
CHARLES D. MOTSINGER
ENEYA H. MULAGHA
GLEN K. NAGASAWA
DAVID M. OLSON
CRAIG R. K. PACK
RACHELLE PAULKAGIRI
DWIGHT E. PEAKE
SCOTT C. PRICE

LYRAD K. RILEY
CHRISTOPHER S. ROHDE
KAREN A. RYAN PHILPOTT
STEPHANIE A. SCHAEFER
DAVID P. SIMON
KRISTEN E. TALECK
DAI A. TRAN
MARK W. TRUE
LAURENCE A. ULISSEY
KEVIN R. VANVALKENBURG
ALLAN E. WARD
CATHERINE T. WITKOP
BRIAN M. YORK
AARON T. YU

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JENARA L. ALLEN
ANDREW W. BAKER
MICHAEL E. BINGHAM
BENJAMIN J. BRITTEN
AMY C. BROWN
CODY W. CALAME
KATHRINA T. CARRASCO
CODY L. CHRISTLINE
JEFFREY G. CLAYTON
BRANDON C. CLYBURN
REANN M. CORNELL
JENNIFER E. CRECH
MEGAN SARAH DESROCHES
CYNTHIA L. DOMINNESSY
PRESTON S. DUFFIN
ANDREA L. DUFOUR
JOHN A. DUSENBURY, JR.
PETER S. FRANDSEN
CHERIELYNNE A. GABRIEL
JASON R. GARNER
CHRISTIN M. GIACOMINO
DOUGLAS N. GRABOWSKI
ALLEN G. GUNN
WYETH L. HOOPES
KELLEY A. HURSH
JESSICA A. ISENBERG
BENJAMIN W. JOHNSON
DERRIK R. JOHNSON
SHANNAN M. JOHNSON
CHRISTOPHER J. JONES
ROYDEN DERRICK JONES
TANN S. JONES
MATTHEW W. JOOSSE
KATYA B. KANUK
BRYAN R. KATZ
AMANDA R. KELLY
VERA LEE
AUSTYN M. LEHMUTH
MICHAEL S. LUNA
CLAUDIA E. MAIOLO
JOHN R. MALLYA
JOSEPH K. MCCOMBS
JESSICA L. MILBURN
MATTHEW T. MOBERG
MIKHAIL I. MUKHIN
REBECCA S. NEITZKE
MARK R. OLSEN
RHETT K. OLSEN
NICHOLAS L. POLCZYNSKI
DAMON J. POPE
JACOB A. POWELL
CHRISTOPHER J. RAIMONDI
DAVID M. RAPER
JENNIFER L. REDFORD
JAMES M. RIDGEWAY II
APRIL M. ROCKER
JASON A. ROSE
LARA C. SACKHEIM
CHRISTOPHER J. SAYLOR
DAVID K. SCHINDLER
TODD A. SCHULTZ
TYLER J. SCHUURMANS
MELISSA C. SHEETS
KIMBERLY A. SIMMENHIIPAKKA
AARON T. SMITH
JACOB T. SMITH
NICOLE A. SMITH
HELENA M. SWANK
WAH YUNG TSANG
JON P. VANDEWALKER
ABBEY C. VINALL
CRAIG V. VINALL
SCOTT A. WALKER
BRACKEN M. WEBB
SARAH M. WHEELER
WILLIAM A. WRIGHT
DERRICK A. ZECH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ERIN E. ARTZ
TAMMY L. BAKER
VICKI L. BATEMAN
DAVID T. BEUTLER
KATRINA R. BLANCO
PAMELA L. BLUEFORD
SCOTT M. BOYD
SHANNON CHRISTINE BRANLUND
TRACY A. BRANNOCK
SITAO V. BROWNHEIM
RICHARD H. CABALLERO
LANNIE M. CALBOUN
RACHEL E. CASEY
DANIEL G. CASSIDY

STEVEN R. CHASE
 PEDRO J. COLON
 ELIZABETH F. COPELAND
 TISHA T. CORNETT
 CHRISTINE RENNIE CREED
 BRIAN D. CRUZ
 DANNY C. DACEY
 JODI L. DANTER
 ANTHONY E. DARGUSH
 ROBERT T. DAVIS
 MARK ANDREW DIXON
 KENT H. DO
 IZABELA A. DZIEDZIC
 CRAIG D. ENGLAND
 JON M. B. FARLEY
 EMILY A. FLETCHER
 JASON R. FLORY
 HEATHER M. FORD
 JASON W. FORQUER
 ADAM J. FRITZ
 EMILY A. FUSCO
 WILLIAM A. GARLISI, SR.
 LUCAS GASCO
 JULIE M. GLOVER
 KARINA C. GLOVER
 JUSTIN J. GRAY
 EMILY A. GRIESER
 DANIEL B. GROSS
 ROBERT T. GUDGEL
 STEPHANIE K. HARLEY
 ARMEL HASANI
 ANDREW G. HELMAN
 LAURA P. HENRY
 JAYVANITA A. HILL MOORE
 MARK R. HILL
 ANDREW M. HODGE
 STACIANNE M. HOWARD
 CHRISTOPHER M. HOWELL
 AMANDA E. HUSTON
 IRENE R. JACKSON
 KASEY M. JACKSON
 BARBARA R. JEAN
 ERIC W. JORCZAK
 FERNINA Y. JUNIEL
 SARAH E. KELLY
 NEAL J. KENNINGTON
 MAUREEN F. KIMSEY
 JAMES W. KURZDORFER
 LEA L. LAFFOON
 ANDREW B. LAMMY
 ANTONIO LEONARDICATTOLICA
 BRIAN E. LIVINGSTON
 KARLO M. MARIANO
 CRYSTAL V. MCLEOD
 HEIDI A. MCMINN
 KIMBRAY N. MCNEAL
 MARI M. METZLER
 TABITHA D. MULLINS
 NGUYEN T. NGUYEN
 LAURA A. NICHOLS
 JIN U. O
 MELISSA M. ODENWELLER
 UZOAMAKA ODIMEGWU MBAKWEM
 MARK F. OLSON
 LAMONT Q. ONG
 JOSE A. ORTEGA
 JEREMY R. PALLAS
 GREGORY H. PALMROSE
 GENA C. PARKMAN
 TUYEN T. PHAM
 SONIA N. PONS
 DAVID R. POOLE
 JESSICA M. POTHAST
 AMY L. QUINLISK
 MICHAEL J. RABENER
 MICHAEL H. RATH
 PATRICE L. REVIERE
 JORDAN B. RICHARDSON
 GERARDO I. ROBLES MORALES
 LAKISHA GADSDEN ROE
 ANDREA M. ROPE
 JILL M. ROSER
 EMILY A. ROUGIER
 DAWN M. RUSSELL
 JAMES B. RUTLAND
 KAREN M. SALYARS
 LLOYD C. SCHARFENSTINE
 JOHN I. SHOAF
 JEFFREY J. SMITH
 THOMAS M. SMITH
 RABECA K. STAHL
 JIMMY D. STANLEY
 BRIAN J. STROH
 LAURA L. SWANSON
 DAWN APRIL TANNER
 JOLYN I. TATUM
 NADIA E. TEALE
 MICHAEL R. TEMPLE
 MATTHEW S. UBEDEI
 DANNY J. VILLALOBOS
 KATHERINE J. WAGGNER
 CATHERINE M. WARE
 MICHAEL L. WEBBER
 DAVID M. WELLER
 TOMAS WIDEMOND
 CHAD R. WILLIAMS
 DIANNE L. WILLIAMS
 JAMES B. WILLIAMS
 TODD K. ZUBER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES AIR
 FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

WESLEY M. ABADIE
 CHRISTOPHER T. ANDERSON

JAVIER L. ARENAS
 JAMES J. ARNOLD
 JOANNE M. BALINTONA
 MATTHEW F. BARCHIE
 DARRELL E. BASKIN
 RHODORA J. BECKINGER
 KENNETH S. BODE
 DANIEL E. BRADY
 PRYOR S. BRENNER
 NATHAN H. BREWER
 ALICE J. BRIONES
 LEE JOSHUA BROCK
 DANIEL J. BROWN
 DOUGLAS W. BYERLY
 MATTHEW C. CALDWELL
 DALE C. CAPENER
 KATHERINE M. CEBE
 LAURA P. CEBE
 VICTOR C. CHANG
 STEVE I. CHEN
 DONALD S. CHRISTMAN
 KASI M. CHU
 CHAD E. CONNOR
 TARA E. COOK
 JESSICA W. CROWDER
 KATIE M. CROWDER
 MICHAEL W. CROWDER
 BRYAN C. CURTIS
 EDDIE D. DAVENPORT
 TASLIM A. DAWOOD
 KATE B. DEISSEROTH
 CHRISTOPHER J. DENNIS
 JEFFREY D. DILLON
 TUCKER A. DRURY
 STEVE L. DUFFY
 JAMES T. DUNLAP
 MATTHEW D. EBERLY
 ANDREW B. EBERT
 ELIZABETH A. ERICKSON
 AARON M. FIELDS
 TERESA L. FINNILA
 BRIAN M. FITZGERALD
 ANNA M. FLINN
 JOSEPH P. FORESTER
 MICHAEL R. FRAYSER
 AMY E. GAMMILL
 MATTHEW C. GILL
 SEAN C. GLASGOW
 CHRIS K. GOLD
 MATTHEW D. GOLDMAN
 CRAIG A. GOOLSBY
 DAVID K. GORDON II
 CLAIRE HOELSCHER GOULD
 SCOTT I. HAGEDORN
 HEATHER A. HALVORSON
 MARIE J. HAN
 MATTHEW C. HANN
 SHANA LEE HANSEN
 BRENT S. HARLAN
 KENISHA R. HEATH
 CHANCE J. HENDERSON
 DANA J. HESS
 SVEN M. HOCHHEIMER
 BRIAN L. HOLT
 MARC D. HOPKINS
 ANDREW Y. HSING
 BRIAN S. JOHNSTON
 COURTNEY A. JUDD
 ERIC W. KADERBEK
 GREGORY C. KAHL
 JOHNSON C. KAY
 KIRK A. KEEGAN III
 CHRISTOPHER KEIRNS
 PATRICK L. KELLER
 JASON A. KELLY
 RONALD J. KHOURY
 MARY ANNE KIEL
 JULIANE B. KIM
 JEREMY A. KING
 MELISSA M. KING
 GEORGE H. KOTTI III
 LEZLIE R. KUEBER
 CAROLYN S. LACEY
 JEFFREY S. LAROCHELLE
 GRANT E. LATTIN, JR.
 DALILA W. LEWIS
 ARNOLD K. LIM
 JEN LIANG JACOB LIN
 CHRISTOPHER J. LINBERG
 HENRY C. LIU
 EDWARD M. LOPEZ
 JOSEPH E. LOTTERHOS, JR.
 BRUCE A. LYNCH
 BRYANT R. MARTIN
 JASON C. MASSENGILL
 PETER E. MATTHEWS
 GREGORY THOMAS MCCAIN
 SHANNAN E. MCCANN
 SHANE N. MCCAULEY
 TIMOTHY J. McDONALD
 SHAWN M. MCFARLAND
 MICHAEL A. MEEKER
 JONATHAN S. MILLER
 JAMES D. MITCHELL
 ARASH K. MOMENI
 DERRICK A. MONTGOMERY
 GLENVILLE G. MORTON
 BRIAN H. NEESE
 ADAM J. NEWELL
 JOHN M. OBERLIN
 JAMES B. ODONE
 DAVID M. OLDHAM
 JOSEPH M. OLIVEIRA
 WILLIAM L. POMEROY III
 JOHN W. POWELL
 JESSICA F. POWERS
 RONALD J. QUAM

ERIC T. RABENSTEIN
 TEMPLE A. RATCLIFFE
 DARA DANIELA REGN
 CHRISTOPHER A. ROUSE
 DILLON J. SAVARD
 MICAH D. SCHMIDT
 TODD A. SCHWARTZLOW
 KATHRYNE L. SENECHAL
 ANAND D. SHAH
 HEATHER M. SILVERS
 KRISTIN L. SILVIA
 MARVIN H. SINEATH, JR.
 MICHELLE T. SIT
 MATTHEW J. SNYDER
 ELIZABETH L. SOMSEL
 JONATHAN A. SOSNOV
 JADE M. SPURGEON
 MARK C. STAHL
 JENNIFER ANN STANGLE
 MEGAN BURGESS STEIGELMAN
 SHANE C. STEINER
 JACOB T. STEPHENSON
 JOSEPH J. STUART
 JASON L. TAYLOR
 CAMERON M. THURMAN
 CARLA E. TORRES
 ELIZABETH P. TRAN
 SARAH N. VICK
 MATTHEW C. WALLACE
 GRAHAM I. WARDEN
 DERON T. WARREN
 CHRISTOPHER J. WILHELM
 JASON A. WILLIAMS
 ALAN J. WILLIAMSON
 MATTHEW J. WOLF
 ELY A. WOLIN
 ALYN Q. WOODS
 JOSHUA Y. YOUNG
 SCOTT A. ZAKALUZYNY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES AIR
 FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ADAM L. ACKERMAN
 DANIEL J. ADAMS
 SABBINA M. AKHTAR
 JANILE M. ALEXANDER
 KRISTINE E. ANDREWS
 JUSTIN J. ARAMBASICK
 MATTHEW A. ARMSTRONG
 RYAN D. AYCOCK
 SARAH K. AYERS
 JUSTIN P. BANDINO
 MICHELLE L. BANDINO
 MICHAEL A. BARAKAT
 DARRICK J. BECKMAN
 MELISSA C. BECKMANN
 DAVID CARL BELCHER
 DAVID E. BEREDA
 MARSHALL B. BERKES
 CHRISTOPHER L. BERRY
 STUART R. BERTSCH
 MELISSA J. BLAKER
 DANA M. BLYTH
 AARON M. BOGART
 PRINCE L. BOWMAN
 ERIN K. BOYLSTON
 ERIN N. BRACY
 MICHAEL BREWER
 WILLIAM E. BROOKS
 MICHAEL R. BRUNSON
 NATHAN S. BUCK
 REBECCA K. BURNS
 REBECCA R. BURSON
 KATHRYN M. BURTON
 TYLER M. BUSER
 MELISSA R. BUSKEN
 PAUL E. BUTTS
 KIMBERLY B. CALDWELL
 ROBERT M. CAMBRIDGE
 BRYAN J. CANNON
 DIANE M. CARANTA
 CHRISTOPHER J. CHIU
 MARYROSE D. CHUIDIAN
 LETITIA DANIELLE CHUKWUMAH
 YOUNGME C. CHUNG
 CHRISTOPHER N. CLARKE
 JEFFREY A. COLBURN
 CHARLEY A. COLLENBORNE
 JOSHUA C. COMES
 MATTHEW R. COMPTON
 MARK A. COOMES
 SCOTT J. CRABTREE, JR.
 NICOLE C. CROLEY
 JARED A. CROTHERS
 TORIJAUN D. DALLAS
 CORDELL R. DAVIS
 SHYAM K. DAYA
 MAURICIO DE CASTRO PRETEL
 STEVEN D. DEAS
 MELISSA L. DECKER
 ERIK SCOTT DESOUCY
 KRISTEN L. DEVILDE
 SCOTT C. DILLARD
 CHRISTINA L. DILLER
 BRADLEY R. DOLES
 DANIEL A. DOLEWSKI II
 STACY A. DONNELLY
 GARY W. DORAZIO
 JALIE KATRICE DORRIS
 RYAN S. DORSEYSPITZ
 JOSHUA R. DUNCAN
 KEITH E. EARLEY, JR.
 PETER S. EASTER
 SHANNON R. EHLERINGER

BASHIR ELKHOURY
 EMILY J. ERMIS
 SCOTT M. EVERSON
 ANGELA M. FAGIANA
 JETHER C. FARINO
 CHARLES J. FERONTI
 PATRICK R. FINKBONE
 SARAH BRITT FOLEY
 CAELAN M. FORD
 HEATHER N. FOSTER
 DANA A. FRAZINE
 ANTHONY P. GALE
 LAURA K. GALLO
 HILARY B. GALLOGLY
 HECTOR M. GARCIA MARRERO
 CHRISTIAN A. GARCIA
 NITASHA D. GARCIA
 NOEL M. GARCIA
 JENNIFER M. GEMMILL
 SPENCER M. GEORGE
 LAWRENCE MCLEAN GIBBS
 SHANNON A. GLADMAN
 LINDSEY A. GOETZ
 AARON J. GOODRICH
 ROSS F. GRAHAM
 RICHARD E. GRAY
 RYAN L. GRAY
 ASHLEY L. GUBBELS
 JOSHUA D. GUSTAFSON
 ANDREA M. HAGES
 JESSICA L. HAINSFURTH
 KIMBERLY A. HAMILTON
 DALLAS G. HANSEN
 MARK C. HANSEN
 CHRISTIANNE M. HARRIS
 GABRIEL T. HARRIS
 APRIL E. HAURY
 TIMOTHY R. HAUSER
 BENJAMIN J. HEATON
 KELLY D. HEGGARD
 ROBERT J. HENLEY
 NATASHA C. HERBOLD
 CHRISTOPHER W. HEWITT
 JUSTIN B. HILL
 JOSHUA W. HINSON
 BRIAN J. HOOD
 JAMES E. HOUGAS III
 ANDREW D. HOUSHOLDER
 ADAM B. HOWES
 KATTIE DANNIELLE HOY
 NICOLE M. HSU
 JOSEPH C. HUDSON
 OMOTAYO A. IDERA ABDULLAH
 KATHERINE M. IVEY
 CHRISTINE E. JACOBSEN
 HAMEED JAFRI
 ROCKY P. J. JEDICK
 JULIE R. JEYARATNAM
 CYNTHIA R. JOHNS
 MARY A. JOHNSTON
 BRANDON Q. JONES
 RYAN W. JONES
 JOHN H. KIM
 RICHARD BENJAMIN KNIGHT
 STEPHANIE I. KNODEL
 RYAN M. KRAMPERT
 BENJAMIN B. KUMOR
 EMILY S. KUO
 ANDREW J. KUSCHNERAIT
 HANA K. KWAN
 RHET R. LANGLEY
 JENNIFER L. LAZAROWICZ
 AMY M. LEE
 RACHEL A. LIEBERMAN
 MARK LIU
 LIN N. LU
 LESLIE LYLES
 RAFAEL H. MACALMA
 JAIMIE L. MAINES
 JACOB S. MAJOBS
 ANDREW M. MALEY
 JAMES M. MANLEY
 CRYSTAL M. MANOHAR
 WILLIAM E. MARTIN
 DAVID T. MATTESON
 JON R. MAUST
 WILLIAM J. MAYLES
 BROOKE J. MCCARTHY
 TREVOR I. MCCOTTER
 MATTHEW S. MCDONOUGH
 TIFFANY P. MERRICK
 RYAN P. MOLCHAN
 SONIA L. MOLCHAN
 MICHELLE R. MORA
 KRISTY MORALES
 ARIAN A. MOSES
 DAVID A. MOSS
 BARON THAXTON MULLIS
 SHANNON M. MURPHY
 PATRICIA I. NWAJUAKU
 ROBIN M. OBER
 TIMOTHY R. ORI
 ZACHARIAH A. OVERBY
 JUDY K. OWENS
 CHARLES Q. PACE
 DEMIAN A. PACKETT
 JAVIER A. PADIAL
 WHITNEY PAFFORD
 STEPHEN J. PARK
 CORNELIUS R. PETERSON
 TREVOR A. PETERSON
 DANIEL S. PETTIT
 NEIL T. PHIPPEN
 JENNIFER L. PIPPIN
 KYLA R. PYKO
 KRISTEN A. REINEKE
 REGINA M. REINSVOLD

RICHARD E. REINSVOLD
 JUSTIN C. REIS
 JEANMARIE B. REY
 ILA S. REYES
 WESLEY D. REYNOLDS
 DEREK M. RICHARDSON
 DAVID L. RIGGS, JR.
 AARON M. ROBERTS
 CHRISTINA HELEN ROBINSON
 JOEL N. ROBINSON
 CHRISTINE ROJAS
 REBECCA A. ROSE
 NATASHA M. ROWE
 KAREN A. RUPP
 TRAVIS C. RUSSELL
 TYLER W. RUST
 ELIZABETH E. SABLOTNE
 DANE H. SALAZAR
 VALERIE G. SAMS
 DAVID R. SAYERS
 CHRISTOPHER SCHEIBLER
 FREDERICK W. SCHIEBEL
 MONICA E. SCHMIDT
 THOMAS W. SCHMIDT
 BROOKE M. SCIUTO
 DANIEL J. SCOTT
 OWEN J. SCOTT
 MICHELE A. SCULLY
 BRETT SEARCEY
 DAVID J. SHAW
 ANDREW J. SHEEAN
 MICHAEL R. SHERMAN
 ASHLEY M. SHIRAH
 MATTHEW P. SHUPE
 THOMAS S. SHUTE
 TRACY J. SLAGER
 JOANNA L. SLOBODNJAK
 CASEY C. SMITH
 WILLIAM D. SMITH
 ANGELA M. ST. CLAIR
 REBECCA H. STANLEY
 DWAYNE C. STEELE
 JUSTIN D. STERETT
 JONATHAN A. STERING
 ANDREW PAUL STEVENS
 JOSHUA A. STEVENS
 MARK J. STEVENS
 CHRISTOPHER J. STRAUCHON
 MEGHANN M. STROBACH
 MARY F. STUEVER
 ANGELA D. SULLIVAN
 SABRINA M. SUMNER
 ROBERT B. SWANSON
 MATTHEW J. SWENSON
 CHRISTOPHER F. TANA
 KELLY B. THOMPSON
 ENRILYN R. THRONSON
 JONATHAN D. TIDWELL
 MICHAEL K. TIGER
 AMANDA M. TIPTON
 ROBERT L. TONG
 OANH N. TRAN
 JOHN F. TRENTINI III
 GREGORY TRIFILO
 RICHARD E. TROWBRIDGE
 DANIEL T. TRUSCOTT
 DANIEL J. URSCHER
 MARY ROSE B. VALINA
 MICHAEL R. VAN DUSEN
 ALLISON A. VAN HAASERT
 JOHN E. VICKMAN
 DAVID M. VON CLEF
 BETTINA C. WATKINS
 LUISA Y. WATTS
 MICHAEL A. WATTS
 JOY E. WHEAT
 BRANDON M. WHITE
 DERRIC ALLAN WHITESIDE
 MATTHEW C. WILSON
 PRESTON J. WILSON
 REBEKAH L. WOLAK
 SKY J. WOLF
 PRISCILLA H. WONG
 MEREDITH L. WRIGHT
 ZACHARY E. WRIGHT, JR.
 ABBY L. YOUNG
 KRISTEN P. ZELIGS

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

JOSEPH A. ANDERSON
 ERICA K. BARKEI
 JACOB L. BARNOSKI
 SHAWN C. BASINGER
 COLT W. BAXTER
 MICHAEL BELLIN
 DESIREE R. BROACH
 AMY M. CARLSON
 AMANDA J. CHAMBERLIN
 ROSS A. CONIGLIO
 JASON R. CRAWFORD
 JOHN M. CRAWFORD
 TERRA L. DAWES
 FRANK A. DECECCO
 TACIA E. DESPO
 MATTHEW T. FRENCH
 ANGELINA C. GERARDO
 JAROD M. HANSON
 DIANA A. HOFFMAN
 RHONDA L. HOLT
 STEPHANIE M. KENNEDY

MARC G. KNOBBE
 MIRIAM A. LOVELL
 BRANDEN M. MAXWELL
 TAYLOR K. OPEL
 AMOS K. PETERSON
 SANTOS K. J. RAPP
 CAITLIN A. RIZZO
 D011695

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

VICTOR M. ANDA
 TODD D. ANDERSON
 TIMOTHY M. BENEDICT
 TROY P. BETTENCOURT
 DAVID M. BOLAND
 EDWARD J. BOOTH
 TISHA L. BRIDGE
 CHARLES P. BRILL
 JASON R. COLLINS
 CHRISTOPHER B. CORDOVA
 BRADLEY P. COUGHLIN
 ROBIN E. CUSHING
 KAREN A. DAIGLE
 CINDY J. DEAN
 MARIA G. DUGGAN
 EMMANUEL EASTERLING
 DAVID E. ELLIOTT
 LINDSEY K. FAUDREE
 BRIAN M. FECTEAU
 ANDREW D. FISHER
 ISMAEL FLECHA
 ANDREW D. FORTENBERRY
 DARRON FRITZ
 JAMISON E. GADDY
 BRETT C. GENDRON
 CRYSTAL L. GIESEL
 JASON D. GONZALEZ
 BRIAN E. GRAY
 BRIAN T. GREGG
 STEPHEN HANSON
 DARREN W. HEARN
 JULIE A. HESS
 MICHAEL D. HOLLOWAY
 SCOTT R. JOLMAN
 JOETTA M. KHAN
 JUSTIN KOCHER
 TINA M. KOILE
 KRISTOPHER B. LEWIS
 KELLY J. MARCOUX
 TODD L. MCNIESH
 CHRISTOPHER G. METCALF
 JOHN A. MILLER
 MICHAEL D. MORRISON, JR.
 ANTONIO ORTIZGARCIA
 TAMARA E. OSGOOD
 DUSTIN T. OVERHOLT
 JASON F. PACE
 DAVID M. POLSTON
 OSCAR POMALES
 FRANK RAMOS
 CHRISTOPHER W. REMILLARD
 JESSE P. REYNOLDS
 BRADLEY M. RITLAND
 CANDI C. ROBERTS
 CHRISTOPHER J. RUGGIERO
 DAWN M. RYAN
 MELISSA J. SHELTON
 BRIAN S. SIMONS
 CRAIG J. STACHEWICZ
 SUSAN STANKORB
 MARTIN L. STEWART
 RACHELLE THOMAS
 VALERIE M. WATKINS
 DREW M. WEBB
 JEFFREY A. WEISS
 WELTON W. WILSON
 JOSHUA A. WORLEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

TRACY K. ABENOJA
 SAMANTHA L. T. AGEE
 BRIAN P. ALEXANDER
 MICHELLE F. AMBERSLEY
 IQUO N. ANDREWS
 DANIELA A. ARGENTINO
 DANIELO M. AUSTIN
 KENNETH M. AYTES
 BRIDGETTE S. BAILEY
 JIYOON J. BARHAM
 STEVEN A. BARR
 FELISA K. BATSON
 SAMANTHA E. BAZAN
 DAWN M. BLANCHARD
 CAMISHA Q. BOATWRIGHT
 REUBEN BONDURANT
 PHANTHAVONG BON
 WILLIAM BOSOMPEM
 COLLAZO G. A. BRACETE
 WILLIE C. BRANCH
 GORDON T. BRISCOE
 ELIZABETH R. BROWN
 ROBIN R. BROWN
 TRENA A. BUGOS
 MICHELE L. BURATTI
 SEAN W. CALDER
 BROOK T. CARERROS
 LORETTA K. CLARKTORREIRA

VERONICA D. COLLINS
YASHIKA R. COOK
RICHARD E. CROCKER
JEREMY K. CROUCH
RICHARD A. CURRY
WILLIAMS L. M. DANIELS
NICOLLE E. DEATON
CELIA DIAL
JAMES J. DIAL
ELISABETH DILLON
MEGAN D. DONALD
NAKEIMA E. DORR
NICOLE R. DRAKE
JULIE R. DUFFY
JOHN C. ECKHOLM
MICHAEL A. ELIE
MATTHEW J. EULER
ANNIE M. FANT
NATALIE A. FARLEY
ANGELO V. FIORE
ANGELIA M. FISHER
ELIZABETH A. FLEGE
KYLEE J. FOY
JACOB R. FROEHLE
MARC A. FURMANSKI
JULIE K. GAHL
JEFFREY M. GAINOK
MANUEL A. GALAVIZ
BRIAN P. GALLAHAN
BETHANY D. GARDNER
BELINDA I. GIBBS
JENNIFER Y. GIVENS
MICHAEL GRAY
KELLY N. GREEN
BRIAN A. GREENE
CYNTHIA D. GROENDES
JOSE G. GUTIERREZHERNANDEZ
TIMOTHY L. HARRINGTON
HERMAN L. HENKES
GENO M. HERRON
PATRICIA A. HODSON
SETH A. HOLLOWAY
TERRY B. HOOK
CHRISTY G. HOYT
FELECIA E. HUDSON
JENNIFER L. HUYCK
CATHERINE T. JENNINGS
GEORGE H. JOHNSON
COREY W. JONES
KEVIN P. JONES
STEPHEN D. JONES
NANCY N. KANE
JAYME L. KAPFENSTEIN
SUZANNE T. KEITH
LAQUINCYIA R. KEY
ANDREW S. KRAUSE
PATRICK M. KRUM
NICKIE A. LACER
JOANN J. LEDOUX
NORRIS L. LEVY
JOSEPH M. LISTER
STEPHENIE R. LISTER
DEBRA LOVE
JULIANA A. LUCIANO
NICOLE M. MALDONADO
CANISHA A. MARTIN
ATIA C. MBAH
SANDRA B. MCKENZIE
KELLY C. MEISTER
FELIX MERCADOTORRES
AMANDA M. MERRITT
JUSTIN L. MILLER
BARON B. MOEHLENBROCK
KRISTINA E. MOFFETT
JOHN M. MOZER
ERIC S. MUTCHIE
AMANDA B. NAPOLET
NATHANIAL NARAYANA
CYNTHIA L. NATION
NICOLE M. NELSON
MICHAEL G. NEUFELD
MARTHA M. OBER
NICKOLAS C. PACELLA
FIGUEROA O. PEREZ
GREGORY R. PHILLIPS
ISABELLA PINA
LOUIE S. PINEDA
MELODY POLANEC
KENNETH O. PORTER
LISA A. POST
TRACEY E. POWELL
MARITA J. PRINCE
DERRAL W. PROWANT
HEIDI R. RADMER
RYAN K. RANSOM
NICOLE L. RAU
RANDY J. RAU
KELLY A. RENEHAN
NORVEE R. REYES
NSENKA RIBEIROANDERSON
TANESHA D. RICHARDSON
SCOTT A. RIVERS
LUDRENA C. RODRIGUEZ
KIMBERLY A. ROSENBAUM
BROOKE H. SCHRUM
KESHIA A. SEYDEL
ANNE J. SHEAHAN
STEPHEN J. SHOWALTER
JANET J. SIMS
ASHLEY D. SMITH
CURTIS B. SMITH
ADAM J. SOKOLOWSKI
KIMBERLY M. SOLARI
EDRIS L. STAPLES
CHERYL L. THOMAS
TERESA TIMMS
LEIGH B. TRAYLOR

BRENT B. TUMA
MARY A. TURBIAK
SANDRA L. TURNER
RACHEL G. TYLER
JOANN C. WARD
KELLEY A. WATTS
NANCY J. WEAVER
KAREN A. WHITE
ERIN E. WHORRALL
ANDREW J. WIEHER
TINA M. WILLIAMS
RACHEAL L. WOOD
KATHLEEN M. YOUNG
DANIEL J. YOURK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

HARRIS A. ABBASI
MICHAEL L. ACE
JOCELYN M. ADVIENTO
BRENT E. ANDERSON
DAVID L. ARMESON
MICHAEL G. BACKLUND
CHASKA L. BARKSDALE
ANTHONY D. BARNETT
DOUGLAS D. BARRICKMAN
ANTHONY D. BARRY
JONATHAN S. BARTLETT
MEGAN L. BATES
CARLA A. BERGER
CATHERINE A. BESSLER
TIFFANY R. BILDERBACK
DARIN R. BINGHAM
CHRISTOPHER M. BLACKNALL
ALEJANDRO BONILLA
ISAAC M. BONNEY
DOMINICA D. BOWDEN
MELISSA M. BOYD
LINDSAY M. BRADEN
ROBERT D. BRODNICK
ALISSA L. BYRNE
ASMAR S. CALVERY
CORETTA F. CAMPBELL
SPENCER B. CASH
EDWIN G. CAUDELL
JOSHUA D. CHASE
JESS M. CHRISTENSEN
ALSHONTA CLEMENS
LAUREL K. COFELL
THOMAS C. COLLETTE
SEAN N. COLLEY
NATALIE D. COLLINS
BRENT A. CREER
JONATHAN A. DAMBROZIO
ANDY D. DAO
NEAL A. DAVIS
KIMBERLY L. DECKER
SAMANDRA T. DEMONS
IAN C. DEWS
BRENDAN S. DONOVAN
REUBEN G. DOORNINK
CHRISTINE P. DOWNS
MICHAEL N. DRETSCH
PATRICK DULIN
PHILIP J. DURANDO
EDWARD N. EDENS
CESAR I. EGUSQUIZA
MICHELLE L. ELLIOTT
MATTHEW R. EWENS
STEVEN E. FLANNIGAN
JASON A. FOGARTY
MICHAEL P. FORSLUND
MATTHEW D. FRANCIS
CHAD M. GAGNON
ARMANDO M. GENEROSO
CORY L. GEROULD
KASSANDRA T. GESSE
DANA Y. GRAY
GEORGEANA L. GREEN
MICHELLE L. GRIFFITH
JUAN E. GUZMAN
JASON G. HALBERT
NAKIA C. HALL
KATHLEEN E. HAMILTON
PATRICIA J. HAMMOND
CHAD R. HANDLEY
JUSTIN W. HANSEN
CHARLES L. HAYES
ZACHARY J. HEINRICH
PAUL C. HENNING
JESSICA HIGA
GREGORY B. HILL
STUART S. HOBBS
JESSICA R. HULL
RACHEL N. HUSSAIN
NYKEBA L. A. JACKSON
MARVIN J. JENNINGS
ANTHONY R. JONES
STEVEN G. JONES
JAMES T. JUNE
ERICA L. KANE
DANE A. KAPPLER
RICHARD M. KELLEY
JASON S. KIM
KATHERINE M. KINDER
BRADLEY K. KISTLER
DAVID S. KLAJIC
LISA R. KLEIN
SANJAY KRISHNASWAMY
RYAN S. LABIO
CLAYTON C. LANGDON
DAYAMI LIEBENGUTH
RODNEY L. LINCH

KATHRYN C. LOFRANCO
ISAAC LOPEZ
IAN J. LYNCH
JAMES B. MACDONALD
TRISTAN C. MANNING
PEDRO L. MARREROGUZMAN
SCOTT A. MARTIN
KATIE M. MARTINEZ
BRIAN A. MASON
TARA N. H. MCADOO
PATRICK W. MCCARDLE
BRANDON D. MCCARTER
LANCE E. MCINTIRE
CASEY MCKENNA
LEE A. MCMOOAIN, JR.
JENNIFER N. MEADOWS
TY A. MEDLER
BRIAN A. MILLER
MICHELLE L. MILLER
DANELLE M. MIYAMOTO
ALEX C. MONTGOMERY
TERRANCE MONTGOMERY
MEGAN E. MORGAN
MICHAEL S. MOSER
KRISTIAN D. MROCKZO
MICHAEL J. MURPHY
ERIC J. NEELANS
GABRIELA L. NIESS
PRINCESS P. PALACIOS
HOWARD W. PALMER
MATTHEW PARTYKA
NATHANIEL J. PASCHAL
LES S. PATTERSON
DENNIS J. PENACERRADA
MARCUS D. PERKINS
WADE H. PETERSEN
RACHEL S. PETWAL
SHANTAY R. PHILLIPS
BRYAN C. PICKERAL
ROBERT R. PLOTTS
ALEXANDER RAGAN
CAMILLO N. RAMIREZ
MELISSA G. REGISTER
MARSHA D. REVEAL
ERIN E. RICHARDS
CHRISTOPHER W. RICHELDERFER
KELLY M. RIVERA
VIRGIL A. RIVERA
JOHN F. ROBICHAUX
JORGE F. RODRIGUEZ
DENNIS M. RUFOLO
DIEU T. T. RUSHBROOK
RAUSHAN A. SALAAM
LATRICIA N. SANDERS
ADAM N. SCHAEFFER
ROBERT N. SCHLAU
SHAMECCA M. SCOTT
GRANT SEVERSON
ROXANNA E. SHEAFFER
CLARK SIMON
JON J. SKIDMORE
AARON M. SMITH
JASON P. SMITH
JESSE E. SMITH
STEPHANIE D. SMITH
VICTOR F. SORANO
GWYNETH R. SOTO
JAMIE L. SOUTHERLAND
NICHOLAS R. SPANGLER
WILLIAM D. SPRUILL
JOHN C. STEHULAK
RANDALL J. SWEENEY
MELISSA M. THOMAS
MATTHEW L. TILLMAN
THOMAS F. TORCHIA
HA T. TRAN
CYNTHIA L. TUCKER
ROSALYNDA M. UY
CHRISTINE M. VANDEVEIRE
CRISTA M. WAGNER
LYNN M. WAGNER
MELINDA A. WALLACE
FRANK B. WANAT
TERRANCE L. WILLIAMS
MATTHEW C. WINGATE
CHRISTOPHER S. WOODSON
JULIE K. YOUNG
JOSHUA D. ZELDIN
DAVID M. ZUPANCIC

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

WILLIAM B. ALLEN IV
BRETT A. ALLISON
JOSE E. ALMAZAN
BRADLEY W. ANDERSON
JOSHUA D. ANDERSON
SETH E. ANDERSON
ROBERT G. ANTOLINO
DAVID W. BAAS
THOMAS N. BALL
JAMES T. BARDO
JEFFREY D. BAUER
JEREMY W. BEAVEN
PIERRE R. BERTRAND
JAMES S. BIGL
JOHN W. BLACK
JASON A. BOROVIES
MARK D. BORTNEM
JOHN C. BOWES
TIMOTHY S. BRADY, JR.
CHRISTOPHER M. BRANNEN

LEONEL O. BRITO, JR.
 MARK J. BROEKHUIZEN
 JEFFREY D. BROWN
 MARK C. BROWN
 MATTHEW A. BROWN
 THOMAS A. BROWNE, JR.
 JEFFREY H. BUFFA
 ANTHONY W. BURGOS
 DAMON K. BURROWS
 ROBERT L. BURTON
 MICHAEL D. BUTLER
 DUSTIN J. BYRUM
 MICHAEL T. CABLE
 ANDRES H. CACERESSOLARI
 AMY S. CAHOON
 JOHN O. CALDWELL
 JADE CAMPBELL
 STEPHEN T. CAMPBELL
 MATTHEW P. CAPODANNO
 ROBERT E. CARLSON, JR.
 WALTER G. CARR
 SIU K. CHENG
 BRIAN G. CILLESSEN
 THOMAS J. CLEAVER
 LOUIS COLTER III
 CRAIG C. CONNELL II
 WARREN C. COOK, JR.
 TIMOTHY J. COOPER
 FRED G. COURTNEY III
 CLAYTON A. CRAIG
 JOSEPH W. CRANDALL
 DEREK M. CROUSORE
 URBANO CRUZ
 JONATHAN E. CURTIS
 JEREMY G. DEVEAU
 SHAUN W. DOHENEY
 JASON E. DONOVAN
 JAMES S. DORLON
 HAROLD E. DOWLING
 JARED R. DUFF
 SEAN P. DYMAN
 JAMES W. EAGAN III
 LAUREN S. EDWARDS
 THOMAS E. ELDERS
 SEAN M. ELWARD
 DAVID C. EMMEL
 JACOB O. EVANS
 MICHAEL C. EVANS
 ROY H. EZELL III
 EDWARD R. FERGUS
 DAIL T. FIELDS
 ROBERT E. FLANNERY
 CHRISTOPHER M. FLOOM
 STEVEN J. FREESE
 ANTHONY D. FROST
 KELLY FRUSHOUR
 STUART J. FUGLER
 MICHAEL G. GAFFNEY, JR.
 GERARDO D. GAJE, JR.
 JOHNNY G. GARZA
 TODD C. GATES
 JAMES R. GIBSON
 ERNEST GOVEA
 LAWRENCE B. GREEN II
 ROBERT B. GREEN
 BRIAN D. GREENE
 LEO S. GREGORY
 JENNIFER L. GRIEVES
 SHAWN P. GRZYBOWSKI
 CHRISTOPHER M. HAAR
 DONALD W. HARLOW
 FRANCIS G. HARRIS
 RYAN J. HART
 BRIAN M. HARVEY
 DOUGLAS C. HATCH
 JAMES F. HICKEY, JR.
 CHARLES W. HILL
 EDMUND B. HIPPI
 JAMES T. HOFFMANN
 JONATHAN C. HOLDER
 TODD C. HOLLAND

PETER D. HOUTZ
 CARRIE M. HOWE
 STUART H. HOWELL
 JEFFREY A. HUBLEY
 MATTHEW G. HUMPHREY
 BRIAN E. HUTCHERSON
 IVAN F. INGRAHAM
 KHIEEM JACKSON
 JOHN J. JAMES
 HEATH B. JAMESON
 ADAM B. JENKINS
 GREG R. JOHNSON
 ROBERT D. JOHNSON
 JOHNNIE D. JONES, JR.
 QUINTIN D. JONES
 RANDALL K. JONES
 ALLEN A. KAGEN
 DENNIS J. KASKOVICH, JR.
 HENRY H. KAYSER
 MATTHEW J. KESSLER
 JAMES A. KIDD
 TRAVIS M. KING
 CHRISTOPHER R. KOTLINSKI
 NATHAN S. KRICK
 ANTHONY G. KROCKEL
 DIONNE V. KU
 KEVIN K. KUGINSKIE
 MICHAEL F. KUTSOR
 WACO LANE
 ADAM LEVINE
 MARTIN R. LEWIS
 KEVIN A. LIPSKI
 JOHN R. MACFARLANE IV
 TODD E. MAHAR
 DAVID L. MANKA
 MELANIE J. MANN
 PATRICK G. MANSON
 NOAH G. MARQUARDT
 MERIDITH L. MARSHALL
 RICHARD C. MARTIN, JR.
 NATHAN S. MARVEL
 MICHAEL F. MASTRIA
 ROGER E. MATTOLO
 MATTHEW M. MAZ
 MARK D. MCCARROLL
 REGINALD J. MCCLAM
 STEPHEN N. MCCLUNE
 ERIN K. MCHALE
 MICHAEL T. MCMAHAN
 ANTHONY F. MCNAIR
 CHRISTOPHER M. MESSINEO
 BRIAN S. MIDDLETON
 KATHRYN I. MILLER
 WILLIAM B. MILLETT III
 ANTHONY R. MITCHELL II
 JASON A. MITZEL
 JOHN A. MODER
 SUNNY M. MONTAS
 GREGORY D. MORRISON
 GEORGE S. MURPHY
 MICHAEL P. MURPHY
 PATRICK NELSON
 MICHAEL C. NESBITT
 JAMES M. NIXON
 JOHN K. NORRIS, JR.
 RONALD E. NORRIS, JR.
 JOSEPH C. NOVARIO
 OWEN J. NUCCI
 KEITH G. NUNN
 TIMOTHY N. NUTTER
 MICHAEL E. OGDEN
 JONATHAN M. OGORMAN
 WILLIAM C. PACATTE
 GREGORY B. PACE
 DAVID L. PADILLA
 ADAM M. PASTOR
 EARL H. PATTERSON V
 DAVID N. PAYNE
 CHRISTOPHER W. PEHRSON
 KENNETH W. PHELPS III
 KYLE G. PHILLIPS

JOSHUA M. PIECZONKA
 ADAM W. PITNEY
 RYAN T. PRINCE
 JAMES S. PRYOR
 ERIC D. PURCELL
 ANDREW J. PUSHART
 BERT RAKDHAM
 GARRETT V. RANDEL III
 JOHN G. RANDOLPH
 CHARLES C. READINGER
 SCOTT M. REED
 GREGORY J. RIVALDI
 KEVIN R. ROOT
 RICHARD M. RUSNOK
 SHEREL L. RYAN
 JONATHAN Y. SABADO
 CRAIG E. SCHAFFNER
 JONATHAN L. SCHNEIDER
 DAVID A. SCHREINER
 RYAN E. SCOTT
 DOUGLAS A. SEICH
 RYAN E. SHADLE
 SHANNON M. SHEA
 JUDE C. SHELL
 SCOTT M. SHUSTER
 JEREMY W. SIEGEL
 CHRISTOPHER D. SILER
 EDWARD J. SILVA
 SCOTT P. SILVIA
 JONATHAN N. SIMS
 JESSE L. SJOBERG
 JOHN P. SKUTCH
 DANIEL T. SMITH
 ERIK J. SMITH
 JASON R. SMITH
 JONATHAN R. SMITH
 MICHAEL S. SMITH
 THOMAS D. SMOLENSKI
 DEREK M. SNELL
 DANIEL H. SNYDER
 CHRISTOPHER T. STEELE
 IAN D. STEVENS
 MATTHEW J. STEWART
 JAMES R. STOVER
 BRIAN L. STRACK
 NATHANIEL B. STUSSE
 GREGORY J. SUMMA
 STEVEN M. SUTLEY
 JAMES S. TANIS
 JAMES R. TAYLOR
 PAUL C. TEACHEY
 HARRY F. THOMAS, JR.
 ROBERT B. THOMAS
 GARY D. THOMPSON
 SUZAN F. THOMPSON
 DOUGLAS M. THUMM
 JAYSON M. TIGER
 JONATHAN H. VAUGHN
 GILES D. WALGER
 CURTIS L. WALKER, JR.
 DAVID W. WALKER
 BRADLEY W. WARD
 ROBERT J. WEINGART
 OLGIERD J. WEISS III
 LAWRENCE H. WENTZELL
 MICHAEL S. WILBUR
 WALTER A. WILKIE
 MARLIN D. WILLIAMS
 SHAWN E. WILLIAMS
 PRESCOTT N. WILSON
 SEAN M. WILSON
 JEREMY S. WINTERS
 CRAIG A. WOLFENBARGER
 BARIAN A. WOODWARD
 MELISSA L. WRIGHT
 FLOY A. YATES, JR.
 LEE A. YORK
 ROYCE D. ZANT III
 JAMES L. ZEPKO