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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BENTIVOLIO).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 9, 2014.

I hereby appoint the Honorable KERRY L. BENTIVOLIO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2014, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

TRANSPORTATION FUNDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, we have an unusual prospect tomorrow where a proposal to raise money for the highway trust fund is opposed by the very interests strongly identified with the need for more transportation funding.

How did we get to this point? Why do we need the money? And why would the very interests that seem to benefit be opposed?

This is the latest chapter in the strange saga of congressional irresponsibility on transportation funding that started when the last Congress refused to meaningfully address the funding crisis. You see, the funding has fallen in the highway trust fund that is based on gallons of fuel consumed, but the need continues.

The United States is now spending far less on infrastructure than our competing countries, and the vital Federal partnership, which can be a third or more of the funding in our States, is falling further and further behind.

But Congress put its head in the sand. There has not even been a hearing on the needs of transportation finance by the Ways and Means Committee, which is the House committee with primary jurisdiction. I am afraid my friend DAVE CAMP, the chair of that committee, has it exactly wrong. He is proposing a short-term fix tomorrow, saying it is time for the committees of the entire House and Senate to have the influence they deserve by kicking it into the next Congress. Well, wait a minute, by refusing to have a hearing for 3½ years on transportation financing, this has produced the backroom maneuvering with no public discussion that he says he is opposed to.

Now the results of the last Congress' failure to deal meaningfully are coming sharply into focus. The already inadequate highway trust fund will not even last through the end of the 27-month extension, which expires September 30. By draining every last dime out of the highway trust fund, they have lost the capacity to manage it, and the Federal Government is preparing to cut back. That means State and local projects will be on hold later this summer.

This pending crisis has finally sparked action, but because we have never bothered to listen to the businesses and labor unions—Pete Ruane of Road Builders, Terry O'Sullivan of the Laborers', Tom Donohue of the U.S. Chamber, Rich Trumka of the AFL–CIO, Bill Graves of the American Trucking Assoc.—these are people who could have told Congress why it actually could be even worse than allowing the trust fund to temporarily go dry. That would be to punt this into the next Congress.

We have a long-term funding crisis. To kick this can to the next Congress makes it a virtual certainty we will continue to wrestle far beyond the next 2 years. Remember, in the next Congress, the Senate will be more evenly divided no matter who is in charge; we will be in the middle of a heated Presidential campaign, which seems like it has already started and half the Members of the other body are running for President. There is no realistic opportunity for the meaningful help America needs. It will be put on hold until another Presidential election is past and, hopefully, a stronger Congress elected. But that is 3 years or more. America deserves better.

That is why, almost without exception, the people who care the most and know the most, simply want a solution that gets us past the summer shutdown, enough money to tide us towards the end of the next year so this Congress can act. Then this Congress can take action that is sustainable with dedicated funding and that is robust enough to have a 6-year transportation bill that America needs.

There was a time when transportation and infrastructure brought America together to produce the finest roads, bridges, transit, and railroads in the world. We can do this again. It is time to start down this path.

I have been working with these stakeholders for years. We are open to solutions to the transportation problems. Let's listen to the needs that others have. Let's reject a proposal to punt to the next Congress. Let's get down to business and not adjourn this

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year until this Congress has met its responsibilities.

BORDER ENFORCEMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, sometimes the gap between political hype and reality is so great it demands a rebuttal. The Obama administration's border security hype is a case in point.

In February 2013, Homeland Security Secretary Janet Napolitano proclaimed, ''the border is secure.'' Rarely has the gap between hype and reality been so great.

Similarly, my Democrat friends and their media allies repeatedly boast about Obama's border security prowess. For example, PBS recently ran a fluff piece boasting:

> In one term, the Obama administration has deported roughly 80 percent the number of immigrants the George W. Bush administration deported in two.

PBS failed to mention that deportations are only half the border enforcement picture. The other half is ''catch and returns,'' whereby Border Patrol catches illegal aliens at the border and promptly escorts them back without the time-consuming and costly deportation process.

So, how does the Obama administration stack up if the full picture is examined?

According to Homeland Security data, in 2012, President Obama's catch and return record was way below average, with Border Patrol catching and immediately returning 230,000 illegal aliens. In contrast, in 2008, the Bush administration caught and immediately returned 811,000 illegal aliens, almost four times more than Obama in 2012. Similarly, in 1993, the Clinton administration caught and immediately returned 1.2 million illegal aliens, more than five times than Obama in 2012.

Why are Obama's catch and return numbers so bad?

A Border Patrol agent told me on Capitol Hill that Obama pushes catch and return illegal aliens into the much slower and far costlier deportation process to inflate Obama's deportation numbers to artificially make Obama's border security record look better.

The best indicator of a President's border enforcement record is the whole picture: deportations plus catch and returns. In 2012, the Obama administration deported or caught and returned 649,000 illegal aliens. In contrast, in 2008, the Bush administration deported or caught and returned 1.2 million illegal aliens, 80 percent more than President Obama in 2012. Similarly, in 1993, the Clinton administration deported or caught and returned 1.3 million illegal aliens, 98 percent more than the Obama administration in 2012.

According to Department of Homeland Security data, and contrary to what my Democrat friends and their media allies would have the public believe, Obama's border security enforcement record is the worst in more than two decades.

But there is more. President Obama repeatedly promises amnesty to illegal aliens. As 1986's failed amnesty experiment proves, amnesty begets more illegal immigration. Mr. Speaker, amnesty promises must stop because they make things worse, not better.

Further, this administration must stop paying foreigners to illegally cross our borders. This is a no-brainer. America cannot give free food, free clothing, free shelter, free health care, free transportation, and billions of dollars a year in fraudulent tax returns and refunds to illegal aliens and then wonder why we have an illegal alien crisis.

These failings contribute to America's poorest borders and produce millions of illegal aliens competing for American jobs, thereby creating income inequality via wage suppression and lost job opportunities for American citizens.

Mr. Speaker, to solve the immigration problem, America must vigorously enforce immigration laws, stop promising illegal aliens amnesty, and stop giving illegal aliens stuff paid for with tax dollars forcefully taken from struggling American families. If America will be smart and do these things, there will be no immigration crisis, there won't be illegal aliens competing with Americans for jobs, and American families can better participate in the American Dream.

HIGHWAY TRUST FUND

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY. Mr. Speaker, I intend to talk about transportation, but I must say to my friend who just spoke, there is a more humane and enlightened approach to comprehensive immigration reform that would address the issues he says he is concerned about. Railing against people because of their status when there are 11 million people who are here without documentation, a problem that hardly initiated with this administration, I don't think is helpful. It may rile up one's base, but it doesn't solve problems; and it is not the best of America, especially as we celebrate our Independence Day.

The urgency for Congress, Mr. Speaker, to address the shortfall in the highway trust fund grows with every passing day. Road and, eventually, mass transit improvements in every State are at risk of grinding to a halt in a matter of weeks in the heart of the summer construction time. Secretary Foxx notified all States last week that their Federal funding will drop by an average of 28 percent starting next month.

In my home State of Virginia, nearly every mode of transportation will be negatively affected. More than half of next year's road and transit projects were supposed to be funded with Federal dollars. If we don't replenish the trust fund, just in Virginia alone, 149 bridge replacements will be put on hold, 175 aging buses and train cars will not be replaced, 44 smaller transit systems will not be able to maintain service, and 350 transportation projects will grind to a halt.

When I hear my friends on the other side of the aisle say, ''No, no, we are concerned about jobs,'' well, 43,000 jobs in Virginia alone will be lost if we do not replenish the trust fund.

In addition, many States have advanced projects based solely on the Federal Government's participation, including private activity bonds used to finance such projects. If that money dries up, States would have to put projects on hold or redirect other precious State resources to cover the debt service or risk default.

I was relieved when my House Republican friends backed away from their reckless proposal to hold the highway trust fund hostage unless their demands were met to eliminate Saturday mail delivery service by the Postal Service. Set aside for a moment that paying for an on-budget transfer into the trust fund with off-budget cuts to the Postal Service violates both PAYGO and CutGo budget rules here in the House, that fundamentally flawed, nongermane proposal would have undermined a trillion-dollar American mailing industry that supports more than 8 million jobs and represents 7 percent of our GDP. There is simply no nexus between funding transportation and the Postal Service, despite the efforts of Republican leadership to suggest otherwise.

□ 1015

While the focus now has shifted to finding a short-term funding fix, I would argue that simply patching it over will not help our State DOTs, which need much more certainty as they do long-range planning. Transportation is not a short-term proposition. It is long-term planning and long-term investment streams that are needed.

The Federal Government historically has been a key partner in funding our Nation's infrastructure, but that level of investment has eroded over time. Just look at the recent Transportation Appropriations bill. It provides less funding for highway and transit construction than last year, and far less than the administration proposed for a 21st century transportation system in America. Public spending on infrastructure as a share of GDP now is half what it was in the sixties and seventies. No great country can walk away from infrastructure investment and stay great.

I commend Senators MURPHY and CORKER for tabling a bipartisan proposal to increase the gas tax by 12 cents over 2 years and then index it to inflation. It has been more than 20 years since the Federal gas tax was

last adjusted, and those dollars have lost 40 percent of their value in that time period. I know some of my colleagues will cringe at such a proposal, but funding for transportation is not going to miraculously fall from the sky.

Many of us have supported efforts to advance innovative financing solutions but, at the end of the day, what we really need is more funding. The 495 Express Lanes here in the Nation's capital, built under a public-private partnership in my district, are considered a model for innovation. But 4 out of 5 dollars used to fund that project were Federal dollars in some fashion, whether it was Federal trust fund dollars, a federally subsidized loan, or the sale of bonds that receive a federally preferred tax deduction.

Again, looking at Virginia, last year, the Virginia General Assembly, with a Republican house of delegates, a Democratic senate, and a Republican Governor, came together for the first time in over 27 years and actually funded transportation long term, which was a multibillion-dollar effort. If the Virginia General Assembly can do it on a bipartisan basis, so can we.

PASSAGE OF WORKFORCE TRAINING PACKAGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, we must achieve stronger economic growth, and we must train and educate Americans to succeed in a modern economy.

Last year, the House advanced the Supporting Knowledge and Investing in Lifelong Skills, or SKILLS, Act, another House-passed jobs bill which reforms our Federal workforce development programs and will help Americans acquire the skills, education, and training that they need to climb the ladder of opportunity.

Despite Senate Leader REID's opposition to acting on any of the more than 40 House-passed jobs bills, we recently saw light at the end of the tunnel when movement began on a compromise package of Federal job training reforms. In late May, congressional leaders announced a bipartisan agreement on this package, which passed the Senate in June, and will be considered by the House today.

As a member of the House Education Committee's Higher Education and Workforce Training Subcommittee, I am proud to have worked to help advance these commonsense reforms. I also want to thank my friend and colleague, subcommittee Chairwoman VIRGINIA FOXX, for her tireless work on this legislation.

Job training is the best strategy and solution for opportunity and access to jobs. America's competitiveness depends on a qualified and trained workforce.

REMEMBERING WILLIAM R. RAUP

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to remember William R. Raup.

As we walk our way through life, many times we meet individuals who have an impact on our lives in significant ways. Bill Raup was such a person. He was a 1947 graduate of Sunbury High School and a 1951 graduate of Bucknell University in Lewisburg, Pennsylvania.

Bill was an Eagle Scout, and, following college, he worked as a Boy Scout executive in various locations, including the Juniata Valley Council that serves the Pennsylvania counties of Centre, Huntingdon, Mifflin, and Juniata. It was in this capacity that our paths crossed on the scouting trail in the 1970s.

When I was a Scout growing up in the Juniata Valley Boy Scout Council, Bill was the council executive. As I advanced into youth leadership positions in the Council, I had the good fortune to work with Bill. His commitment and love for scouting was evident and continuous for more than 70 years.

After ending his professional service with the Boy Scouts, he and his wife Ruth owned and operated the Awards Centre in State College and Recognition Engraving in Lewistown. He attended First United Methodist Church in Lewiston and was a member and past president of the Rotary Club of Lewistown.

Bill lost a battle with Alzheimer's on June 10, after a lifetime of service to others. He is survived by his wife, Ruth; a daughter, Kristin; and his son, Jeffrey.

Happy trails, and well done, Scouter.

USDA SUMMER FOOD SERVICE PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, I am here this morning to talk about good government. I am also here to talk about a program that everybody in this Chamber should be proud of; indeed, every American should be proud of. It is the USDA Summer Food Service Program. This is a program, to put it very simply, that attempts to make sure that no child in this country goes hungry during the summer months.

For a lot of kids, Mr. Speaker, who receive free or reduced breakfasts or lunches, hunger doesn't magically go away during the summer months. This program is important on a number of levels, but it is important for my colleagues to understand that hunger and food insecurity in this country is also a health issue.

Kids who don't have enough to eat, who miss meals on a regular basis, who don't have access to nutritious food, are more likely to get sick. Kids who don't have access to good, nutritious foods are not able to learn in school. Too often, kids who are struggling and in poverty end up filling their stomachs by relying on junk food because that is the cheapest food that is available in so many communities across this country.

The summer feeding program that USDA champions tries to change that. It tries to make sure that kids not only have good access to nutritious food during the school year, but also during the summer months.

I had the great privilege on Monday to tour through my congressional district in Massachusetts and visit a number of these summer feeding sites. I was joined by local leaders, leaders in USDA, and representatives from a number of NGOs. We also had the Secretary of Health and Human Services of Massachusetts, John Polanowicz, join us as we went through various sites throughout Massachusetts.

We began at a YMCA in Greenfield. We had an event at the Pavilion at Silver Lake in Athol. We then went to the Spanish American Center in Leominster. We ended up at the Worcester Public Library in Worcester, Massachusetts.

What we have learned is that it is important to make sure that these feeding programs are where kids are at. We have a program at the library in Worcester because kids come to the library during the summer months to read and partake of a lot of the activities in the library. We were in Greenfield at the YMCA because a lot of kids go to the YMCA. This program only works if the eligible kids can take advantage of it.

While this has been very successful for those kids who have been able to take advantage of this program, nationwide, on average, only about 18 percent of the kids who are eligible for free or reduced breakfasts and lunches during the school year actually take advantage of this program.

Part of the challenge in the past has been that it has been difficult for families to be able to get their kids to the sites where food is given out. In Massachusetts, community leaders are working with USDA to make sure that they give out food at sites where kids are.

In Massachusetts, we have seen the enrollment rate for the summer feeding programs actually increase. We are told, Mr. Speaker, that nationwide enrollment in this program has increased. But the fact of the matter is that still one child in seven who needs food in the summer isn't getting it. That means a whole bunch of kids aren't getting it.

I would urge my colleagues to do what I did on Monday and go throughout your district to remind people that this program exists and to make sure that people understand how they can take advantage of this.

I would urge those who are listening to go to USDA's Web site and learn more about this program. The Web site is usda.gov. Then look under the Summer Food Service Program. Learn

about this program. Learn about how you can get your kids access to this program. Learn about how you can encourage other kids to get access to this program.

Mr. Speaker, let me close by making this observation. We live in the richest country in the history of the world, yet we have close to 50 million people who are hungry or food insecure, and 17 million of them are kids.

We all should be ashamed of that fact. In this country, we should make sure that everybody has access not just to food, but to good, nutritious food. That is what this Summer Food Program is about. That is what the school feeding programs are about. That is what SNAP is about. That is what WIC is about. That is what these nutrition programs are all about. We should make sure that these programs are properly funded and that every eligible person takes advantage of them.

Next year, this Congress will be reauthorizing the Child Nutrition Act. I would hope that we would learn from the best practices all across the country and implement them so that we have maximum participation. I want 100 percent of those eligible for these feeding programs to be enrolled.

TIME TO GET AMERICA BACK TO WORK

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from West Virginia (Mrs. CAPITO) for 5 minutes.

Mrs. CAPITO. Mr. Speaker, it is time to get America back to work. The people of my State, West Virginia, want to work. They want to provide for their families and they want to build a better future. But in today's economy, finding a job has been very, very difficult.

That is why I am pleased to support the Workforce Innovation and Opportunity Act, which the House will vote on later today. We will make sure that American workers will have the training they need for the jobs available in their communities and an efficient use of the resources so that that will be the best way to train for the jobs of tomorrow.

Employers want to hire in their communities. Workers want to have the skills and training to secure good-paying jobs in their communities. In West Virginia, this means getting additional resources to train workers for jobs available in our growing natural gas industry or to provide health care services for our elderly citizens.

We can use existing resources like community colleges and career and technical centers to offer group training that directly addresses the needs of local employers, as this bill would do.

By aligning workers' skills with employers' needs, we can help get West Virginia and America working again.

CRIB ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Massachusetts (Ms. CLARK) for 5 minutes.

Ms. CLARK of Massachusetts. Mr. Speaker, in my home State of Massachusetts, and in many other States across the country, we are battling a crisis that is blind to income, race, gender, and politics. That crisis is opiate addiction. It is happening at a deadly rate across the country, increasing by nearly 60 percent over the last decade.

Today, I want to focus on the youngest of those affected by this epidemic.

Every hour, a baby is born in the United States addicted to opiates. In Massachusetts, the number of babies born with this condition has risen to five times the national rate. In Kentucky, the rate has increased thirtyfold; in Ohio, sixfold; and in Colorado, as many as 6 percent of the babies born will experience these addiction symptoms.

Babies born with the condition known as Neonatal Abstinence Syndrome, or NAS, are born into the pain of opiate withdrawal, which adults report as the worst pain they have experienced in their lives. These babies may suffer from seizures, breathing problems, fevers, tremors, or difficulty feeding. These symptoms can last for months and lead to weeks of hospitalization. One boy suffering from NAS in my district experienced such severe seizures that he suffered a detached retina.

In an urgent response to the surge of NAS diagnoses, hospitals across the country have begun piecing together the best methods to diagnose and treat NAS. But incomplete and uncoordinated data collection hampers a State's ability to identify the scope of the problem and apply solutions and treatment effectively.

I am asking my colleagues to join me in taking a critically important first step in caring for these newborns by supporting the Coordinated Recovery Initiative for Babies Act, known as the CRIB Act.

□ 1030

I have partnered with my good colleague from Ohio (Mr. STIVERS) to introduce this bipartisan legislation.

The CRIB Act is the first proposed bill to take proactive steps to help hospitals diagnose and treat newborns suffering from opiate dependency. It will give the Department of Health and Human Services 1 year to collect the data necessary to assemble a portfolio of the best practices.

The final product will be based on the most successful models in the country and will be accessible to every State and the medical community. In addition to being the right thing to do for newborns, this bill will save us money.

NAS births are five times more expensive than healthy births, and Medicaid has been paying for 75 percent of these costs. This bill will help us identify the best ways to diagnose and treat these newborns, and it provides an important tool for addressing the opiate epidemic.

I urge my colleagues to join national medical groups, such as the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists, and support the CRIB Act.

CONGRATULATIONS, TOM SUITER

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 5 minutes.

Mr. HOLDING. Mr. Speaker, I rise today to recognize Tom Suiter, a sports reporter for WRAL News in Raleigh, North Carolina.

Recently, Mr. Suiter was inducted into the North Carolina Association of Broadcasters Hall of Fame. He was honored for his long, successful career, filled with quality work and many achievements that include two regional Emmy Awards and 17 overall nominations.

Mr. Suiter was hired by the late Senator Jesse Helms, who was then the vice president of WRAL. Mr. Suiter later became the station's lead sports anchor in 1981.

Over the past 33 years, his coverage of all levels of sports, from high school to college to pro, has made him a local legend in Raleigh and the Triangle. He is the host of the award-winning sports show ''Football Friday,'' which airs coverage and highlights of local high school football games on WRAL. The television segment will be in its 34th year this fall.

Mr. Suiter makes a point to recognize the achievements of high school athletes, both on and off the field. During a segment each week, he hands out the Extra Effort Award, recognizing local students for their achievements not only on the playing field, but in the classroom and in the community.

Referring to his love of high school sports, Suiter said, ''I had such a good experience playing high school sports. I felt like there was a need, and we should highlight these kids who work so hard every day.''

Mr. Suiter has interviewed numerous legendary coaches, such as UCLA's John Wooden and Duke's Coach K. In his time at WRAL, he covered 37 ACC basketball tournaments and 25 Final Fours. He did so with passion and professionalism and influenced the community greatly.

Suiter's passion and support of athletes on all levels make him one of the many bright stars in our community back in North Carolina, and I extend to him a heartfelt congratulations.

Thank you, Tom Suiter.

GI INTERNSHIP PROGRAM ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. SCHNEIDER) for 5 minutes.

Mr. SCHNEIDER. Mr. Speaker, 70 years ago, on June 22, 1944, the Servicemen's Readjustment Act became law.

This was a tremendous step forward in the care of American veterans and the economic development of our country. It opened new doors to veterans and allowed them to reach their potential, and it injected into our economy talent, skills, and creativity.

We know this law better as the GI Bill. For 70 years, those words have evoked our commitment to the brave men and women who defend our shores and our freedoms. Today, I am proud to celebrate that history and contribute to that legacy.

I introduced the GI Internship Program Act to expand the Post-9/11 GI Bill in order to allow veterans to collect their benefits while participating in an internship program.

These internships, many with small businesses or manufacturers, will allow our veterans to learn the practical skills and to gain valuable experience, and they will help our employers overcome the skills gap and find uniquely talented proven leaders to hire. That is a win-win proposition for businesses and for veterans.

Seventy years ago, the original GI Bill opened new doors of opportunity and helped our country secure success in the second half of the American century.

Today, we need another concentrated effort to boost the talent and skills in our economy, and like always, I think our veterans are ready to answer the call.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 35 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Dr. George Dillard, Peachtree City Christian Church, Peachtree City, Georgia, offered the following prayer:

Almighty God, we come before You with praise and thanksgiving because You are the giver and the sustainer of life.

We thank You for freedom; help us to use it well, to bless and not curse. We thank You for justice; help us to be righteous in its use. We thank You for an abundance of food; help us to be generous. We thank You for life; help us to give it the value it deserves. We thank You for Your truth; help us use it as a light to see the path back to You.

Bless the Members of this House with wisdom, and watch over those who serve in our Armed Forces as they protect our liberty. Forgive us for the error of our ways. Thank You for the grace, mercy, forgiveness, and love that provide a path to You, through Jesus the Christ, our King.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. TONKO) come forward and lead the House in the Pledge of Allegiance.

Mr. TONKO 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

ISRAEL'S RIGHT TO DEFEND ITSELF

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise in full support of our friend and ally, the democratic Jewish State of Israel.

Since Israel's disengagement from Gaza in 2005, Gaza has been a lawless region and, since 2007, has been under the rule of the U.S.-designated foreign terrorist organization, Hamas. Hamas' sole reason for existence is to wipe Israel off the face of the planet.

Over these past few weeks, Hamas kidnapped and killed Gilad, Eyal, and Naftali—three Israeli teens—and launched hundreds of rockets at innocent Israeli civilian population centers, including Tel Aviv and Jerusalem. No nation would allow terrorists to take aim at its citizens so indiscriminately, and Israel cannot be expected to allow Hamas to continue this attack unabated.

The U.S. must support our ally, Israel, as she seeks to protect her citizens, and we must call for the PA to divorce itself from Hamas. No U.S. funding until Abu Mazen does so.

MAKING THE VISION A REALITY

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, over the past few years, Buffalo's Inner Harbor has undergone a startling transformation. This summer, Canalside will host over 1,000 public events, drawing in a million visitors.

The same possibility exists for Buffalo's Outer Harbor. The Erie Canal Harbor Development Corporation will host public meetings, starting tonight, to support public discussion about the future of the Outer Harbor.

The successful growth of Canalside has been attributed to Federal highway dollars and the New York Power Authority's $279 million Federal relicensing settlement, which is now financing the reconstruction of Buffalo's long-neglected waterfront.

Likewise, putting in place the infrastructure to bring western New Yorkers to the water's edge at the Outer Harbor will open it up to public access and private development. A good start would be to remove the structurally deficient Skyway Bridge and to build a new pedestrian-friendly Buffalo Harbor Bridge, which is now in its final stages of environmental review.

Buffalo has several waterfront master plans. Each say the same thing: Get to work.

The attraction to Buffalo's waterfront is the water itself. It is our responsibility to build the infrastructure to make that vision a reality.

WORKFORCE INNOVATION AND OPPORTUNITY ACT

(Mrs. WAGNER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WAGNER. Mr. Speaker, there is no bigger problem facing our country right now than getting hardworking Americans back to work with the skills they need to compete in a very tough economy.

The biggest travesty is that June marked the 49th month in the last 50 months when more people gave up looking for a job than found one, and that the only increase in hiring is for part-time employees.

That is why the House will vote this week on the Workforce Innovation and Opportunity Act, based on the foundation of the SKILLS Act we passed earlier this year.

This commonsense solution eliminates more than a dozen failing programs, saves taxpayer dollars, and provides skills training for in-demand jobs. Such key, in-demand jobs are needed in my hometown of St. Louis, Missouri.

It is time we start investing in nurses, medical assistants, manufacturing technicians, and computer support specialists and stop wasting billions of dollars every year on ineffective government programs that do little to train individuals with the skills they need.

Mr. Speaker, I urge my colleagues to vote ''yes'' for more opportunity, ''yes'' for more jobs, and ''yes'' for the Workforce Innovation and Opportunity Act.

HISTORICAL PRESERVATION AND HERITAGE COMMISSION

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to recognize the Rhode Island Historical Preservation and Heritage Commission.

Rhode Island has more than 16,000 historic buildings—more per square mile than any other State in the country. The First District, which I am proud to represent, is home to some of Rhode Island's most cherished places, such as the International Tennis Hall of Fame and the Touro Synagogue in Newport, Slater Mill in Pawtucket, and the Beavertail Lighthouse in Jamestown.

These sites also provide an economic boost to our local economy by attracting tourists from across New England, the country, and the entire world.

Led by Executive Director Ted Sanderson, the talented and dedicated staff of Rhode Island Historical Preservation and Heritage Commission has worked hard to protect and preserve our national historic treasures.

Just last week, I joined Executive Director Sanderson in celebrating more than $2.5 million in Federal funds that were awarded to restore historic properties across the State that were damaged by Hurricane Sandy.

I am proud to support their efforts, which in turn support jobs in Rhode Island's construction and tourism industries, and thank their staff for working to preserve our State's rich history for future generations to enjoy.

WORKFORCE INNOVATION AND OPPORTUNITY ACT

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, today, the House will vote on H.R. 803, the Workforce Innovation and Opportunity Act, a bill to reform our Nation's mishmash of workforce development programs.

Today is the culmination of an 18-month bipartisan and bicameral process. The House passed H.R. 803, the SKILLS Act, over a year ago. The Senate passed an amended version of H.R. 803 two weeks ago and renamed it the Workforce Innovation and Opportunity Act.

This bill turns the bipartisan consensus that our workforce development system is broken into action and will provide a long overdue reauthorization of the Workforce Investment Act.

In short, this legislation will increase access, eliminate waste, promote accountability, and empower job creators. Most importantly, the Workforce Innovation and Opportunity Act will give Americans access to the resources needed to fill in-demand jobs.

COMPREHENSIVE DOT RAIL REGULATIONS

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, on Sunday, I attended a vigil in remembrance of the 47 people that lost their lives in the Lac-Megantic railway tragedy in Quebec last July. This event drew a tremendous crowd, particularly from Albany's South End residents, who see dozens of oil tank cars move and idle outside their homes on a daily basis before entering the Port of Albany.

My constituents are concerned about the potential for another fatal accident in one of our communities, as the trail of oil cars crosses over many communities that I represent. That is why I have been urging DOT all year to implement comprehensive regulations to address these safety concerns.

We need a higher safety standard on new tank car orders and an aggressive phaseout of the old DOT–111s, which have no business transporting hazardous materials. The rail industry has taken voluntary steps to account for the DOT–111's inadequacies, but higher Federal standards are still needed.

We also need to make sure shippers and oil producers are properly handling, degasifying, and classifying hazardous materials, particularly volatile Bakken crude, before it is even loaded into a tank car.

I continue to urge DOT to make these much-needed, commonsense, and meaningful steps as quickly as possible. Inaction is inexcusable.

EPA OVERREACH

(Mr. LAMALFA asked and was given permission to address the House for 1 minute.)

Mr. LAMALFA. Mr. Speaker, a couple of weeks ago, I mentioned how the EPA has overreached on making every drop of water that basically falls in the United States under its jurisdiction. Whether it falls on your field, on your driveway, or on your roof and is collected in a rain barrel or in a puddle, they seem to want to be in control of it.

Before our Independence Day holiday, they added another rule into the Federal Register where they seek to be the judge, jury, and executioner on deciding what the fines are going to be and how they are going to carry them out without jurisprudence or oversight by an independent party. They seek to, instead, be the ones that collect the fines after finding somebody guilty of a possible alleged violation.

EPA has already nearly tripled the amount of fines it has taken in since 2009, so is this really about the environment or is it about revenue generation and putting the people that are out there trying to make a living and make things happen in the United States on the defensive?

I think they need to pull back this rule and hear from the American people, Mr. Speaker, about how devastating this is for the economy and for the well-being of Americans.

NATIONAL FREIGHT NETWORK TRUST ACT

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, our Nation suffers from an infrastructure crisis, but if we want to remain globally competitive, goods movement is the ticket to our Nation's economic success.

Although I understand we are going to do a short-term fix for the highway trust fund, I have come up with an idea for a long-term fix that creates a dedicated funding source to better serve our roads and railways that connect the freight network to the ports of entry into this country.

This dedicated freight network trust fund will help fund critical infrastructure like dedicated truck lanes on the highways, better bridges, and on-dock rail.

The trust fund will be made up of existing fees that we already collect at our Nation's ports and will be at no new cost to businesses or taxpayers.

This fund will infuse nearly $2 billion back into the economy every year. It will help create good-paying American jobs, keep our Nation's ports strong and globally competitive.

I believe this idea is a win-win for our ports, our small businesses, and for our Nation's economy. I urge my colleagues to support the National Freight Network Trust Act.

WELCOMING REVEREND DR. GEORGE DILLARD

(Mr. WESTMORELAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WESTMORELAND. Mr. Speaker, I would like to welcome today Pastor George Dillard to the U.S. House floor. I am proud that he hails from Georgia's Third Congressional District.

I have known Pastor Dillard; his wife, Renee; and their three children, Tiffany, Alexis, and Stewart, for many years. They are very good friends. He is a godly man, serving as senior minister at the Peachtree City Christian Church, and has touched many souls and hearts through his ministry and his book, ''Seven Things that God Desires for Us.''

This morning, I had a chance to visit with George and his son. I am thankful that they traveled all the way from the Third District of Georgia to share God's message with us today in the U.S. House of Representatives.

I hope the faithful message that he gave today will remind us of our true purpose here in Washington and that it helps carry our Nation through the week because Lord only knows that we need it.

Thank you again, Pastor Dillard. We appreciate your friendship and your sermon this morning.

□ 1215

INFRASTRUCTURE

(Mr. CARNEY asked and was given permission to address the House for 1 minute.)

Mr. CARNEY. Mr. Speaker, if you drive down Interstate 95 in my home State of Delaware right now, you will see license plates from up and down the Northeast corridor that are crawling at a snail's pace. As a result of structural damage, a bridge that carries 90,000 cars a day is closed until after Labor Day.

In Delaware, we are feeling the importance of investing in our Nation's infrastructure firsthand. It is critical for public safety, but it is also important for commerce, tourism, and our quality of life. Just as important, building roads and bridges creates jobs for workers right here in America.

If Congress does nothing, the highway trust fund won't have enough money to pay its bills come the end of the summer. That is the source of money that pays for building and repairing roads and bridges all throughout the country. Finding the funds to fix our Nation's crumbling infrastructure will not be easy, but putting it off is not an option.

I urge my colleagues to find the political will to fund the highway trust fund and ensure that our Nation's infrastructure reflects our 21st century needs.

WORKFORCE INNOVATION AND OPPORTUNITY ACT

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, the House is back in session to continue our work, but millions of hardworking Americans still find it difficult to get those good-paying jobs to keep their American Dreams alive.

Small businesses, responsible for two-thirds of all new jobs created in our economy, continue to struggle to stay afloat. That is why the House must pass pro-jobs legislation to provide economic opportunities for all Americans to succeed.

As you know, Mr. Speaker, we have passed 40 bills that reduce red tape for businesses, lower electric bills for American families, cut regulatory burdens, and reform the Tax Code. Sadly, these bills are held up in the Senate.

Now, we can continue to help hardworking Americans by passing the Workforce Innovation and Opportunity Act—bipartisan legislation that promotes needed job skills training for high-demand jobs, streamlines burdensome Federal mandates, reduces administrative costs and unnecessary bureaucracy, and provides more accountability when spending tax dollars.

Mr. Speaker, I encourage my colleagues on both sides of the aisle to support this commonsense legislation. These are the kinds of pro-growth, pro-jobs bills the American people expect from their Congress.

ECONOMY

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, last week, we learned that employers added 1.4 million jobs in the first 6 months of this year. That is the strongest 6 months for growth since 2006, and it is great news for many American families, but there is more we can and that we should be doing.

The other day, I was fortunate enough to attend the White House Summit on Working Families, where business leaders, advocates, legislators, and Americans from all walks of life all came together to discuss issues facing working parents.

Mr. Speaker, the American workforce has changed dramatically in recent decades, and the workplace must change with it. More and more women are now the primary breadwinners for their families, but they still lack the support they need to balance work with their responsibilities at home.

Sadly, instead of considering initiatives to improve the lives of working families and of strengthening the middle class, this House is stuck playing politics. This week, the House majority announced plans for a 3-week process to sue President Obama—no word yet on what they plan to sue him for.

The American people deserve better. We need to move ahead on the issues that concern the American people.

BRING BACK OUR GIRLS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, I am asking the world to join together, as we refuse to let the abducted Nigerian girls vanish from the international headlines, by tweeting every day from 9 a.m. to 12 p.m., eastern standard time, using #bringbackourgirls and #joinrepwilson.

We have heard President Goodluck Jonathan of Nigeria speak about the resources his country used to try to find the girls, and we have read about your role in developing a concealed rescue plan.

Mr. Speaker, we know that these are excuses from Nigeria. We have seen unconscionable acts of terror committed almost daily. We have seen the military officially wrap up its investigation into the kidnapping, without locating the girls.

We have seen President Jonathan spend over $1 million in a public relations campaign in an attempt to reshape his image.

President Jonathan, we are still waiting to see you bring home those kidnapped girls.

Tweet, tweet, tweet. Tweet, tweet, tweet. Bring back our girls.

LET THIS HOUSE WORK ITS WILL

(Mr. HIMES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HIMES. Mr. Speaker, like so many of us, I was home last week, listening to my constituents talk and be concerned about dysfunction, and I discovered that there is a great deal of confusion about what dysfunction is.

My friend from the other side of the aisle just said they have sent all kinds of bills over to the Senate where they are held up—held up in the Senate. This is not dysfunction.

It may not be happy for my friends on the other side of the aisle, but the Senate is held by the Democrats. If you send them legislation that is inspired by the Tea Party, they are not going to pass that. That is not dysfunction. That is a refusal to govern.

Meanwhile, Mr. Speaker, over here, there are five bills, and if they were brought to the floor today, they would pass with significant majorities. Each and every one of them would help the economy and create jobs.

The reauthorization of the Ex-Im Bank, comprehensive immigration reform, topping up the highway trust fund, extending unemployment insurance, and terrorism risk insurance are five bills that we could pass today.

The American people need to understand, as they think about dysfunction, that those bills will not be brought up. This House will not work its will. It will not be allowed to work its will.

Mr. Speaker, let this House work its will.

HIGHWAY TRUST FUND

(Ms. TITUS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TITUS. Mr. Speaker, in just a few days, the highway trust fund will become insolvent. Now, that sounds shocking, but it is really not news. In fact, we were warned of this possibility in a GAO report issued in March of 2012; yet here we are, with just a few weeks to go before we fall off yet another manmade cliff, and still no solution has been brought to the floor for a vote.

This irresponsible inaction by my colleagues from across the aisle is inflicting damage on the Nation's economy and on States across the country. In Nevada alone, over 100 projects are in danger of being delayed or canceled, affecting some 6,000 construction workers, their families, and ancillary businesses that are associated with them.

This includes six multimillion-dollar improvements to I–15, which is the

main north-south corridor that runs through the heart of Las Vegas.

We cannot afford, nor can we risk kicking this can down an already deteriorated road. It is time for Congress to step up, to come together, and to offer real solutions that invest in our future.

NIGERIA

(Ms. BASS asked and was given permission to address the House for 1 minute.)

Ms. BASS. Mr. Speaker, I rise today to make sure that we continue to address the threat of Boko Haram and to make sure we continue to work with the country of Nigeria.

It has been over 2 months since Boko Haram kidnapped nearly 300 girls from their school in northern Nigeria. To many Americans, this was the first time they had heard of Boko Haram, even though the organization has been attacking, kidnapping, and killing innocent Nigerians since 2009, but Nigeria is much more than Boko Haram.

I recently traveled to Nigeria with Commerce Secretary Penny Pritzker and 20 American companies on an energy business development trade mission. Nigeria is Africa's economic powerhouse that has incredible potential for partnership with American businesses.

Nigeria recently surpassed South Africa as the largest economy in Africa, and with a population of nearly 170 million people, partnering with Nigerian businesses will benefit the American economy.

Although we must continue our efforts to fight Boko Haram, we need to also make sure we engage Nigeria as our partner.

EXTENDING UNEMPLOYMENT INSURANCE

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, today, millions of Americans across the country need emergency unemployment insurance to support their families—to provide for their very basic needs—as those hardworking Americans have lost their previous jobs and are simply in search of their next opportunities, through no fault of their own.

Somehow, this issue has been turned into a partisan issue. It is not a partisan issue back home. There is no such thing as a Democratic or a Republican unemployed person. They are unemployed, and they are looking for all the help they can get.

The week before last, I and three of my Democratic colleagues and Mr. LOBIONDO—a Republican—and three of his colleagues introduced a bipartisan unemployment insurance extension. It is a mirror image of the language that has been introduced by Mr. REED and Mr. HELLER in the Senate. This is a bipartisan bill. We can take this up right now.

Is it the bill that I would have written by myself? No. In fact, I did submit an extension of unemployment that the House has not taken up, but we have compromised. We ought to do the work of the American people.

We have a bipartisan bill to extend unemployment insurance. The House should take it up immediately. Millions of Americans need it, and it is upon us to take this action.

LINKS, INC.

(Mrs. BEATTY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BEATTY. Madam Speaker, I rise today to join with others across the Nation to ask Congress to pass the Voting Rights Amendment Act.

I had the distinct pleasure to join near our Capitol last week with some 3,000 members of Links, Incorporated, at the national assembly and with the 15th national president and chair of KeyBank, Margot James Copeland, and with the national legislative chair and OhioHealth's president, Karen Morrison, of their foundation to lead a resolution to support the Voting Rights Act of America.

Links members proudly voted in support of a resolution, calling on Congress to pass the Voting Rights Amendment Act, H.R. 3899.

Martin Luther King, Jr., said:

> Our feet are tired, but our souls are rested. Let us say the same of ourselves as we continue the unfinished work of ensuring that every American cannot only vote, but has the freedom, the justice, and the dignity that all individuals rightly deserve.

Let us join together as Democrats and Republicans and pass the Voting Rights Act.

HOLY LAND BAKERY AND DELI

(Mr. ELLISON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ELLISON. Madam Speaker, today, I rise to congratulate a small business in my community on its 25 great years.

Holy Land Bakery and Deli has become a quintessential part of our town of Minneapolis. Holy Land is not only a good place to go to have a bite, but it is also a great place for social space.

Recently, they expanded their facility in honor of their 21st anniversary, and they really feel proud about that because they have been providing jobs and opportunities for so many years.

The CEO of Holy Land restaurant is Mr. Majdi Wadi and his brother, Wajdi Wadi; and they provide really excellent food that they prepare based on recipes that their mother gave them when she emigrated from Palestine many years ago.

For every small business person in America, including the Holy Land Bakery and Deli, happy 25 years to them. May you have another 25 years of serving your great treats and of offering a wonderful social space.

WORKFORCE INNOVATION AND OPPORTUNITY ACT

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Madam Speaker, I rise today in support of H.R. 803, the Workforce Innovation and Opportunity Act.

This bipartisan legislation being debated today reauthorizes the Workforce Investment Act, which has been instrumental in helping workers get the skills they need for the jobs of today.

In my visits with the Newark Workforce Investment Board and the Essex County Workforce Investment Board, it is clear that we must emphasize the improving of career pathways for our workers.

Further, when we implement jobs training, it is critical we include local input from stakeholders, like our community colleges, faith-based organizations, and labor—to truly break down barriers to employment.

I commend my colleagues on the House Education and the Workforce Committee and on the Senate HELP Committee for their continued commitment to the reauthorization of WIA. I urge my colleagues to vote ''yes'' on the Workforce Innovation and Opportunity Act.

□ 1230

IMMEDIATE PASSAGE OF COMPREHENSIVE IMMIGRATION REFORM

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute.)

Mr. JOHNSON of Georgia. Madam Speaker, I rise today in support of passage of immigration reform, but I also want to talk about the humanitarian disaster that continues to unfold on the Nation's southern borders.

Tens of thousands of unaccompanied minors are fleeing to America from the drug war raging in the streets of the cities and towns where they live, in Honduras, Guatemala, and El Salvador.

Those children fortunate enough to survive the treacherous journey to America are not illegals. They are children who need America's mercy and our humanitarian assistance. Immediate deportation without a chance for a fair hearing on their refugee status is morally repugnant and just plain wrong.

This week, the President requested over $3 billion to deal with this crisis that is a direct consequence of the drug war which America is waging south of the border. Congress must act. America should act as the Good Samaritan.

ELECTING A MEMBER TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Ms. FOXX. Madam Speaker, by direction of the House Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration in the House.

The Clerk read the resolution, as follows:

H. RES. 660

Resolved, That the following named Member be, and is hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON FOREIGN AFFAIRS: Mr. Clawson.

COMMITTEE ON HOMELAND SECURITY: Mr. Clawson.

Ms. FOXX (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore (Mrs. WAGNER). Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

SUPPORTING KNOWLEDGE AND INVESTING IN LIFELONG SKILLS ACT

Mr. KLINE. Madam Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 803) 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.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Workforce Innovation and Opportunity Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Purposes.
Sec. 3. Definitions.

TITLE I—WORKFORCE DEVELOPMENT ACTIVITIES

Subtitle A—System Alignment

CHAPTER 1—STATE PROVISIONS

Sec. 101. State workforce development boards.
Sec. 102. Unified State plan.
Sec. 103. Combined State plan.

CHAPTER 2—LOCAL PROVISIONS

Sec. 106. Workforce development areas.
Sec. 107. Local workforce development boards.
Sec. 108. Local plan.

CHAPTER 3—BOARD PROVISIONS

Sec. 111. Funding of State and local boards.

CHAPTER 4—PERFORMANCE ACCOUNTABILITY

Sec. 116. Performance accountability system.

Subtitle B—Workforce Investment Activities and Providers

CHAPTER 1—WORKFORCE INVESTMENT ACTIVITIES AND PROVIDERS

Sec. 121. Establishment of one-stop delivery systems.
Sec. 122. Identification of eligible providers of training services.
Sec. 123. Eligible providers of youth workforce investment activities.

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES

Sec. 126. General authorization.
Sec. 127. State allotments.
Sec. 128. Within State allocations.
Sec. 129. Use of funds for youth workforce investment activities.

CHAPTER 3—ADULT AND DISLOCATED WORKER 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 4—GENERAL WORKFORCE INVESTMENT PROVISIONS

Sec. 136. 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. 155. Advisory committees.
Sec. 156. Experimental projects and technical assistance.
Sec. 157. Application of provisions of Federal law.
Sec. 158. Special provisions.
Sec. 159. Management information.
Sec. 160. General provisions.
Sec. 161. Job Corps oversight and reporting.
Sec. 162. Authorization of appropriations.

Subtitle D—National Programs

Sec. 166. Native American programs.
Sec. 167. Migrant and seasonal farmworker programs.
Sec. 168. Technical assistance.
Sec. 169. Evaluations and research.
Sec. 170. National dislocated worker grants.
Sec. 171. YouthBuild program.
Sec. 172. Authorization of appropriations.

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. Secretarial administrative authorities and responsibilities.
Sec. 190. Workforce flexibility plans.
Sec. 191. State legislative authority.
Sec. 192. Transfer of Federal equity in State employment security agency real property to the States.
Sec. 193. Continuation of State activities and policies.
Sec. 194. General program requirements.
Sec. 195. Restrictions on lobbying activities.

TITLE II—ADULT EDUCATION AND LITERACY

Sec. 201. Short title.
Sec. 202. Purpose.
Sec. 203. Definitions.
Sec. 204. Home schools.
Sec. 205. Rule of construction regarding postsecondary transition and concurrent enrollment activities.
Sec. 206. 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 leadership activities.
Sec. 243. Integrated English literacy and civics education.

TITLE III—AMENDMENTS TO THE WAGNER-PEYSER ACT

Sec. 301. Employment service offices.
Sec. 302. Definitions.
Sec. 303. Federal and State employment service offices.
Sec. 304. Allotment of sums.
Sec. 305. Use of sums.
Sec. 306. State plan.
Sec. 307. Performance measures.
Sec. 308. Workforce and labor market information system.

TITLE IV—AMENDMENTS TO THE REHABILITATION ACT OF 1973

Subtitle A—Introductory Provisions

Sec. 401. References.
Sec. 402. Findings, purpose, policy.
Sec. 403. Rehabilitation Services Administration.
Sec. 404. Definitions.
Sec. 405. Administration of the Act.
Sec. 406. Reports.
Sec. 407. Evaluation and information.
Sec. 408. Carryover.
Sec. 409. Traditionally underserved populations.

Subtitle B—Vocational Rehabilitation Services

Sec. 411. Declaration of policy; authorization of appropriations.
Sec. 412. State plans.
Sec. 413. Eligibility and individualized plan for employment.
Sec. 414. Vocational rehabilitation services.
Sec. 415. State Rehabilitation Council.
Sec. 416. Evaluation standards and performance indicators.
Sec. 417. Monitoring and review.
Sec. 418. Training and services for employers.
Sec. 419. State allotments.
Sec. 420. Payments to States.
Sec. 421. Client assistance program.
Sec. 422. Pre-employment transition services.
Sec. 423. American Indian vocational rehabilitation services.

Sec. 424. Vocational rehabilitation services client information.

Subtitle C—Research and Training

Sec. 431. Purpose.
Sec. 432. Authorization of appropriations.
Sec. 433. National Institute on Disability, Independent Living, and Rehabilitation Research.
Sec. 434. Interagency committee.
Sec. 435. Research and other covered activities.
Sec. 436. Disability, Independent Living, and Rehabilitation Research Advisory Council.
Sec. 437. Definition of covered school.

Subtitle D—Professional Development and Special Projects and Demonstration

Sec. 441. Purpose; training.
Sec. 442. Demonstration, training, and technical assistance programs.
Sec. 443. Migrant and seasonal farmworkers; recreational programs.

Subtitle E—National Council on Disability

Sec. 451. Establishment.
Sec. 452. Report.
Sec. 453. Authorization of appropriations.

Subtitle F—Rights and Advocacy

Sec. 456. Interagency Committee, Board, and Council.
Sec. 457. Protection and advocacy of individual rights.
Sec. 458. Limitations on use of subminimum wage.

Subtitle G—Employment Opportunities for Individuals With Disabilities

Sec. 461. Employment opportunities for individuals with disabilities.

Subtitle H—Independent Living Services and Centers for Independent Living

CHAPTER 1—INDIVIDUALS WITH SIGNIFICANT DISABILITIES

SUBCHAPTER A—GENERAL PROVISIONS

Sec. 471. Purpose.
Sec. 472. Administration of the independent living program.
Sec. 473. Definitions.
Sec. 474. State plan.
Sec. 475. Statewide Independent Living Council.
Sec. 475A. Responsibilities of the Administrator.

SUBCHAPTER B—INDEPENDENT LIVING SERVICES

Sec. 476. Administration.

SUBCHAPTER C—CENTERS FOR INDEPENDENT LIVING

Sec. 481. Program authorization.
Sec. 482. Centers.
Sec. 483. Standards and assurances.
Sec. 484. Authorization of appropriations.

CHAPTER 2—INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND

Sec. 486. Independent living services for older individuals who are blind.
Sec. 487. Program of grants.
Sec. 488. Independent living services for older individuals who are blind authorization of appropriations.

Subtitle I—General Provisions

Sec. 491. Transfer of functions regarding independent living to Department of Health and Human Services, and savings provisions.
Sec. 492. Table of contents.

TITLE V—GENERAL PROVISIONS

Subtitle A—Workforce Investment

Sec. 501. Privacy.
Sec. 502. Buy-American requirements.
Sec. 503. Transition provisions.
Sec. 504. Reduction of reporting burdens and requirements.
Sec. 505. Report on data capability of Federal and State databases and data exchange agreements.
Sec. 506. Effective dates.

Subtitle B—Amendments to Other Laws

Sec. 511. Repeal of the Workforce Investment Act of 1998.
Sec. 512. Conforming amendments.
Sec. 513. References.

SEC. 2. PURPOSES.

The purposes of this Act are the following:

(1) To increase, for individuals in the United States, particularly those individuals with barriers to employment, access to and opportunities for the employment, education, training, and support services they need to succeed in the labor market.

(2) To support the alignment of workforce investment, education, and economic development systems in support of a comprehensive, accessible, and high-quality workforce development system in the United States.

(3) To improve the quality and labor market relevance of workforce investment, education, and economic development efforts to provide America's workers with the skills and credentials necessary to secure and advance in employment with family-sustaining wages and to provide America's employers with the skilled workers the employers need to succeed in a global economy.

(4) To promote improvement in the structure of and delivery of services through the United States workforce development system to better address the employment and skill needs of workers, jobseekers, and employers.

(5) To increase the prosperity of workers and employers in the United States, the economic growth of communities, regions, and States, and the global competitiveness of the United States.

(6) For purposes of subtitle A and B of title I, to provide workforce investment activities, through statewide and local workforce development systems, that increase the employment, retention, and earnings of participants, and increase attainment of recognized postsecondary credentials by participants, and as a result, improve the quality of the workforce, reduce welfare dependency, increase economic self-sufficiency, meet the skill requirements of employers, and enhance the productivity and competitiveness of the Nation.

SEC. 3. DEFINITIONS.

In this Act, and the core program provisions that are not in this Act, except as otherwise expressly provided:

(1) ADMINISTRATIVE COSTS.—The term ''administrative costs'' means expenditures incurred by State boards and local boards, direct recipients (including State grant recipients under subtitle B of title I and recipients of awards under subtitles C and D of title I), 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 title I that are not related to the direct provision of workforce investment services (including services to participants and employers). Such costs include both personnel and nonpersonnel costs and both direct and indirect costs.

(2) ADULT.—Except as otherwise specified in section 132, the term ''adult'' means an individual who is age 18 or older.

(3) ADULT EDUCATION; ADULT EDUCATION AND LITERACY ACTIVITIES.—The terms ''adult education'' and ''adult education and literacy activities'' have the meanings given the terms in section 203.

(4) AREA CAREER AND TECHNICAL EDUCATION SCHOOL.—The term ''area career and technical education school'' 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).

(5) BASIC SKILLS DEFICIENT.—The term ''basic skills deficient'' means, with respect to an individual—

(A) who is a youth, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or

(B) who is a youth or adult, that the individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society.

(6) 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).

(7) CAREER PATHWAY.—The term ''career pathway'' means a combination of rigorous and high-quality education, training, and other services that—

(A) aligns with the skill needs of industries in the economy of the State or regional economy involved;

(B) prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered 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.) (referred to individually in this Act as an ''apprenticeship'', except in section 171);

(C) includes counseling to support an individual in achieving the individual's education and career goals;

(D) includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;

(E) organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;

(F) enables an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential; and

(G) helps an individual enter or advance within a specific occupation or occupational cluster.

(8) CAREER PLANNING.—The term ''career planning'' means the provision of a client-centered approach in the delivery of services, designed—

(A) to prepare and coordinate comprehensive employment plans, such as service strategies, for participants to ensure access to necessary workforce investment activities and supportive services, using, where feasible, computer-based technologies; and

(B) to provide job, education, and career counseling, as appropriate during program participation and after job placement.

(9) CHIEF ELECTED OFFICIAL.—The term ''chief elected official'' means—

(A) the chief elected executive officer of a unit of general local government in a local area; and

(B) in a case in which a local area includes more than 1 unit of general local government, the individuals designated under the agreement described in section 107(c)(1)(B).

(10) COMMUNITY-BASED ORGANIZATION.—The term ''community-based organization'' means a private nonprofit organization (which may include a faith-based organization), that is representative of a community or a significant segment of a community and that has demonstrated expertise and effectiveness in the field of workforce development.

(11) COMPETITIVE INTEGRATED EMPLOYMENT.—The term ''competitive integrated employment'' has the meaning given the term in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705), for individuals with disabilities.

(12) CORE PROGRAM.—The term ''core programs'' means a program authorized under a core program provision.

(13) CORE PROGRAM PROVISION.—The term ''core program provision'' means—

(A) chapters 2 and 3 of subtitle B of title I (relating to youth workforce investment activities and adult and dislocated worker employment and training activities);

(B) title II (relating to adult education and literacy activities);

(C) sections 1 through 13 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.) (relating to employment services); and

(D) 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) (relating to vocational rehabilitation services).

(14) CUSTOMIZED TRAINING.—The term ''customized training'' means training—

(A) that is designed to meet the specific requirements of an employer (including a group of employers);

(B) that is conducted with a commitment by the employer to employ an individual upon successful completion of the training; and

(C) for which the employer pays—

(i) a significant portion of the cost of training, as determined by the local board involved, taking into account the size of the employer and such other factors as the local board determines to be appropriate, which may include the number of employees participating in training, wage and benefit levels of those employees (at present and anticipated upon completion of the training), relation of the training to the competitiveness of a participant, and other employer-provided training and advancement opportunities; and

(ii) in the case of customized training (as defined in subparagraphs (A) and (B)) involving an employer located in multiple local areas in the State, a significant portion of the cost of the training, as determined by the Governor of the State, taking into account the size of the employer and such other factors as the Governor determines to be appropriate.

(15) DISLOCATED WORKER.—The term ''dislocated worker'' means an individual who—

(A)(i) has been terminated or laid off, or who has received a notice of termination or layoff, from employment;

(ii)(I) is eligible for or has exhausted entitlement to unemployment compensation; or

(II) has been employed for a duration sufficient to demonstrate, to the appropriate entity at a one-stop center referred to in section 121(e), attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; and

(iii) is unlikely to return to a previous industry or occupation;

(B)(i) has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;

(ii) is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or

(iii) for purposes of eligibility to receive services other than training services described in section 134(c)(3), career services described in section 134(c)(2)(A)(xii), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close;

(C) was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters;

(D) is a displaced homemaker; or

(E)(i) 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), and 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 and who meets the criteria described in paragraph (16)(B).

(16) DISPLACED HOMEMAKER.—The term ''displaced homemaker'' means an individual who has been providing unpaid services to family members in the home and who—

(A)(i) has been dependent on the income of another family member but is no longer supported by that income; or

(ii) is the dependent spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code) and 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

(B) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

(17) ECONOMIC DEVELOPMENT AGENCY.—The term ''economic development agency'' includes a local planning or zoning commission or board, a community development agency, or another local agency or institution responsible for regulating, promoting, or assisting in local economic development.

(18) ELIGIBLE YOUTH.—Except as provided in subtitles C and D of title I, the term ''eligible youth'' means an in-school youth or out-of-school youth.

(19) EMPLOYMENT AND TRAINING ACTIVITY.—The term ''employment and training activity'' means an activity described in section 134 that is carried out for an adult or dislocated worker.

(20) ENGLISH LANGUAGE ACQUISITION PROGRAM.—The term ''English language acquisition program'' has the meaning given the term in section 203.

(21) ENGLISH LANGUAGE LEARNER.—The term ''English language learner'' has the meaning given the term in section 203.

(22) GOVERNOR.—The term ''Governor'' means the chief executive of a State or an outlying area.

(23) IN-DEMAND INDUSTRY SECTOR OR OCCUPATION.—

(A) IN GENERAL.—The term ''in-demand industry sector or occupation'' means—

(i) an industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the State, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors; or

(ii) an occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the State, regional, or local economy, as appropriate.

(B) DETERMINATION.—The determination of whether an industry sector or occupation is in-demand under this paragraph shall be made by the State board or local board, as appropriate, using State and regional business and labor market projections, including the use of labor market information.

(24) INDIVIDUAL WITH A BARRIER TO EMPLOYMENT.—The term ''individual with a barrier to employment'' means a member of 1 or more of the following populations:

(A) Displaced homemakers.

(B) Low-income individuals.

(C) Indians, Alaska Natives, and Native Hawaiians, as such terms are defined in section 166.

(D) Individuals with disabilities, including youth who are individuals with disabilities.

(E) Older individuals.

(F) Ex-offenders.

(G) Homeless individuals (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), or homeless children and youths (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))).

(H) Youth who are in or have aged out of the foster care system.

(I) Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers.

(J) Eligible migrant and seasonal farmworkers, as defined in section 167(i).

(K) Individuals within 2 years of exhausting lifetime eligibility under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(L) Single parents (including single pregnant women).

(M) Long-term unemployed individuals.

(N) Such other groups as the Governor involved determines to have barriers to employment.

(25) INDIVIDUAL WITH A DISABILITY.—

(A) IN GENERAL.—The term ''individual with a disability'' means an individual with a disability as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

(B) INDIVIDUALS WITH DISABILITIES.—The term ''individuals with disabilities'' means more than 1 individual with a disability.

(26) INDUSTRY OR SECTOR PARTNERSHIP.—The term ''industry or sector partnership'' means a workforce collaborative, convened by or acting in partnership with a State board or local board, that—

(A) organizes key stakeholders in an industry cluster into a working group that focuses on the shared goals and human resources needs of the industry cluster and that includes, at the appropriate stage of development of the partnership—

(i) representatives of multiple businesses or other employers in the industry cluster, including small and medium-sized employers when practicable;

(ii) 1 or more representatives of a recognized State labor organization or central labor council, or another labor representative, as appropriate; and

(iii) 1 or more representatives of an institution of higher education with, or another provider of, education or training programs that support the industry cluster; and

(B) may include representatives of—

(i) State or local government;

(ii) State or local economic development agencies;

(iii) State boards or local boards, as appropriate;

(iv) a State workforce agency or other entity providing employment services;

(v) other State or local agencies;

(vi) business or trade associations;

(vii) economic development organizations;

(viii) nonprofit organizations, community-based organizations, or intermediaries;

(ix) philanthropic organizations;

(x) industry associations; and

(xi) other organizations, as determined to be necessary by the members comprising the industry or sector partnership.

(27) IN-SCHOOL YOUTH.—The term ''in-school youth'' means a youth described in section 129(a)(1)(C).

(28) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101, and subparagraphs (A) and (B) of section 102(a)(1), of the Higher Education Act of 1965 (20 U.S.C. 1001, 1002(a)(1)).

(29) INTEGRATED EDUCATION AND TRAINING.—The term ''integrated education and training'' has the meaning given the term in section 203.

(30) LABOR MARKET AREA.—The term ''labor market area'' means an economically integrated geographic area within which individuals can reside and find employment within a reasonable distance or can readily change employment without changing their place of residence. Such an area shall be identified in accordance with criteria used by the Bureau of Labor Statistics of the Department of Labor in defining such

areas or similar criteria established by a Governor.

(31) LITERACY.—The term ''literacy'' has the meaning given the term in section 203.

(32) LOCAL AREA.—The term ''local area'' means a local workforce investment area designated under section 106, subject to sections 106(c)(3)(A), 107(c)(4)(B)(i), and 189(i).

(33) LOCAL BOARD.—The term ''local board'' means a local workforce development board established under section 107, subject to section 107(c)(4)(B)(i).

(34) 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 (20 U.S.C. 7801).

(35) LOCAL PLAN.—The term ''local plan'' means a plan submitted under section 108, subject to section 106(c)(3)(B).

(36) LOW-INCOME INDIVIDUAL.—

(A) IN GENERAL.—The term ''low-income individual'' means an individual who—

(i) receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the program of block grants to States for temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State or local income-based public assistance;

(ii) is in a family with total family income that does not exceed the higher of—

(I) the poverty line; or

(II) 70 percent of the lower living standard income level;

(iii) is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));

(iv) 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.);

(v) is a foster child on behalf of whom State or local government payments are made; or

(vi) is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.

(B) LOWER LIVING STANDARD INCOME LEVEL.—The term ''lower living standard income level'' means that income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary.

(37) NONTRADITIONAL EMPLOYMENT.—The term ''nontraditional employment'' refers to occupations or fields of work, for which individuals from the gender involved comprise less than 25 percent of the individuals employed in each such occupation or field of work.

(38) OFFENDER.—The term ''offender'' means an adult or juvenile—

(A) who is or has been subject to any stage of the criminal justice process, and for whom services under this Act may be beneficial; or

(B) who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

(39) OLDER INDIVIDUAL.—The term ''older individual'' means an individual age 55 or older.

(40) ONE-STOP CENTER.—The term ''one-stop center'' means a site described in section 121(e)(2).

(41) ONE-STOP OPERATOR.—The term ''one-stop operator'' means 1 or more entities designated or certified under section 121(d).

(42) ONE-STOP PARTNER.—The term ''one-stop partner'' means—

(A) an entity described in section 121(b)(1); and

(B) an entity described in section 121(b)(2) that is participating, with the approval of the local board and chief elected official, in the operation of a one-stop delivery system.

(43) ONE-STOP PARTNER PROGRAM.—The term ''one-stop partner program'' means a program or activities described in section 121(b) of a one-stop partner.

(44) ON-THE-JOB TRAINING.—The term ''on-the-job training'' means training by an employer that is provided to a paid participant while engaged in productive work in a job that—

(A) provides knowledge or skills essential to the full and adequate performance of the job;

(B) is made available through a program that provides reimbursement to the employer of up to 50 percent of the wage rate of the participant, except as provided in section 134(c)(3)(H), for the extraordinary costs of providing the training and additional supervision related to the training; and

(C) is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.

(45) OUTLYING AREA.—The term ''outlying area'' means—

(A) American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands; and

(B) the Republic of Palau, except during any period for which the Secretary of Labor and the Secretary of Education determine that a Compact of Free Association is in effect and contains provisions for training and education assistance prohibiting the assistance provided under this Act.

(46) OUT-OF-SCHOOL YOUTH.—The term ''out-of-school youth'' means a youth described in section 129(a)(1)(B).

(47) PAY-FOR-PERFORMANCE CONTRACT STRATEGY.—The term ''pay-for-performance contract strategy'' means a procurement strategy that uses pay-for-performance contracts in the provision of training services described in section 134(c)(3) or activities described in section 129(c)(2), and includes—

(A) contracts, each of which shall specify a fixed amount that will be paid to an eligible service provider (which may include a local or national community-based organization or intermediary, community college, or other training provider, that is eligible under section 122 or 123, as appropriate) based on the achievement of specified levels of performance on the primary indicators of performance described in section 116(b)(2)(A) for target populations as identified by the local board (including individuals with barriers to employment), within a defined timetable, and which may provide for bonus payments to such service provider to expand capacity to provide effective training;

(B) a strategy for independently validating the achievement of the performance described in subparagraph (A); and

(C) a description of how the State or local area will reallocate funds not paid to a provider because the achievement of the performance described in subparagraph (A) did not occur, for further activities related to such a procurement strategy, subject to section 189(g)(4).

(48) PLANNING REGION.—The term ''planning region'' means a region described in subparagraph (B) or (C) of section 106(a)(2), subject to section 107(c)(4)(B)(i).

(49) POVERTY LINE.—The term ''poverty line'' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(50) PUBLIC ASSISTANCE.—The term ''public assistance'' means Federal, State, or local government cash payments for which eligibility is determined by a needs or income test.

(51) RAPID RESPONSE ACTIVITY.—The term ''rapid response activity'' means an activity provided by a State, or by an entity designated by a State, with funds provided by the State under section 134(a)(1)(A), in the case of a permanent closure or mass layoff at a plant, facility, or enterprise, or a natural or other disaster, that results in mass job dislocation, in order to assist dislocated workers in obtaining reemployment as soon as possible, with services including—

(A) the establishment of onsite contact with employers and employee representatives—

(i) immediately after the State is notified of a current or projected permanent closure or mass layoff; or

(ii) in the case of a disaster, immediately after the State is made aware of mass job dislocation as a result of such disaster;

(B) the provision of information on and access to available employment and training activities;

(C) assistance in establishing a labor-management committee, voluntarily agreed to by labor and management, with the ability to devise and implement a strategy for assessing the employment and training needs of dislocated workers and obtaining services to meet such needs;

(D) the provision of emergency assistance adapted to the particular closure, layoff, or disaster; and

(E) the provision of assistance to the local community in developing a coordinated response and in obtaining access to State economic development assistance.

(52) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term ''recognized postsecondary credential'' means a credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the State involved or Federal Government, or an associate or baccalaureate degree.

(53) REGION.—The term ''region'', used without further description, means a region identified under section 106(a), subject to section 107(c)(4)(B)(i) and except as provided in section 106(b)(1)(B)(ii).

(54) SCHOOL DROPOUT.—The term ''school dropout'' means an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent.

(55) SECONDARY SCHOOL.—The term ''secondary school'' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(56) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(57) STATE BOARD.—The term ''State board'' means a State workforce development board established under section 101.

(58) STATE PLAN.—The term ''State plan'', used without further description, means a unified State plan under section 102 or a combined State plan under section 103.

(59) SUPPORTIVE SERVICES.—The term ''supportive services'' means services such as transportation, child care, dependent care, housing, and needs-related payments, that are necessary to enable an individual to participate in activities authorized under this Act.

(60) TRAINING SERVICES.—The term ''training services'' means services described in section 134(c)(3).

(61) UNEMPLOYED INDIVIDUAL.—The term ''unemployed individual'' means an individual who is without a job and who wants and is available for work. The determination of whether an individual is without a job, for purposes of this paragraph, shall be made in accordance with the criteria used by the Bureau of Labor Statistics of the Department of Labor in defining individuals as unemployed.

(62) UNIT OF GENERAL LOCAL GOVERNMENT.—The term ''unit of general local government''

means any general purpose political subdivision of a State that has the power to levy taxes and spend funds, as well as general corporate and police powers.

(63) VETERAN; RELATED DEFINITION.—

(A) VETERAN.—The term ''veteran'' has the meaning given the term in section 101 of title 38, United States Code.

(B) RECENTLY SEPARATED VETERAN.—The term ''recently separated veteran'' means any veteran who applies for participation under this Act within 48 months after the discharge or release from active military, naval, or air service.

(64) VOCATIONAL REHABILITATION PROGRAM.—The term ''vocational rehabilitation program'' means a program authorized under a provision covered under paragraph (13)(D).

(65) WORKFORCE DEVELOPMENT ACTIVITY.—The term ''workforce development activity'' means an activity carried out through a workforce development program.

(66) WORKFORCE DEVELOPMENT PROGRAM.—The term ''workforce development program'' means a program made available through a workforce development system.

(67) WORKFORCE DEVELOPMENT SYSTEM.—The term ''workforce development system'' means a system that makes available the core programs, the other one-stop partner programs, and any other programs providing employment and training services as identified by a State board or local board.

(68) WORKFORCE INVESTMENT ACTIVITY.—The term ''workforce investment activity'' means an employment and training activity, and a youth workforce investment activity.

(69) WORKFORCE PREPARATION ACTIVITIES.—The term ''workforce preparation activities'' has the meaning given the term in section 203.

(70) WORKPLACE LEARNING ADVISOR.—The term ''workplace learning advisor'' means an individual employed by an organization who has the knowledge and skills necessary to advise other employees of that organization about the education, skill development, job training, career counseling services, and credentials, including services provided through the workforce development system, required to progress toward career goals of such employees in order to meet employer requirements related to job openings and career advancements that support economic self-sufficiency.

(71) YOUTH WORKFORCE INVESTMENT ACTIVITY.—The term ''youth workforce investment activity'' means an activity described in section 129 that is carried out for eligible youth (or as described in section 129(a)(3)(A)).

TITLE I—WORKFORCE DEVELOPMENT ACTIVITIES

Subtitle A—System Alignment

CHAPTER 1—STATE PROVISIONS

SEC. 101. STATE WORKFORCE DEVELOPMENT BOARDS.

(a) IN GENERAL.—The Governor of a State shall establish a State workforce development board to carry out the functions described in subsection (d).

(b) MEMBERSHIP.—

(1) IN GENERAL.—The State board shall include—

(A) the Governor;

(B) a member of each chamber of the State legislature (to the extent consistent with State law), appointed by the appropriate presiding officers of such chamber; and

(C) members appointed by the Governor, of which—

(i) a majority shall be representatives of businesses in the State, who—

(I) are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority, and who, in addition, may be members of a local board described in section 107(b)(2)(A)(i);

(II) represent businesses (including small businesses), or organizations representing businesses described in this subclause, that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the State; and

(III) are appointed from among individuals nominated by State business organizations and business trade associations;

(ii) not less than 20 percent shall be representatives of the workforce within the State, who—

(I) shall include representatives of labor organizations, who have been nominated by State labor federations;

(II) shall include a representative, who shall be a member of a labor organization or a training director, from a joint labor-management apprenticeship program, or if no such joint program exists in the State, such a representative of an apprenticeship program in the State;

(III) may include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive, integrated employment for individuals with disabilities; and

(IV) may include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth; and

(iii) the balance—

(I) shall include representatives of government, who—

(aa) shall include the lead State officials with primary responsibility for the core programs; and

(bb) shall include chief elected officials (collectively representing both cities and counties, where appropriate); and

(II) may include such other representatives and officials as the Governor may designate, such as—

(aa) the State agency officials from agencies that are one-stop partners not specified in subclause (I) (including additional one-stop partners whose programs are covered by the State plan, if any);

(bb) State agency officials responsible for economic development or juvenile justice programs in the State;

(cc) individuals who represent an Indian tribe or tribal organization, as such terms are defined in section 166(b); and

(dd) State agency officials responsible for education programs in the State, including chief executive officers of community colleges and other institutions of higher education.

(2) DIVERSE AND DISTINCT REPRESENTATION.—The members of the State board shall represent diverse geographic areas of the State, including urban, rural, and suburban areas.

(3) NO REPRESENTATION OF MULTIPLE CATEGORIES.—No person shall serve as a member for more than 1 of—

(A) the category described in paragraph (1)(C)(i); or

(B) 1 category described in a subclause of clause (ii) or (iii) of paragraph (1)(C).

(c) CHAIRPERSON.—The Governor shall select a chairperson for the State board from among the representatives described in subsection (b)(1)(C)(i).

(d) FUNCTIONS.—The State board shall assist the Governor in—

(1) the development, implementation, and modification of the State plan;

(2) consistent with paragraph (1), the review of statewide policies, of statewide programs, and of recommendations on actions that should be taken by the State to align workforce development programs in the State in a manner that supports a comprehensive and streamlined workforce development system in the State, including the review and provision of comments on the State plans, if any, for programs and activities of one-stop partners that are not core programs;

(3) the development and continuous improvement of the workforce development system in the State, including—

(A) the identification of barriers and means for removing barriers to better coordinate, align, and avoid duplication among the programs and activities carried out through the system;

(B) the development of strategies to support the use of career pathways for the purpose of providing individuals, including low-skilled adults, youth, and individuals with barriers to employment (including individuals with disabilities), with workforce investment activities, education, and supportive services to enter or retain employment;

(C) the development of strategies for providing effective outreach to and improved access for individuals and employers who could benefit from services provided through the workforce development system;

(D) the development and expansion of strategies for meeting the needs of employers, workers, and jobseekers, particularly through industry or sector partnerships related to in-demand industry sectors and occupations;

(E) the identification of regions, including planning regions, for the purposes of section 106(a), and the designation of local areas under section 106, after consultation with local boards and chief elected officials;

(F) the development and continuous improvement of the one-stop delivery system in local areas, including providing assistance to local boards, one-stop operators, one-stop partners, and providers with planning and delivering services, including training services and supportive services, to support effective delivery of services to workers, jobseekers, and employers; and

(G) the development of strategies to support staff training and awareness across programs supported under the workforce development system;

(4) the development and updating of comprehensive State performance accountability measures, including State adjusted levels of performance, to assess the effectiveness of the core programs in the State as required under section 116(b);

(5) the identification and dissemination of information on best practices, including best practices for—

(A) the effective operation of one-stop centers, relating to the use of business outreach, partnerships, and service delivery strategies, including strategies for serving individuals with barriers to employment;

(B) the development of effective local boards, which may include information on factors that contribute to enabling local boards to exceed negotiated local levels of performance, sustain fiscal integrity, and achieve other measures of effectiveness; and

(C) effective training programs that respond to real-time labor market analysis, that effectively use direct assessment and prior learning assessment to measure an individual's prior knowledge, skills, competencies, and experiences, and that evaluate such skills, and competencies for adaptability, to support efficient placement into employment or career pathways;

(6) the development and review of statewide policies affecting the coordinated provision of services through the State's one-stop delivery system described in section 121(e), including the development of—

(A) objective criteria and procedures for use by local boards in assessing the effectiveness and continuous improvement of one-stop centers described in such section;

(B) guidance for the allocation of one-stop center infrastructure funds under section 121(h); and

(C) policies relating to the appropriate roles and contributions of entities carrying out one-stop partner programs within the one-stop delivery system, including approaches to facilitating

equitable and efficient cost allocation in such system;

(7) the development of strategies for technological improvements to facilitate access to, and improve the quality of, services and activities provided through the one-stop delivery system, including such improvements to—

(A) enhance digital literacy skills (as defined in section 202 of the Museum and Library Services Act (20 U.S.C. 9101); referred to in this Act as ''digital literacy skills'');

(B) accelerate the acquisition of skills and recognized postsecondary credentials by participants;

(C) strengthen the professional development of providers and workforce professionals; and

(D) ensure such technology is accessible to individuals with disabilities and individuals residing in remote areas;

(8) the development of strategies for aligning technology and data systems across one-stop partner programs to enhance service delivery and improve efficiencies in reporting on performance accountability measures (including the design and implementation of common intake, data collection, case management information, and performance accountability measurement and reporting processes and the incorporation of local input into such design and implementation, to improve coordination of services across one-stop partner programs);

(9) the development of allocation formulas for the distribution of funds for employment and training activities for adults, and youth workforce investment activities, to local areas as permitted under sections 128(b)(3) and 133(b)(3);

(10) the preparation of the annual reports described in paragraphs (1) and (2) of section 116(d);

(11) the development of the statewide workforce and labor market information system described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. 49l–2(e)); and

(12) the development of such other policies as may promote statewide objectives for, and enhance the performance of, the workforce development system in the State.

(e) ALTERNATIVE ENTITY.—

(1) IN GENERAL.—For the purposes of complying with subsections (a), (b), and (c), a State may use any State entity (including a State council, State workforce development board (within the meaning of the Workforce Investment Act of 1998, as in effect on the day before the date of enactment of this Act), combination of regional workforce development boards, or similar entity) that—

(A) was in existence on the day before the date of enactment of the Workforce Investment Act of 1998;

(B) is substantially similar to the State board described in subsections (a) through (c); and

(C) includes representatives of business in the State and representatives of labor organizations in the State.

(2) REFERENCES.—A reference in this Act, or a core program provision that is not in this Act, to a State board shall be considered to include such an entity.

(f) CONFLICT OF INTEREST.—A member of a State board may not—

(1) vote on a matter under consideration by the State board—

(A) regarding the provision of services by such member (or by an entity that such member represents); or

(B) that would provide direct financial benefit to such member or the immediate family of such member; or

(2) engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State plan.

(g) SUNSHINE PROVISION.—The State board shall make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the State board, including information regarding the State plan, or a modification to the State plan, prior to submission of the plan or modification of the plan, respectively, information regarding membership, and, on request, minutes of formal meetings of the State board.

(h) AUTHORITY TO HIRE STAFF.—

(1) IN GENERAL.—The State board may hire a director and other staff to assist in carrying out the functions described in subsection (d) using funds available as described in section 129(b)(3) or 134(a)(3)(B)(i).

(2) QUALIFICATIONS.—The State board shall establish and apply a set of objective qualifications for the position of director, that ensures that the individual selected has the requisite knowledge, skills, and abilities, to meet identified benchmarks and to assist in effectively carrying out the functions of the State board.

(3) LIMITATION ON RATE.—The director and staff described in paragraph (1) shall be subject to the limitations on the payment of salary and bonuses described in section 194(15).

SEC. 102. UNIFIED STATE PLAN.

(a) PLAN.—For a State to be eligible to receive allotments for the core programs, the Governor shall submit to the Secretary of Labor for the approval process described under subsection (c)(2), a unified State plan. The unified State plan shall outline a 4-year strategy for the core programs of the State and meet the requirements of this section.

(b) CONTENTS.—

(1) STRATEGIC PLANNING ELEMENTS.—The unified State plan shall include strategic planning elements consisting of a strategic vision and goals for preparing an educated and skilled workforce, that include—

(A) an analysis of the economic conditions in the State, including—

(i) existing and emerging in-demand industry sectors and occupations; and

(ii) the employment needs of employers, including a description of the knowledge, skills, and abilities, needed in those industries and occupations;

(B) an analysis of the current workforce, employment and unemployment data, labor market trends, and the educational and skill levels of the workforce, including individuals with barriers to employment (including individuals with disabilities), in the State;

(C) an analysis of the workforce development activities (including education and training) in the State, including an analysis of the strengths and weaknesses of such activities, and the capacity of State entities to provide such activities, in order to address the identified education and skill needs of the workforce and the employment needs of employers in the State;

(D) a description of the State's strategic vision and goals for preparing an educated and skilled workforce (including preparing youth and individuals with barriers to employment) and for meeting the skilled workforce needs of employers, including goals relating to performance accountability measures based on primary indicators of performance described in section 116(b)(2)(A), in order to support economic growth and economic self-sufficiency, and of how the State will assess the overall effectiveness of the workforce investment system in the State; and

(E) taking into account analyses described in subparagraphs (A) through (C), a strategy for aligning the core programs, as well as other resources available to the State, to achieve the strategic vision and goals described in subparagraph (D).

(2) OPERATIONAL PLANNING ELEMENTS.—

(A) IN GENERAL.—The unified State plan shall include the operational planning elements contained in this paragraph, which shall support the strategy described in paragraph (1)(E), including a description of how the State board will implement the functions under section 101(d).

(B) IMPLEMENTATION OF STATE STRATEGY.—The unified State plan shall describe how the lead State agency with responsibility for the administration of a core program will implement the strategy described in paragraph (1)(E), including a description of—

(i) the activities that will be funded by the entities carrying out the respective core programs to implement the strategy and how such activities will be aligned across the programs and among the entities administering the programs, including using co-enrollment and other strategies;

(ii) how the activities described in clause (i) will be aligned with activities provided under employment, training, education, including career and technical education, and human services programs not covered by the plan, as appropriate, assuring coordination of, and avoiding duplication among, the activities referred to in this clause;

(iii) how the entities carrying out the respective core programs will coordinate activities and provide comprehensive, high-quality services including supportive services, to individuals;

(iv) how the State's strategy will engage the State's community colleges and area career and technical education schools as partners in the workforce development system and enable the State to leverage other Federal, State, and local investments that have enhanced access to workforce development programs at those institutions;

(v) how the activities described in clause (i) will be coordinated with economic development strategies and activities in the State; and

(vi) how the State's strategy will improve access to activities leading to a recognized postsecondary credential (including a credential that is an industry-recognized certificate or certification, portable, and stackable).

(C) STATE OPERATING SYSTEMS AND POLICIES.—The unified State plan shall describe the State operating systems and policies that will support the implementation of the strategy described in paragraph (1)(E), including a description of—

(i) the State board, including the activities to assist members of the State board and the staff of such board in carrying out the functions of the State board effectively (but funds for such activities may not be used for long-distance travel expenses for training or development activities available locally or regionally);

(ii)(I) how the respective core programs will be assessed each year, including an assessment of the quality, effectiveness, and improvement of programs (analyzed by local area, or by provider), based on State performance accountability measures described in section 116(b); and

(II) how other one-stop partner programs will be assessed each year;

(iii) the results of an assessment of the effectiveness of the core programs and other one-stop partner programs during the preceding 2-year period;

(iv) the methods and factors the State will use in distributing funds under the core programs, in accordance with the provisions authorizing such distributions;

(v)(I) how the lead State agencies with responsibility for the administration of the core programs will align and integrate available workforce and education data on core programs, unemployment insurance programs, and education through postsecondary education;

(II) how such agencies will use the workforce development system to assess the progress of participants that are exiting from core programs in entering, persisting in, and completing postsecondary education, or entering or remaining in employment; and

(III) the privacy safeguards incorporated in such system, including safeguards required by section 444 of the General Education Provisions Act (20 U.S.C. 1232g) and other applicable Federal laws;

(vi) how the State will implement the priority of service provisions for veterans in accordance with the requirements of section 4215 of title 38, United States Code;

(vii) how the one-stop delivery system, including one-stop operators and the one-stop partners, will comply with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), regarding the physical and programmatic accessibility of facilities, programs, services, technology, and materials, for individuals with disabilities, including complying through providing staff training and support for addressing the needs of individuals with disabilities; and

(viii) such other operational planning elements as the Secretary of Labor or the Secretary of Education, as appropriate, determines to be necessary for effective State operating systems and policies.

(D) PROGRAM-SPECIFIC REQUIREMENTS.—The unified State plan shall include—

(i) with respect to activities carried out under subtitle B, a description of—

(I) State policies or guidance, for the statewide workforce development system and for use of State funds for workforce investment activities;

(II) the local areas designated in the State, including the process used for designating local areas, and the process used for identifying any planning regions under section 106(a), including a description of how the State consulted with the local boards and chief elected officials in determining the planning regions;

(III) the appeals process referred to in section 106(b)(5), relating to designation of local areas;

(IV) the appeals process referred to in section 121(h)(2)(E), relating to determinations for infrastructure funding; and

(V) with respect to youth workforce investment activities authorized in section 129, information identifying the criteria to be used by local boards in awarding grants for youth workforce investment activities and describing how the local boards will take into consideration the ability of the providers to meet performance accountability measures based on primary indicators of performance for the youth program as described in section 116(b)(2)(A)(ii) in awarding such grants;

(ii) with respect to activities carried out under title II, a description of—

(I) how the eligible agency will, if applicable, align content standards for adult education with State-adopted challenging academic content standards, as adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1));

(II) how the State will fund local activities using considerations specified in section 231(e) for—

(aa) activities under section 231(b);

(bb) programs for corrections education under section 225;

(cc) programs for integrated English literacy and civics education under section 243; and

(dd) integrated education and training;

(III) how the State will use the funds to carry out activities under section 223;

(IV) how the State will use the funds to carry out activities under section 243;

(V) how the eligible agency will assess the quality of providers of adult education and literacy activities under title II and take actions to improve such quality, including providing the activities described in section 223(a)(1)(B);

(iii) with respect to programs carried out 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), the information described in section 101(a) of that Act (29 U.S.C. 721(a)); and

(iv) information on such additional specific requirements for a program referenced in any of clauses (i) through (iii) or the Wagner-Peyser Act (29 U.S.C. 49 et seq.) as the Secretary of Labor determines to be necessary to administer that program but cannot reasonably be applied across all such programs.

(E) ASSURANCES.—The unified State plan shall include assurances—

(i) that the State has established a policy identifying circumstances that may present a conflict of interest for a State board or local board member, or the entity or class of officials that the member represents, and procedures to resolve such conflicts;

(ii) that the State has established a policy to provide to the public (including individuals with disabilities) access to meetings of State boards and local boards, and information regarding activities of State boards and local boards, such as data on board membership and minutes;

(iii)(I) that the lead State agencies with responsibility for the administration of core programs reviewed and commented on the appropriate operational planning elements of the unified State plan, and approved the elements as serving the needs of the populations served by such programs; and

(II) that the State obtained input into the development of the unified State plan and provided an opportunity for comment on the plan by representatives of local boards and chief elected officials, businesses, labor organizations, institutions of higher education, other primary stakeholders, and the general public and that the unified State plan is available and accessible to the general public;

(iv) that the State has established, in accordance with section 116(i), fiscal control and fund accounting procedures that may be necessary to ensure the proper disbursement of, and accounting for, funds paid to the State through allotments made for adult, dislocated worker, and youth programs to carry out workforce investment activities under chapters 2 and 3 of subtitle B;

(v) that the State has taken appropriate action to secure compliance with uniform administrative requirements in this Act, including that the State will annually monitor local areas to ensure compliance and otherwise take appropriate action to secure compliance with the uniform administrative requirements under section 184(a)(3);

(vi) that the State has taken the appropriate action to be in compliance with section 188, if applicable;

(vii) that the Federal funds received to carry out a core program will not be expended for any purpose other than for activities authorized with respect to such funds under that core program;

(viii) that the eligible agency under title II will—

(I) expend the funds appropriated to carry out that title only in a manner consistent with fiscal requirements under section 241(a) (regarding supplement and not supplant provisions); and

(II) ensure that there is at least 1 eligible provider serving each local area;

(ix) that the State will pay an appropriate share (as defined by the State board) of the costs of carrying out section 116, from funds made available through each of the core programs; and

(x) regarding such other matters as the Secretary of Labor or the Secretary of Education, as appropriate, determines to be necessary for the administration of the core programs.

(3) EXISTING ANALYSIS.—As appropriate, a State may use an existing analysis in order to carry out the requirements of paragraph (1) concerning an analysis.

(c) PLAN SUBMISSION AND APPROVAL.—

(1) SUBMISSION.—

(A) INITIAL PLAN.—The initial unified State plan under this section (after the date of enactment of the Workforce Innovation and Opportunity Act) shall be submitted to the Secretary of Labor not later than 120 days prior to the commencement of the second full program year after the date of enactment of this Act.

(B) SUBSEQUENT PLANS.—Except as provided in subparagraph (A), a unified State plan shall be submitted to the Secretary of Labor not later than 120 days prior to the end of the 4-year period covered by the preceding unified State plan.

(2) SUBMISSION AND APPROVAL.—

(A) SUBMISSION.—In approving a unified State plan under this section, the Secretary shall submit the portion of the unified State plan covering a program or activity to the head of the Federal agency that administers the program or activity for the approval of such portion by such head.

(B) APPROVAL.—A unified State plan shall be subject to the approval of both the Secretary of Labor and the Secretary of Education, after approval of the Commissioner of the Rehabilitation Services Administration for the portion of the plan described in subsection (b)(2)(D)(iii). The plan shall be considered to be approved at the end of the 90-day period beginning on the day the plan is submitted, unless the Secretary of Labor or the Secretary of Education makes a written determination, during the 90-day period, that the plan is inconsistent with the provisions of this section or the provisions authorizing the core programs, as appropriate.

(3) MODIFICATIONS.—

(A) MODIFICATIONS.—At the end of the first 2-year period of any 4-year unified State plan, the State board shall review the unified State plan, and the Governor shall submit modifications to the plan to reflect changes in labor market and economic conditions or in other factors affecting the implementation of the unified State plan.

(B) APPROVAL.—A modified unified State plan submitted for the review required under subparagraph (A) shall be subject to the approval requirements described in paragraph (2). A Governor may submit a modified unified State plan at such other times as the Governor determines to be appropriate, and such modified unified State plan shall also be subject to the approval requirements described in paragraph (2).

(4) EARLY IMPLEMENTERS.—The Secretary of Labor, in conjunction with the Secretary of Education, shall establish a process for approving and may approve unified State plans that meet the requirements of this section and are submitted to cover periods commencing prior to the second full program year described in paragraph (1)(A).

SEC. 103. COMBINED STATE PLAN.

(a) IN GENERAL.—

(1) AUTHORITY TO SUBMIT PLAN.—A State may develop and submit to the appropriate Secretaries a combined State plan for the core programs and 1 or more of the programs and activities described in paragraph (2) in lieu of submitting 2 or more plans, for the programs and activities and the core programs.

(2) PROGRAMS.—The programs and activities referred to in paragraph (1) are as follows:

(A) 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.).

(B) Programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(C) Programs authorized under section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)).

(D) Work programs authorized under section 6(o) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o)).

(E) Activities authorized under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.).

(F) Activities authorized under chapter 41 of title 38, United States Code.

(G) Programs authorized under State unemployment compensation laws (in accordance with applicable Federal law).

(H) Programs authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.).

(I) Employment and training activities carried out by the Department of Housing and Urban Development.

(J) Employment and training activities carried out under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.).

(K) Programs authorized under section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532).

(b) REQUIREMENTS.—

(1) IN GENERAL.—The portion of a combined plan covering the core programs shall be subject to the requirements of section 102 (including section 102(c)(3)). The portion of such plan covering a program or activity described in subsection (a)(2) shall be subject to the requirements, if any, applicable to a plan or application for assistance for that program or activity, under the Federal law authorizing the program or activity. At the election of the State, section 102(c)(3) may apply to that portion.

(2) ADDITIONAL SUBMISSION NOT REQUIRED.—A State that submits a combined plan that is approved under subsection (c) shall not be required to submit any other plan or application in order to receive Federal funds to carry out the core programs or the program or activities described in subsection (a)(2) that are covered by the combined plan.

(3) COORDINATION.—A combined plan shall include—

(A) a description of the methods used for joint planning and coordination of the core programs and the other programs and activities covered by the combined plan; and

(B) an assurance that the methods included an opportunity for the entities responsible for planning or administering the core programs and the other programs and activities to review and comment on all portions of the combined plan.

(c) APPROVAL BY THE APPROPRIATE SECRETARIES.—

(1) JURISDICTION.—The appropriate Secretary shall have the authority to approve the corresponding portion of a combined plan as described in subsection (d). On the approval of the appropriate Secretary, that portion of the combined plan, covering a program or activity, shall be implemented by the State pursuant to that portion of the combined plan, and the Federal law authorizing the program or activity.

(2) APPROVAL OF CORE PROGRAMS.—No portion of the plan relating to a core program shall be implemented until the appropriate Secretary approves the corresponding portions of the plan for all core programs.

(3) TIMING OF APPROVAL.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), a portion of the combined State plan covering the core programs or a program or activity described in subsection (a)(2) shall be considered to be approved by the appropriate Secretary at the end of the 90-day period beginning on the day the plan is submitted.

(B) PLAN APPROVED BY 3 OR MORE APPROPRIATE SECRETARIES.—If an appropriate Secretary other than the Secretary of Labor or the Secretary of Education has authority to approve a portion of a combined plan, that portion of the combined plan shall be considered to be approved by the appropriate Secretary at the end of the 120-day period beginning on the day the plan is submitted.

(C) DISAPPROVAL.—The portion shall not be considered to be approved if the appropriate Secretary makes a written determination, during the 90-day period (or the 120-day period, for an appropriate Secretary covered by subparagraph (B)), that the portion is not consistent with the requirements of the Federal law authorizing or applicable to the program or activity involved, including the criteria for approval of a plan or application, if any, under such law, or the plan is not consistent with the requirements of this section.

(4) SPECIAL RULE.—In paragraph (3), the term ''criteria for approval of a plan or application'', with respect to a State and a core program or a program under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), includes a requirement for agreement between the State and the appropriate Secretaries regarding State performance measures or State performance accountability measures, as the case may be, including levels of performance.

(d) APPROPRIATE SECRETARY.—In this section, the term ''appropriate Secretary'' means—

(1) with respect to the portion of a combined plan relating to any of the core programs (including a description, and an assurance concerning that program, specified in subsection (b)(3)), the Secretary of Labor and the Secretary of Education; and

(2) with respect to the portion of a combined plan relating to a program or activity described in subsection (a)(2) (including a description, and an assurance concerning that program or activity, specified in subsection (b)(3)), the head of the Federal agency who exercises plan or application approval authority for the program or activity under the Federal law authorizing the program or activity, or, if there are no planning or application requirements for such program or activity, exercises administrative authority over the program or activity under that Federal law.

CHAPTER 2—LOCAL PROVISIONS

SEC. 106. WORKFORCE DEVELOPMENT AREAS.

(a) REGIONS.—

(1) IDENTIFICATION.—Before the second full program year after the date of enactment of this Act, in order for a State to receive an allotment under section 127(b) or 132(b) and as part of the process for developing the State plan, a State shall identify regions in the State after consultation with the local boards and chief elected officials in the local areas and consistent with the considerations described in subsection (b)(1)(B).

(2) TYPES OF REGIONS.—For purposes of this Act, the State shall identify—

(A) which regions are comprised of 1 local area that is aligned with the region;

(B) which regions are comprised of 2 or more local areas that are (collectively) aligned with the region (referred to as planning regions, consistent with section 3); and

(C) which, of the regions described in subparagraph (B), are interstate areas contained within 2 or more States, and consist of labor market areas, economic development areas, or other appropriate contiguous subareas of those States.

(b) LOCAL AREAS.—

(1) IN GENERAL.—

(A) PROCESS.—Except as provided in subsection (d), and consistent with paragraphs (2) and (3), in order for a State to receive an allotment under section 127(b) or 132(b), the Governor of the State shall designate local workforce development areas within the State—

(i) through consultation with the State board; and

(ii) after consultation with chief elected officials and local boards, and after consideration of comments received through the public comment process as described in section 102(b)(2)(E)(iii)(II).

(B) CONSIDERATIONS.—The Governor shall designate local areas (except for those local areas described in paragraphs (2) and (3)) based on considerations consisting of the extent to which the areas—

(i) are consistent with labor market areas in the State;

(ii) are consistent with regional economic development areas in the State; and

(iii) have available the Federal and non-Federal resources necessary to effectively administer activities under subtitle B and other applicable provisions of this Act, including whether the areas have the appropriate education and training providers, such as institutions of higher education and area career and technical education schools.

(2) INITIAL DESIGNATION.—During the first 2 full program years following the date of enactment of this Act, the Governor shall approve a request for initial designation as a local area from any area that was designated as a local area for purposes of the Workforce Investment Act of 1998 for the 2-year period preceding the date of enactment of this Act, performed successfully, and sustained fiscal integrity.

(3) SUBSEQUENT DESIGNATION.—After the period for which a local area is initially designated under paragraph (2), the Governor shall approve a request for subsequent designation as a local area from such local area, if such area—

(A) performed successfully;

(B) sustained fiscal integrity; and

(C) in the case of a local area in a planning region, met the requirements described in subsection (c)(1).

(4) DESIGNATION ON RECOMMENDATION OF STATE BOARD.—The Governor may approve a request from any unit of general local government (including a combination of such units) for designation of an area as a local area if the State board determines, based on the considerations described in paragraph (1)(B), and recommends to the Governor, that such area should be so designated.

(5) APPEALS.—A unit of general local government (including a combination of such units) or grant recipient that requests but is not granted designation of an area as a local area under paragraph (2) or (3) may submit an appeal to the State board under an appeal process established in the State plan. If the appeal does not result in such a designation, the Secretary of Labor, after receiving a request for review from the unit or grant recipient and on determining that the unit or grant recipient was not accorded procedural rights under the appeals process described in the State plan, as specified in section 102(b)(2)(D)(i)(III), or that the area meets the requirements of paragraph (2) or (3), may require that the area be designated as a local area under such paragraph.

(6) REDESIGNATION ASSISTANCE.—On the request of all of the local areas in a planning region, the State shall provide funding from funds made available under sections 128(a) and 133(a)(1) to assist the local areas in carrying out activities to facilitate the redesignation of the local areas to a single local area.

(c) REGIONAL COORDINATION.—

(1) REGIONAL PLANNING.—The local boards and chief elected officials in each planning region described in subparagraph (B) or (C) of subsection (a)(2) shall engage in a regional planning process that results in—

(A) the preparation of a regional plan, as described in paragraph (2);

(B) the establishment of regional service strategies, including use of cooperative service delivery agreements;

(C) the development and implementation of sector initiatives for in-demand industry sectors or occupations for the region;

(D) the collection and analysis of regional labor market data (in conjunction with the State);

(E) the establishment of administrative cost arrangements, including the pooling of funds for administrative costs, as appropriate, for the region;

(F) the coordination of transportation and other supportive services, as appropriate, for the region;

(G) the coordination of services with regional economic development services and providers; and

(H) the establishment of an agreement concerning how the planning region will collectively negotiate and reach agreement with Governor on local levels of performance for, and report on, the performance accountability measures described in section 116(c), for local areas or the planning region.

(2) REGIONAL PLANS.—The State, after consultation with local boards and chief elected officials for the planning regions, shall require the local boards and chief elected officials within a planning region to prepare, submit, and obtain approval of a single regional plan that includes a description of the activities described in paragraph (1) and that incorporates local plans for

each of the local areas in the planning region. The State shall provide technical assistance and labor market data, as requested by local areas, to assist with such regional planning and subsequent service delivery efforts.

(3) REFERENCES.—In this Act, and the core program provisions that are not in this Act:

(A) LOCAL AREA.—Except as provided in section 101(d)(9), this section, paragraph (1)(B) or (4) of section 107(c), or section 107(d)(12)(B), or in any text that provides an accompanying provision specifically for a planning region, the term ''local area'' in a provision includes a reference to a planning region for purposes of implementation of that provision by the corresponding local areas in the region.

(B) LOCAL PLAN.—Except as provided in this subsection, the term ''local plan'' includes a reference to the portion of a regional plan developed with respect to the corresponding local area within the region, and any regionwide provision of that plan that impacts or relates to the local area.

(d) SINGLE STATE LOCAL AREAS.—

(1) CONTINUATION OF PREVIOUS DESIGNATION.—The Governor of any State that was a single State local area for purposes of title I of the Workforce Investment Act of 1998, as in effect on July 1, 2013, may designate the State as a single State local area for purposes of this title. In the case of such designation, the Governor shall identify the State as a local area in the State plan.

(2) EFFECT ON LOCAL PLAN AND LOCAL FUNCTIONS.—In any case in which a State is designated as a local area pursuant to this subsection, the local plan prepared under section 108 for the area shall be submitted for approval as part of the State plan. In such a State, the State board shall carry out the functions of a local board, as specified in this Act or the provisions authorizing a core program, but the State shall not be required to meet and report on a set of local performance accountability measures.

(e) DEFINITIONS.—For purposes of this section:

(1) PERFORMED SUCCESSFULLY.—The term ''performed successfully'', used with respect to a local area, means the local area met or exceeded the adjusted levels of performance for primary indicators of performance described in section 116(b)(2)(A) (or, if applicable, core indicators of performance described in section 136(b)(2)(A) of the Workforce Investment Act of 1998, as in effect the day before the date of enactment of this Act) for each of the last 2 consecutive years for which data are available preceding the determination of performance under this paragraph.

(2) SUSTAINED FISCAL INTEGRITY.—The term ''sustained fiscal integrity'', used with respect to a local area, means that the Secretary has not made a formal determination, during either of the last 2 consecutive years preceding the determination regarding such integrity, that either the grant recipient or the administrative entity of the area misexpended funds provided under subtitle B (or, if applicable, title I of the Workforce Investment Act of 1998 as in effect prior to the effective date of such subtitle B) due to willful disregard of the requirements of the provision involved, gross negligence, or failure to comply with accepted standards of administration.

SEC. 107. LOCAL WORKFORCE DEVELOPMENT BOARDS.

(a) ESTABLISHMENT.—Except as provided in subsection (c)(2)(A), there shall be established, and certified by the Governor of the State, a local workforce development board in each local area of a State to carry out the functions described in subsection (d) (and any functions specified for the local board under this Act or the provisions establishing a core program) for such area.

(b) MEMBERSHIP.—

(1) STATE CRITERIA.—The Governor, in partnership with the State board, shall establish criteria for use by chief elected officials in the local areas for appointment of members of the local boards in such local areas in accordance with the requirements of paragraph (2).

(2) COMPOSITION.—Such criteria shall require that, at a minimum—

(A) a majority of the members of each local board shall be representatives of business in the local area, who—

(i) are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;

(ii) represent businesses, including small businesses, or organizations representing businesses described in this clause, that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area; and

(iii) are appointed from among individuals nominated by local business organizations and business trade associations;

(B) not less than 20 percent of the members of each local board shall be representatives of the workforce within the local area, who—

(i) shall include representatives of labor organizations (for a local area in which employees are represented by labor organizations), who have been nominated by local labor federations, or (for a local area in which no employees are represented by such organizations) other representatives of employees;

(ii) shall include a representative, who shall be a member of a labor organization or a training director, from a joint labor-management apprenticeship program, or if no such joint program exists in the area, such a representative of an apprenticeship program in the area, if such a program exists;

(iii) may include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities; and

(iv) may include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth;

(C) each local board shall include representatives of entities administering education and training activities in the local area, who—

(i) shall include a representative of eligible providers administering adult education and literacy activities under title II;

(ii) shall include a representative of institutions of higher education providing workforce investment activities (including community colleges);

(iii) may include representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment;

(D) each local board shall include representatives of governmental and economic and community development entities serving the local area, who—

(i) shall include a representative of economic and community development entities;

(ii) shall include an appropriate representative from the State employment service office under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) serving the local area;

(iii) shall include an appropriate representative of the programs carried out 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), serving the local area;

(iv) may include representatives of agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance; and

(v) may include representatives of philanthropic organizations serving the local area; and

(E) each local board may include such other individuals or representatives of entities as the chief elected official in the local area may determine to be appropriate.

(3) CHAIRPERSON.—The members of the local board shall elect a chairperson for the local board from among the representatives described in paragraph (2)(A).

(4) STANDING COMMITTEES.—

(A) IN GENERAL.—The local board may designate and direct the activities of standing committees to provide information and to assist the local board in carrying out activities under this section. Such standing committees shall be chaired by a member of the local board, may include other members of the local board, and shall include other individuals appointed by the local board who are not members of the local board and who the local board determines have appropriate experience and expertise. At a minimum, the local board may designate each of the following:

(i) A standing committee to provide information and assist with operational and other issues relating to the one-stop delivery system, which may include as members representatives of the one-stop partners.

(ii) A standing committee to provide information and to assist with planning, operational, and other issues relating to the provision of services to youth, which shall include community-based organizations with a demonstrated record of success in serving eligible youth.

(iii) A standing committee to provide information and to assist with operational and other issues relating to the provision of services to individuals with disabilities, including issues relating to compliance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding providing programmatic and physical access to the services, programs, and activities of the one-stop delivery system, as well as appropriate training for staff on providing supports for or accommodations to, and finding employment opportunities for, individuals with disabilities.

(B) ADDITIONAL COMMITTEES.—The local board may designate standing committees in addition to the standing committees specified in subparagraph (A).

(C) DESIGNATION OF ENTITY.—Nothing in this paragraph shall be construed to prohibit the designation of an existing (as of the date of enactment of this Act) entity, such as an effective youth council, to fulfill the requirements of this paragraph as long as the entity meets the requirements of this paragraph.

(5) AUTHORITY OF BOARD MEMBERS.—Members of the board that represent organizations, agencies, or other entities shall be individuals with optimum policymaking authority within the organizations, agencies, or entities. The members of the board shall represent diverse geographic areas within the local area.

(6) SPECIAL RULE.—If there are multiple eligible providers serving the local area by administering adult education and literacy activities under title II, or multiple institutions of higher education serving the local area by providing workforce investment activities, each representative on the local board described in clause (i) or (ii) of paragraph (2)(C), respectively, shall be appointed from among individuals nominated by local providers representing such providers or institutions, respectively.

(c) APPOINTMENT AND CERTIFICATION OF BOARD.—

(1) APPOINTMENT OF BOARD MEMBERS AND ASSIGNMENT OF RESPONSIBILITIES.—

(A) IN GENERAL.—The chief elected official in a local area is authorized to appoint the members of the local board for such area, in accordance with the State criteria established under subsection (b).

(B) MULTIPLE UNITS OF LOCAL GOVERNMENT IN AREA.—

(i) IN GENERAL.—In a case in which a local area includes more than 1 unit of general local

government, the chief elected officials of such units may execute an agreement that specifies the respective roles of the individual chief elected officials—

(I) in the appointment of the members of the local board from the individuals nominated or recommended to be such members in accordance with the criteria established under subsection (b); and

(II) in carrying out any other responsibilities assigned to such officials under this title.

(ii) LACK OF AGREEMENT.—If, after a reasonable effort, the chief elected officials are unable to reach agreement as provided under clause (i), the Governor may appoint the members of the local board from individuals so nominated or recommended.

(C) CONCENTRATED EMPLOYMENT PROGRAMS.—In the case of an area that was designated as a local area in accordance with section 116(a)(2)(B) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act), and that remains a local area on that date, the governing body of the concentrated employment program involved shall act in consultation with the chief elected official in the local area to appoint members of the local board, in accordance with the State criteria established under subsection (b), and to carry out any other responsibility relating to workforce investment activities assigned to such official under this Act.

(2) CERTIFICATION.—

(A) IN GENERAL.—The Governor shall, once every 2 years, certify 1 local board for each local area in the State.

(B) CRITERIA.—Such certification shall be based on criteria established under subsection (b), and for a second or subsequent certification, the extent to which the local board has ensured that workforce investment activities carried out in the local area have enabled the local area to meet the corresponding performance accountability measures and achieve sustained fiscal integrity, as defined in section 106(e)(2).

(C) FAILURE TO ACHIEVE CERTIFICATION.—Failure of a local board to achieve certification shall result in appointment and certification of a new local board for the local area pursuant to the process described in paragraph (1) and this paragraph.

(3) DECERTIFICATION.—

(A) FRAUD, ABUSE, FAILURE TO CARRY OUT FUNCTIONS.—Notwithstanding paragraph (2), the Governor shall have the authority to decertify a local board at any time after providing notice and an opportunity for comment, for—

(i) fraud or abuse; or

(ii) failure to carry out the functions specified for the local board in subsection (d).

(B) NONPERFORMANCE.—Notwithstanding paragraph (2), the Governor may decertify a local board if a local area fails to meet the local performance accountability measures for such local area in accordance with section 116(c) for 2 consecutive program years.

(C) REORGANIZATION PLAN.—If the Governor decertifies a local board for a local area under subparagraph (A) or (B), the Governor may require that a new local board be appointed and certified for the local area pursuant to a reorganization plan developed by the Governor, in consultation with the chief elected official in the local area and in accordance with the criteria established under subsection (b).

(4) SINGLE STATE LOCAL AREA.—

(A) STATE BOARD.—Notwithstanding subsection (b) and paragraphs (1) and (2), if a State described in section 106(d) indicates in the State plan that the State will be treated as a single State local area, for purposes of the application of this Act or the provisions authorizing a core program, the State board shall carry out any of the functions of a local board under this Act or the provisions authorizing a core program, including the functions described in subsection (d).

(B) REFERENCES.—

(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), with respect to such a State, a reference in this Act or a core program provision to a local board shall be considered to be a reference to the State board, and a reference in the Act or provision to a local area or region shall be considered to be a reference to the State.

(ii) PLANS.—The State board shall prepare a local plan under section 108 for the State, and submit the plan for approval as part of the State plan.

(iii) PERFORMANCE ACCOUNTABILITY MEASURES.—The State shall not be required to meet and report on a set of local performance accountability measures.

(d) FUNCTIONS OF LOCAL BOARD.—Consistent with section 108, the functions of the local board shall include the following:

(1) LOCAL PLAN.—The local board, in partnership with the chief elected official for the local area involved, shall develop and submit a local plan to the Governor that meets the requirements in section 108. If the local area is part of a planning region that includes other local areas, the local board shall collaborate with the other local boards and chief elected officials from such other local areas in the preparation and submission of a regional plan as described in section 106(c)(2).

(2) WORKFORCE RESEARCH AND REGIONAL LABOR MARKET ANALYSIS.—In order to assist in the development and implementation of the local plan, the local board shall—

(A) carry out analyses of the economic conditions in the region, the needed knowledge and skills for the region, the workforce in the region, and workforce development activities (including education and training) in the region described in section 108(b)(1)(D), and regularly update such information;

(B) 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. 49l–2(e)), specifically in the collection, analysis, and utilization of workforce and labor market information for the region; and

(C) conduct such other research, data collection, and analysis related to the workforce needs of the regional economy as the board, after receiving input from a wide array of stakeholders, determines to be necessary to carry out its functions.

(3) CONVENING, BROKERING, LEVERAGING.—The local board shall convene local workforce development system stakeholders to assist in the development of the local plan under section 108 and in identifying non-Federal expertise and resources to leverage support for workforce development activities. The local board, including standing committees, may engage such stakeholders in carrying out the functions described in this subsection.

(4) EMPLOYER ENGAGEMENT.—The local board shall lead efforts to engage with a diverse range of employers and with entities in the region involved—

(A) to promote business representation (particularly representatives with optimal policymaking or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunities in the region) on the local board;

(B) to develop effective linkages (including the use of intermediaries) with employers in the region to support employer utilization of the local workforce development system and to support local workforce investment activities;

(C) to ensure that workforce investment activities meet the needs of employers and support economic growth in the region, by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers; and

(D) to develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers (such as the establishment of industry and sector partnerships), that provide the skilled workforce needed by employers in the region, and that expand employment and career advancement opportunities for workforce development system participants in in-demand industry sectors or occupations.

(5) CAREER PATHWAYS DEVELOPMENT.—The local board, with representatives of secondary and postsecondary education programs, shall lead efforts in the local area to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.

(6) PROVEN AND PROMISING PRACTICES.—The local board shall lead efforts in the local area to—

(A) identify and promote proven and promising strategies and initiatives for meeting the needs of employers, and workers and jobseekers (including individuals with barriers to employment) in the local workforce development system, including providing physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), to the one-stop delivery system; and

(B) identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs.

(7) TECHNOLOGY.—The local board shall develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and jobseekers, by—

(A) facilitating connections among the intake and case management information systems of the one-stop partner programs to support a comprehensive workforce development system in the local area;

(B) facilitating access to services provided through the one-stop delivery system involved, including facilitating the access in remote areas;

(C) identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the one-stop delivery system, such as improving digital literacy skills; and

(D) leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment.

(8) PROGRAM OVERSIGHT.—The local board, in partnership with the chief elected official for the local area, shall—

(A)(i) conduct oversight for local youth workforce investment activities authorized under section 129(c), local employment and training activities authorized under subsections (c) and (d) of section 134, and the one-stop delivery system in the local area; and

(ii) ensure the appropriate use and management of the funds provided under subtitle B for the activities and system described in clause (i); and

(B) for workforce development activities, ensure the appropriate use, management, and investment of funds to maximize performance outcomes under section 116.

(9) NEGOTIATION OF LOCAL PERFORMANCE ACCOUNTABILITY MEASURES.—The local board, the chief elected official, and the Governor shall negotiate and reach agreement on local performance accountability measures as described in section 116(c).

(10) 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 for the local area—

(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) SELECTION OF YOUTH PROVIDERS.—Consistent with section 123, the local board—

(i) shall identify eligible providers of youth workforce investment activities in the local area by awarding grants or contracts on a competitive basis (except as provided in section 123(b)), based on the recommendations of the youth standing committee, if such a committee is established for the local area under subsection (b)(4); and

(ii) may terminate for cause the eligibility of such providers.

(C) IDENTIFICATION OF ELIGIBLE PROVIDERS OF TRAINING SERVICES.—Consistent with section 122, the local board shall identify eligible providers of training services in the local area.

(D) IDENTIFICATION OF ELIGIBLE PROVIDERS OF CAREER SERVICES.—If the one-stop operator does not provide career services described in section 134(c)(2) in a local area, the local board shall identify eligible providers of those career services in the local area by awarding contracts.

(E) CONSUMER CHOICE REQUIREMENTS.—Consistent with section 122 and paragraphs (2) and (3) of section 134(c), the local board shall work with the State to ensure there are sufficient numbers and types of providers of career services and training services (including eligible providers with expertise in assisting individuals with disabilities and eligible providers with expertise in assisting adults in need of adult education and literacy activities) serving the local area and providing the services involved in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive integrated employment for individuals with disabilities.

(11) COORDINATION WITH EDUCATION PROVIDERS.—

(A) IN GENERAL.—The local board shall coordinate activities with education and training providers in the local area, including providers of workforce investment activities, providers of adult education and literacy activities under title II, providers of 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 local agencies administering plans 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).

(B) APPLICATIONS AND AGREEMENTS.—The coordination described in subparagraph (A) shall include—

(i) consistent with section 232—

(I) reviewing the applications to provide adult education and literacy activities under title II for the local area, submitted under such section to the eligible agency by eligible providers, to determine whether such applications are consistent with the local plan; and

(II) making recommendations to the eligible agency to promote alignment with such plan; and

(ii) replicating cooperative agreements in accordance with subparagraph (B) of section 101(a)(11) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)), and implementing cooperative agreements in accordance with that section with the local agencies administering plans under title I of that Act (29 U.S.C. 720 et seq.) (other than section 112 or part C of that title (29 U.S.C. 732, 741) and subject to section 121(f)), with respect to efforts that will enhance the provision of services to individuals with disabilities and other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination.

(C) COOPERATIVE AGREEMENT.—In this paragraph, the term ''cooperative agreement'' means an agreement entered into by a State designated agency or State designated unit under subparagraph (A) of section 101(a)(11) of the Rehabilitation Act of 1973.

(12) BUDGET AND ADMINISTRATION.—

(A) BUDGET.—The local board shall develop a budget for the activities of the local board in the local area, consistent with the local plan and the duties of the local board under this section, subject to the approval of the chief elected official.

(B) ADMINISTRATION.—

(i) GRANT RECIPIENT.—

(I) IN GENERAL.—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 sections 128 and 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 subclause (I).

(III) DISBURSAL.—The local grant recipient or an entity designated under subclause (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 subclause (II) shall disburse the funds immediately on receiving such direction from the local board.

(ii) GRANTS AND DONATIONS.—The local board may solicit and accept grants and donations from sources other than Federal funds made available under this Act.

(iii) TAX-EXEMPT STATUS.—For purposes of carrying out duties under this Act, local boards may incorporate, and may operate as entities described in section 501(c)(3) of the Internal Revenue Code of 1986 that are exempt from taxation under section 501(a) of such Code.

(13) ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.—The local board shall annually assess the physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), of all one-stop centers in the local area.

(e) SUNSHINE PROVISION.—The local board shall make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the local board, including information regarding the local plan prior to submission of the plan, and regarding membership, the designation and certification of one-stop operators, and the award of grants or contracts to eligible providers of youth workforce investment activities, and on request, minutes of formal meetings of the local board.

(f) STAFF.—

(1) IN GENERAL.—The local board may hire a director and other staff to assist in carrying out the functions described in subsection (d) using funds available under sections 128(b) and 133(b) as described in section 128(b)(4).

(2) QUALIFICATIONS.—The local board shall establish and apply a set of objective qualifications for the position of director, that ensures that the individual selected has the requisite knowledge, skills, and abilities, to meet identified benchmarks and to assist in effectively carrying out the functions of the local board.

(3) LIMITATION ON RATE.—The director and staff described in paragraph (1) shall be subject to the limitations on the payment of salaries and bonuses described in section 194(15).

(g) LIMITATIONS.—

(1) TRAINING SERVICES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), no local board may provide training services.

(B) WAIVERS OF TRAINING PROHIBITION.—The Governor of the State in which a local board is located may, pursuant to a request from the local board, grant a written waiver of the prohibition set forth in subparagraph (A) (relating to the provision of training services) for a program of training services, if the local board—

(i) submits to the Governor a proposed request for the waiver that includes—

(I) satisfactory evidence that there is an insufficient number of eligible providers of such a program of training services to meet local demand in the local area;

(II) information demonstrating that the board meets the requirements for an eligible provider of training services under section 122; and

(III) information demonstrating that the program of training services prepares participants for an in-demand industry sector or occupation in the local area;

(ii) makes the proposed request available to eligible providers of training services and other interested members of the public for a public comment period of not less than 30 days; and

(iii) includes, in the final request for the waiver, the evidence and information described in clause (i) and the comments received pursuant to clause (ii).

(C) DURATION.—A waiver granted to a local board under subparagraph (B) shall apply for a period that shall not exceed the duration of the local plan. The waiver may be renewed for additional periods under subsequent local plans, not to exceed the durations of such subsequent plans, pursuant to requests from the local board, if the board meets the requirements of subparagraph (B) in making the requests.

(D) REVOCATION.—The Governor shall have the authority to revoke the waiver during the appropriate period described in subparagraph (C) if the Governor determines the waiver is no longer needed or that the local board involved has engaged in a pattern of inappropriate referrals to training services operated by the local board.

(2) CAREER SERVICES; DESIGNATION OR CERTIFICATION AS ONE-STOP OPERATORS.—A local board may provide career services described in section 134(c)(2) through a one-stop delivery system or be designated or certified as a one-stop operator only with the agreement of the chief elected official in the local area and the Governor.

(3) LIMITATION ON AUTHORITY.—Nothing in this Act shall be construed to provide a local board with the authority to mandate curricula for schools.

(h) CONFLICT OF INTEREST.—A member of a local board, or a member of a standing committee, may not—

(1) vote on a matter under consideration by the local board—

(A) regarding the provision of services by such member (or by an entity that such member represents); or

(B) that would provide direct financial benefit to such member or the immediate family of such member; or

(2) engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State plan.

(i) ALTERNATIVE ENTITY.—

(1) IN GENERAL.—For purposes of complying with subsections (a), (b), and (c), a State may use any local entity (including a local council, regional workforce development board, or similar entity) that—

(A) is established to serve the local area (or the service delivery area that most closely corresponds to the local area);

(B) was in existence on the day before the date of enactment of this Act, pursuant to State law; and

(C) includes—

(i) representatives of business in the local area; and

(ii)(I) representatives of labor organizations (for a local area in which employees are represented by labor organizations), nominated by local labor federations; or

(II) other representatives of employees in the local area (for a local area in which no employees are represented by such organizations).

(2) REFERENCES.—A reference in this Act or a core program provision to a local board, shall include a reference to such an entity.

SEC. 108. LOCAL PLAN.

(a) IN GENERAL.—Each local board shall develop and submit to the Governor a comprehensive 4-year local plan, in partnership with the chief elected official. The local plan shall support the strategy described in the State plan in accordance with section 102(b)(1)(E), and otherwise be consistent with the State plan. If the local area is part of a planning region, the local board shall comply with section 106(c) in the preparation and submission of a regional plan. At the end of the first 2-year period of the 4-year local plan, each local board shall review the local plan and the local board, in partnership with the chief elected official, shall prepare and submit modifications to the local plan to reflect changes in labor market and economic conditions or in other factors affecting the implementation of the local plan.

(b) CONTENTS.—The local plan shall include—

(1) a description of the strategic planning elements consisting of—

(A) an analysis of the regional economic conditions including—

(i) existing and emerging in-demand industry sectors and occupations; and

(ii) the employment needs of employers in those industry sectors and occupations;

(B) an analysis of the knowledge and skills needed to meet the employment needs of the employers in the region, including employment needs in in-demand industry sectors and occupations;

(C) an analysis of the workforce in the region, including current labor force employment (and unemployment) data, and information on labor market trends, and the educational and skill levels of the workforce in the region, including individuals with barriers to employment;

(D) an analysis of the workforce development activities (including education and training) in the region, including an analysis of the strengths and weaknesses of such services, and the capacity to provide such services, to address the identified education and skill needs of the workforce and the employment needs of employers in the region;

(E) a description of the local board's strategic vision and goals for preparing an educated and skilled workforce (including youth and individuals with barriers to employment), including goals relating to the performance accountability measures based on primary indicators of performance described in section 116(b)(2)(A) in order to support regional economic growth and economic self-sufficiency; and

(F) taking into account analyses described in subparagraphs (A) through (D), a strategy to work with the entities that carry out the core programs to align resources available to the local area, to achieve the strategic vision and goals described in subparagraph (E);

(2) a description of the workforce development system in the local area that identifies the programs that are included in that system and how the local board will work with the entities carrying out core programs and other workforce development programs to support alignment to provide services, including programs of study authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), that support the strategy identified in the State plan under section 102(b)(1)(E);

(3) a description of how the local board, working with the entities carrying out core programs, will expand access to employment, training, education, and supportive services for eligible individuals, particularly eligible individuals with barriers to employment, including how the local board will facilitate the development of career pathways and co-enrollment, as appropriate, in core programs, and improve access to activities leading to a recognized postsecondary credential (including a credential that is an industry-recognized certificate or certification, portable, and stackable);

(4) a description of the strategies and services that will be used in the local area—

(A) in order to—

(i) facilitate engagement of employers, including small employers and employers in in-demand industry sectors and occupations, in workforce development programs;

(ii) support a local workforce development system that meets the needs of businesses in the local area;

(iii) better coordinate workforce development programs and economic development; and

(iv) strengthen linkages between the one-stop delivery system and unemployment insurance programs; and

(B) that may include the implementation of initiatives such as incumbent worker training programs, on-the-job training programs, customized training programs, industry and sector strategies, career pathways initiatives, utilization of effective business intermediaries, and other business services and strategies, designed to meet the needs of employers in the corresponding region in support of the strategy described in paragraph (1)(F);

(5) a description of how the local board will coordinate workforce investment activities carried out in the local area with economic development activities carried out in the region in which the local area is located (or planning region), and promote entrepreneurial skills training and microenterprise services;

(6) a description of the one-stop delivery system in the local area, including—

(A) a description of how the local board will ensure the continuous improvement of eligible providers of services through the system and ensure that such providers meet the employment needs of local employers, and workers and job-seekers;

(B) a description of how the local board will facilitate access to services provided through the one-stop delivery system, including in remote areas, through the use of technology and through other means;

(C) a description of how entities within the one-stop delivery system, including one-stop operators and the one-stop partners, will comply with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding the physical and programmatic accessibility of facilities, programs and services, technology, and materials for individuals with disabilities, including providing staff training and support for addressing the needs of individuals with disabilities; and

(D) a description of the roles and resource contributions of the one-stop partners;

(7) a description and assessment of the type and availability of adult and dislocated worker employment and training activities in the local area;

(8) a description of how the local board will coordinate workforce investment activities carried out in the local area with statewide rapid response activities, as described in section 134(a)(2)(A);

(9) a description and assessment of the type and availability of youth workforce investment activities in the local area, including activities for youth who are individuals with disabilities, which description and assessment shall include an identification of successful models of such youth workforce investment activities;

(10) a description of how the local board will coordinate education and workforce investment activities carried out in the local area with relevant secondary and postsecondary education programs and activities to coordinate strategies, enhance services, and avoid duplication of services;

(11) a description of how the local board will coordinate workforce investment activities carried out under this title in the local area with the provision of transportation, including public transportation, and other appropriate supportive services in the local area;

(12) a description of plans and strategies for, and assurances concerning, maximizing coordination of services provided by the State employment service under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) and services provided in the local area through the one-stop delivery system, to improve service delivery and avoid duplication of services;

(13) a description of how the local board will coordinate workforce investment activities carried out under this title in the local area with the provision of adult education and literacy activities under title II in the local area, including a description of how the local board will carry out, consistent with subparagraphs (A) and (B)(i) of section 107(d)(11) and section 232, the review of local applications submitted under title II;

(14) a description of the replicated cooperative agreements (as defined in section 107(d)(11)) between the local board or other local entities described in section 101(a)(11)(B) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)(B)) and the local office of a designated State agency or designated State unit administering programs carried out under title I of such Act (29 U.S.C. 720 et seq.) (other than section 112 or part C of that title (29 U.S.C. 732, 741) and subject to section 121(f)) in accordance with section 101(a)(11) of such Act (29 U.S.C. 721(a)(11)) with respect to efforts that will enhance the provision of services to individuals with disabilities and to other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination;

(15) an identification of the entity responsible for the disbursal of grant funds described in section 107(d)(12)(B)(i)(III), as determined by the chief elected official or the Governor under section 107(d)(12)(B)(i);

(16) a description of the competitive process to be used to award the subgrants and contracts in the local area for activities carried out under this title;

(17) a description of the local levels of performance negotiated with the Governor and chief elected official pursuant to section 116(c), to be used to measure the performance of the local area and to be used by the local board for measuring the performance of the local fiscal agent (where appropriate), eligible providers under subtitle B, and the one-stop delivery system, in the local area;

(18) a description of the actions the local board will take toward becoming or remaining a high-performing board, consistent with the factors developed by the State board pursuant to section 101(d)(6);

(19) a description of how training services under chapter 3 of subtitle B will be provided in accordance with section 134(c)(3)(G), including, if contracts for the training services will be used, how the use of such contracts will be coordinated with the use of individual training accounts under that chapter and how the local board will ensure informed customer choice in the selection of training programs regardless of how the training services are to be provided;

(20) a description of the process used by the local board, consistent with subsection (d), to provide an opportunity for public comment, including comment by representatives of businesses and comment by representatives of labor organizations, and input into the development of the local plan, prior to submission of the plan;

(21) a description of how one-stop centers are implementing and transitioning to an integrated, technology-enabled intake and case management information system for programs carried out under this Act and programs carried out by one-stop partners; and

(22) such other information as the Governor may require.

(c) EXISTING ANALYSIS.—As appropriate, a local area may use an existing analysis in order to carry out the requirements of subsection (b)(1) concerning an analysis.

(d) PROCESS.—Prior to the date on which the local board submits a local plan under this section, the local board shall—

(1) make available copies of a proposed local plan to the public through electronic and other means, such as public hearings and local news media;

(2) allow members of the public, including representatives of business, representatives of labor organizations, and representatives of education to submit to the local board comments on the proposed local plan, not later than the end of the 30-day period beginning on the date on which the proposed local plan is made available; and

(3) include with the local plan submitted to the Governor under this section any such comments that represent disagreement with the plan.

(e) PLAN SUBMISSION AND APPROVAL.—A local plan submitted to the Governor under this section (including a modification to such a local plan) shall be considered to be approved by the Governor at the end of the 90-day period beginning on the day the Governor receives the plan (including such a modification), unless the Governor makes a written determination during the 90-day period that—

(1) deficiencies in activities carried out under this subtitle or subtitle B have been identified, through audits conducted under section 184 or otherwise, and the local area has not made acceptable progress in implementing corrective measures to address the deficiencies;

(2) the plan does not comply with the applicable provisions of this Act; or

(3) the plan does not align with the State plan, including failing to provide for alignment of the core programs to support the strategy identified in the State plan in accordance with section 102(b)(1)(E).

CHAPTER 3—BOARD PROVISIONS

SEC. 111. FUNDING OF STATE AND LOCAL BOARDS.

(a) STATE BOARDS.—In funding a State board under this subtitle, a State—

(1) shall use funds available as described in section 129(b)(3) or 134(a)(3)(B); and

(2) may use non-Federal funds available to the State that the State determines are appropriate and available for that use.

(b) LOCAL BOARDS.—In funding a local board under this subtitle, the chief elected official and local board for the local area—

(1) shall use funds available as described in section 128(b)(4); and

(2) may use non-Federal funds available to the local area that the chief elected official and local board determine are appropriate and available for that use.

CHAPTER 4—PERFORMANCE ACCOUNTABILITY

SEC. 116. PERFORMANCE ACCOUNTABILITY SYSTEM.

(a) PURPOSE.—The purpose of this section is to establish performance accountability measures that apply across the core programs to assess the effectiveness of States and local areas (for core programs described in subtitle B) in achieving positive outcomes for individuals served by those programs.

(b) STATE PERFORMANCE ACCOUNTABILITY MEASURES.—

(1) IN GENERAL.—For each State, the performance accountability measures for the core programs shall consist of—

(A)(i) the primary indicators of performance described in paragraph (2)(A); and

(ii) the 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) PRIMARY INDICATORS OF PERFORMANCE.—

(i) IN GENERAL.—The State primary indicators of performance for activities provided under the adult and dislocated worker programs authorized under chapter 3 of subtitle B, the program of adult education and literacy activities authorized under title II, the employment services program authorized under sections 1 through 13 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.) (except that subclauses (IV) and (V) shall not apply to such program), 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—

(I) the percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program;

(II) the percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program;

(III) the median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program;

(IV) the percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent (subject to clause (iii)), during participation in or within 1 year after exit from the program;

(V) the percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment; and

(VI) the indicators of effectiveness in serving employers established pursuant to clause (iv).

(ii) PRIMARY INDICATORS FOR ELIGIBLE YOUTH.—The primary indicators of performance for the youth program authorized under chapter 2 of subtitle B shall consist of—

(I) the percentage of program participants who are in education or training activities, or in unsubsidized employment, during the second quarter after exit from the program;

(II) the percentage of program participants who are in education or training activities, or in unsubsidized employment, during the fourth quarter after exit from the program; and

(III) the primary indicators of performance described in subclauses (III) through (VI) of subparagraph (A)(i).

(iii) INDICATOR RELATING TO CREDENTIAL.—For purposes of clause (i)(IV), or clause (ii)(III) with respect to clause (i)(IV), program participants who obtain a 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, have obtained or retained employment or are in an education or training program leading to a recognized postsecondary credential within 1 year after exit from the program.

(iv) INDICATOR FOR SERVICES TO EMPLOYERS.—Prior to the commencement of the second full program year after the date of enactment of this Act, for purposes of clauses (i)(VI), or clause (ii)(III) with respect to clause (i)(IV), the Secretary of Labor and the Secretary of Education, after consultation with the representatives described in paragraph (4)(B), shall jointly develop and establish, for purposes of this subparagraph, 1 or more primary indicators of performance that indicate the effectiveness of the core programs in serving employers.

(B) ADDITIONAL INDICATORS.—A State may identify in the State plan additional performance accountability indicators.

(3) LEVELS OF PERFORMANCE.—

(A) STATE ADJUSTED LEVELS OF PERFORMANCE FOR PRIMARY INDICATORS.—

(i) IN GENERAL.—For each State submitting a State plan, there shall be established, in accordance with this subparagraph, levels of performance for each of the corresponding primary indicators of performance described in paragraph (2) for each of the programs described in clause (ii).

(ii) INCLUDED PROGRAMS.—The programs included under clause (i) are—

(I) the youth program authorized under chapter 2 of subtitle B;

(II) the adult program authorized under chapter 3 of subtitle B;

(III) the dislocated worker program authorized under chapter 3 of subtitle B;

(IV) the program of adult education and literacy activities authorized under title II;

(V) the employment services program authorized under sections 1 through 13 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.); and

(VI) 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).

(iii) IDENTIFICATION IN STATE PLAN.—Each State shall identify, in the State plan, expected levels of performance for each of the corresponding primary indicators of performance for each of the programs described in clause (ii) for the first 2 program years covered by the State plan.

(iv) AGREEMENT ON STATE ADJUSTED LEVELS OF PERFORMANCE.—

(I) FIRST 2 YEARS.—The State shall reach agreement with the Secretary of Labor, in conjunction with the Secretary of Education on levels of performance for each indicator described in clause (iii) for each of the programs described in clause (ii) for each of the first 2 program years covered by the State plan. In reaching the agreement, the State and the Secretary of Labor in conjunction with the Secretary of Education shall take into account the levels identified in the State plan under clause (iii) and the factors described in clause (v). The levels agreed to shall be considered to be the State adjusted levels of performance for the State for such program years and shall be incorporated into the State plan prior to the approval of such plan.

(II) THIRD AND FOURTH YEAR.—The State and the Secretary of Labor, in conjunction with the Secretary of Education, shall reach agreement, prior to the third program year covered by the State plan, on levels of performance for each indicator described in clause (iii) for each of the programs described in clause (ii) for each of the third and fourth program years covered by the State plan. In reaching the agreement, the State and Secretary of Labor, in conjunction with the Secretary of Education, shall take into account the factors described in clause (v). The levels agreed to shall be considered to be the State adjusted levels of performance for the State for such program years and shall be incorporated into the State plan as a modification to the plan.

(v) FACTORS.—In reaching the agreements described in clause (iv), the State and Secretaries shall—

(I) take into account how the levels involved compare with the State adjusted levels of performance established for other States;

(II) ensure that the levels involved are adjusted, using the objective statistical model established by the Secretaries pursuant to clause (viii), based on—

(aa) the differences among States in actual economic conditions (including differences in unemployment rates and job losses or gains in particular industries); and

(bb) the characteristics of participants when the participants entered the program involved, including indicators of poor work history, lack of work experience, lack of educational or occupational skills attainment, dislocation from high-wage and high-benefit employment, low levels of literacy or English proficiency, disability status, homelessness, ex-offender status, and welfare dependency;

(III) take into account the extent to which the levels involved promote continuous improvement

in performance accountability on the performance accountability measures by such State and ensure optimal return on the investment of Federal funds; and

(IV) take into account the extent to which the levels involved will assist the State in meeting the goals described in clause (vi).

(vi) GOALS.—In order to promote enhanced performance outcomes and to facilitate the process of reaching agreements with the States under clause (iv), the Secretary of Labor, in conjunction with the Secretary of Education, shall establish performance goals for the core programs, in accordance with the Government Performance and Results Act of 1993 (Public Law 103–62; 107 Stat. 285) and the amendments made by that Act, and in consultation with States and other appropriate parties. Such goals shall be long-term goals for the adjusted levels of performance to be achieved by each of the programs described in clause (ii) regarding the corresponding primary indicators of performance described in paragraph (2)(A).

(vii) REVISIONS BASED ON ECONOMIC CONDITIONS AND INDIVIDUALS SERVED DURING THE PROGRAM YEAR.—The Secretary of Labor, in conjunction with the Secretary of Education, shall, in accordance with the objective statistical model developed pursuant to clause (viii), revise the State adjusted levels of performance applicable for each of the programs described in clause (ii), for a program year and a State, to reflect the actual economic conditions and characteristics of participants (as described in clause (v)(II)) in that program during such program year in such State.

(viii) STATISTICAL ADJUSTMENT MODEL.—The Secretary of Labor and the Secretary of Education, after consultation with the representatives described in paragraph (4)(B), shall develop and disseminate an objective statistical model that will be used to make the adjustments in the State adjusted levels of performance for actual economic conditions and characteristics of participants under clauses (v) and (vii).

(B) LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS.—The State may identify, in the State plan, State levels of performance for each of the additional indicators identified under paragraph (2)(B). Such levels shall be considered to be State adjusted levels of performance for purposes of this section.

(4) DEFINITIONS OF INDICATORS OF PERFORMANCE.—

(A) IN GENERAL.—In order to ensure nationwide comparability of performance data, the Secretary of Labor and the Secretary of Education, after consultation with representatives described in subparagraph (B), shall issue definitions for the indicators described in paragraph (2).

(B) REPRESENTATIVES.—The representatives referred to in subparagraph (A) are representatives of States and political subdivisions, business and industry, employees, eligible providers of activities carried out through the core programs, educators, researchers, participants, the lead State agency officials with responsibility for the programs carried out through the core programs, individuals with expertise in serving individuals with barriers to employment, and other interested parties.

(c) LOCAL PERFORMANCE ACCOUNTABILITY MEASURES FOR SUBTITLE B.—

(1) IN GENERAL.—For each local area in a State designated under section 106, the local performance accountability measures for each of the programs described in subclauses (I) through (III) of subsection (b)(3)(A)(ii) shall consist of—

(A)(i) the primary indicators of performance described in subsection (b)(2)(A) that are applicable to such programs; and

(ii) additional indicators of performance, if any, identified by the State for such programs under subsection (b)(2)(B); and

(B) the local level of performance for each indicator described in subparagraph (A).

(2) LOCAL LEVEL OF PERFORMANCE.—The local board, the chief elected official, and the Governor shall negotiate and reach agreement on local levels of performance based on the State adjusted levels of performance established under subsection (b)(3)(A).

(3) ADJUSTMENT FACTORS.—In negotiating the local levels of performance, the local board, the chief elected official, and the Governor shall make adjustments for the expected economic conditions and the expected characteristics of participants to be served in the local area, using the statistical adjustment model developed pursuant to subsection (b)(3)(A)(viii). In addition, the negotiated local levels of performance applicable to a program year shall be revised to reflect the actual economic conditions experienced and the characteristics of the populations served in the local area during such program year using the statistical adjustment model.

(d) PERFORMANCE REPORTS.—

(1) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Secretary of Labor, in conjunction with the Secretary of Education, shall develop a template for performance reports that shall be used by States, local boards, and eligible providers of training services under section 122 to report on outcomes achieved by the core programs. In developing such templates, the Secretary of Labor, in conjunction with the Secretary of Education, will take into account the need to maximize the value of the templates for workers, jobseekers, employers, local elected officials, State officials, Federal policymakers, and other key stakeholders.

(2) CONTENTS OF STATE PERFORMANCE REPORTS.—The performance report for a State shall include, subject to paragraph (5)(C)—

(A) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subsection (b)(2)(A) for each of the programs described in subsection (b)(3)(A)(ii) and the State adjusted levels of performance with respect to such indicators for each program;

(B) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subsection (b)(2)(A) for each of the programs described in subsection (b)(3)(A)(ii) with respect to individuals with barriers to employment, disaggregated by each subpopulation of such individuals, and by race, ethnicity, sex, and age;

(C) the total number of participants served by each of the programs described in subsection (b)(3)(A)(ii);

(D) the number of participants who received career and training services, respectively, during the most recent program year and the 3 preceding program years, and the amount of funds spent on each type of service;

(E) the number of participants who exited from career and training services, respectively, during the most recent program year and the 3 preceding program years;

(F) the average cost per participant of those participants who received career and training services, respectively, during the most recent program year and the 3 preceding program years;

(G) the percentage of participants in a program authorized under this subtitle who received training services and obtained unsubsidized employment in a field related to the training received;

(H) the number of individuals with barriers to employment served by each of the programs described in subsection (b)(3)(A)(ii), disaggregated by each subpopulation of such individuals;

(I) the number of participants who are enrolled in more than 1 of the programs described in subsection (b)(3)(A)(ii);

(J) the percentage of the State's annual allotment under section 132(b) that the State spent on administrative costs;

(K) in the case of a State in which local areas are implementing pay-for-performance contract strategies for programs—

(i) the performance of service providers entering into contracts for such strategies, measured against the levels of performance specified in the contracts for such strategies; and

(ii) an evaluation of the design of the programs and performance of the strategies, and, where possible, the level of satisfaction with the strategies among employers and participants benefitting from the strategies; and

(L) other information that facilitates comparisons of programs with programs in other States.

(3) CONTENTS OF LOCAL AREA PERFORMANCE REPORTS.—The performance reports for a local area shall include, subject to paragraph (6)(C)—

(A) the information specified in subparagraphs (A) through (L) of paragraph (2), for each of the programs described in subclauses (I) through (III) of subsection (b)(3)(A)(ii);

(B) the percentage of the local area's allocation under sections 128(b) and 133(b) that the local area spent on administrative costs; and

(C) other information that facilitates comparisons of programs with programs in other local areas (or planning regions, as appropriate).

(4) CONTENTS OF ELIGIBLE TRAINING PROVIDERS PERFORMANCE REPORTS.—The performance report for an eligible provider of training services under section 122 shall include, subject to paragraph (6)(C), with respect to each program of study (or the equivalent) of such provider—

(A) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subclauses (I) through (IV) of subsection (b)(2)(A)(i) with respect to all individuals engaging in the program of study (or the equivalent);

(B) the total number of individuals exiting from the program of study (or the equivalent);

(C) the total number of participants who received training services through each of the adult program and the dislocated worker program authorized under chapter 3 of subtitle B, disaggregated by the type of entity that provided the training, during the most recent program year and the 3 preceding program years;

(D) the total number of participants who exited from training services, disaggregated by the type of entity that provided the training, during the most recent program year and the 3 preceding program years;

(E) the average cost per participant for the participants who received training services, disaggregated by the type of entity that provided the training, during the most recent program year and the 3 preceding program years; and

(F) the number of individuals with barriers to employment served by each of the adult program and the dislocated worker program authorized under chapter 3 of subtitle B, disaggregated by each subpopulation of such individuals, and by race, ethnicity, sex, and age.

(5) DATA VALIDATION.—In preparing the State reports described in this subsection, each State shall establish procedures, consistent with guidelines issued by the Secretary, in conjunction with the Secretary of Education, to ensure the information contained in the reports is valid and reliable.

(6) PUBLICATION.—

(A) STATE PERFORMANCE REPORTS.—The Secretary of Labor and the Secretary of Education shall annually make available (including by electronic means), in an easily understandable format, the performance reports for States containing the information described in paragraph (2).

(B) LOCAL AREA AND ELIGIBLE TRAINING PROVIDER PERFORMANCE REPORTS.—The State shall make available (including by electronic means), in an easily understandable format, the performance reports for the local areas containing the information described in paragraph (3) and the performance reports for eligible providers of training services containing the information described in paragraph (4).

(C) RULES FOR REPORTING OF DATA.—The disaggregation of data under this subsection

shall not be required when the number of participants in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual participant.

(D) DISSEMINATION TO CONGRESS.—The Secretary of Labor and the Secretary of Education shall make available (including by electronic means) a summary of the reports, and the reports, required under this subsection 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. The Secretaries shall prepare and make available with the reports a set of recommendations for improvements in and adjustments to pay-for-performance contract strategies used under subtitle B.

(e) EVALUATION OF STATE PROGRAMS.—

(1) IN GENERAL.—Using funds authorized under a core program and made available to carry out this section, the State, in coordination with local boards in the State and the State agencies responsible for the administration of the core programs, shall conduct ongoing evaluations of activities carried out in the State under such programs. The State, local boards, and State agencies shall conduct the evaluations in order to promote, establish, implement, and utilize methods for continuously improving core program activities in order to achieve high-level performance within, and high-level outcomes from, the workforce development system. The State shall coordinate the evaluations with the evaluations provided for by the Secretary of Labor and the Secretary of Education under section 169, section 242(c)(2)(D), and sections 12(a)(5), 14, and 107 of the Rehabilitation Act of 1973 (29 U.S.C. 709(a)(5), 711, 727) (applied with respect to programs carried out under title I of that Act (29 U.S.C. 720 et seq.)) and the investigations provided for by the Secretary of Labor under section 10(b) of the Wagner-Peyser Act (29 U.S.C. 49i(b)).

(2) DESIGN.—The evaluations conducted under this subsection shall be designed in conjunction with the State board, State agencies responsible for the administration of the core programs, and local boards and shall include analysis of customer feedback and outcome and process measures in the statewide workforce development system. The evaluations shall use designs that employ the most rigorous analytical and statistical methods that are reasonably feasible, such as the use of control groups.

(3) RESULTS.—The State shall annually prepare, submit to the State board and local boards in the State, and make available to the public (including by electronic means), reports containing the results of evaluations conducted under this subsection, to promote the efficiency and effectiveness of the workforce development system.

(4) COOPERATION WITH FEDERAL EVALUATIONS.—The State shall, to the extent practicable, cooperate in the conduct of evaluations (including related research projects) provided for by the Secretary of Labor or the Secretary of Education under the provisions of Federal law identified in paragraph (1). Such cooperation shall include the provision of data (in accordance with appropriate privacy protections established by the Secretary of Labor), the provision of responses to surveys, and allowing site visits in a timely manner, for the Secretaries or their agents.

(f) SANCTIONS FOR STATE FAILURE TO MEET STATE PERFORMANCE ACCOUNTABILITY MEASURES.—

(1) STATES.—

(A) TECHNICAL ASSISTANCE.—If a State fails to meet the State adjusted levels of performance relating to indicators described in subsection (b)(2)(A) for a program for any program year, the Secretary of Labor and the Secretary of Education shall provide technical assistance, including assistance in the development of a performance improvement plan.

(B) REDUCTION IN AMOUNT OF GRANT.—If such failure continues for a second consecutive year, or (except in the case of exceptional circumstances as determined by the Secretary of Labor or the Secretary of Education, as appropriate) a State fails to submit a report under subsection (d) for any program year, the percentage of each amount that would (in the absence of this paragraph) be reserved by the Governor under section 128(a) for the immediately succeeding program year shall be reduced by 5 percentage points until such date as the Secretary of Labor or the Secretary of Education, as appropriate, determines that the State meets such State adjusted levels of performance and has submitted such reports for the appropriate program years.

(g) SANCTIONS FOR LOCAL AREA FAILURE TO MEET LOCAL PERFORMANCE ACCOUNTABILITY MEASURES.—

(1) TECHNICAL ASSISTANCE.—If a local area fails to meet local performance accountability measures established under subsection (c) for the youth, adult, or dislocated worker program authorized under chapter 2 or 3 of subtitle B for a program described in subsection (d)(2)(A) for any program year, the Governor, or upon request by the Governor, the Secretary of Labor, shall provide technical assistance, which may include assistance in the development of a performance improvement plan or the development of a modified local plan (or regional plan).

(2) CORRECTIVE ACTIONS.—

(A) IN GENERAL.—If such failure continues for a third consecutive year, the Governor shall take corrective actions, which shall include development of a reorganization plan through which the Governor shall—

(i) require the appointment and certification of a new local board, consistent with the criteria established under section 107(b);

(ii) prohibit the use of eligible providers and one-stop partners identified as achieving a poor level of performance; or

(iii) take such other significant actions as the Governor determines are appropriate.

(B) APPEAL BY LOCAL AREA.—

(i) APPEAL TO GOVERNOR.—The local board and chief elected official for a local area that is subject to 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. In such case, the Governor shall make a final decision not later than 30 days after the receipt of the appeal.

(ii) SUBSEQUENT ACTION.—The local board and chief elected official for a local area may, not later than 30 days after receiving a decision from the Governor pursuant to clause (i), appeal such decision to the Secretary of Labor. In such case, the Secretary shall make a final decision not later than 30 days after the receipt of the appeal.

(C) EFFECTIVE DATE.—The decision made by the Governor under subparagraph (B)(i) shall become effective at the time the Governor issues the decision pursuant to such clause. Such decision shall remain effective unless the Secretary of Labor rescinds or revises such plan pursuant to subparagraph (B)(ii).

(h) ESTABLISHING PAY-FOR-PERFORMANCE CONTRACT STRATEGY INCENTIVES.—Using non-Federal funds, the Governor may establish incentives for local boards to implement pay-for-performance contract strategies for the delivery of training services described in section 134(c)(3) or activities described in section 129(c)(2) in the local areas served by the local boards.

(i) FISCAL AND MANAGEMENT ACCOUNTABILITY INFORMATION SYSTEMS.—

(1) IN GENERAL.—Using funds authorized under a core program and made available to carry out this chapter, the Governor, in coordination with the State board, the State agencies administering the core programs, local boards, and chief elected officials in the State, shall establish and operate a fiscal and management accountability information system based on guidelines established by the Secretary of Labor and the Secretary of Education after consultation with the Governors of States, chief elected officials, and one-stop partners. Such guidelines shall promote efficient collection and use of fiscal and management information for reporting and monitoring the use of funds authorized under the core programs and for preparing the annual report described in subsection (d).

(2) WAGE RECORDS.—In measuring the progress of the State on State and local performance accountability measures, a State shall utilize quarterly wage records, consistent with State law. The Secretary of Labor shall make arrangements, consistent with State law, to ensure that the wage records of any State are available to any other State to the extent that such wage records are required by the State in carrying out the State plan of the State or completing the annual report described in subsection (d).

(3) CONFIDENTIALITY.—In carrying out the requirements of this Act, the State shall comply with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

Subtitle B—Workforce Investment Activities and Providers

CHAPTER 1—WORKFORCE INVESTMENT ACTIVITIES AND PROVIDERS

SEC. 121. ESTABLISHMENT OF ONE-STOP DELIVERY SYSTEMS.

(a) IN GENERAL.—Consistent with an approved State plan, the local board for a local area, with the agreement of the chief elected official for the local area, shall—

(1) develop and enter into the memorandum of understanding described in subsection (c) with one-stop partners;

(2) designate or certify one-stop operators under subsection (d); and

(3) conduct oversight with respect to the one-stop delivery system in the local area.

(b) ONE-STOP PARTNERS.—

(1) REQUIRED PARTNERS.—

(A) ROLES AND RESPONSIBILITIES OF ONE-STOP PARTNERS.—Each entity that carries out a program or activities described in subparagraph (B) in a local area shall—

(i) provide access through the one-stop delivery system to such program or activities carried out by the entity, including making the career services described in section 134(c)(2) that are applicable to the program or activities available at the one-stop centers (in addition to any other appropriate locations);

(ii) use a portion of the funds available for the program and activities to maintain the one-stop delivery system, including payment of the infrastructure costs 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 system, that meets the requirements of subsection (c);

(iv) participate in the operation of the one-stop 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; and

(v) provide representation on the State board to the extent provided under section 101.

(B) PROGRAMS AND ACTIVITIES.—The programs and activities referred to in subparagraph (A) consist of—

(i) programs authorized under this title;

(ii) programs authorized under the Wagner-Peyser Act (29 U.S.C. 49 et seq.);

(iii) adult education and literacy activities authorized under title II;

(iv) programs 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 title I of such Act (29 U.S.C. 732, 741);

(v) activities authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.);

(vi) career and technical education programs at the postsecondary level authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);

(vii) activities authorized under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.);

(viii) activities authorized under chapter 41 of title 38, United States Code;

(ix) employment and training activities carried out under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.);

(x) employment and training activities carried out by the Department of Housing and Urban Development;

(xi) programs authorized under State unemployment compensation laws (in accordance with applicable Federal law);

(xii) programs authorized under section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532); and

(xiii) programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), subject to subparagraph (C).

(C) DETERMINATION BY THE GOVERNOR.—

(i) IN GENERAL.—An entity that carries out a program referred to in subparagraph (B)(xiii) shall be included in the one-stop partners for the local area, as a required partner, for purposes of this Act and the other core program provisions that are not part of this Act, unless the Governor provides the notification described in clause (ii).

(ii) NOTIFICATION.—The notification referred to in clause (i) is a notification that—

(I) is made in writing of a determination by the Governor not to include such entity in the one-stop partners described in clause (i); and

(II) is provided to the Secretary of Labor (referred to in this subtitle, and subtitles C through E, as the ''Secretary'') and the Secretary of Health and Human Services.

(2) ADDITIONAL PARTNERS.—

(A) IN GENERAL.—With the approval of the local board and chief elected official, in addition to the entities described in paragraph (1), other entities that carry out workforce development programs described in subparagraph (B) may be one-stop partners for the local area and carry out the responsibilities described in paragraph (1)(A).

(B) PROGRAMS.—The programs referred to in subparagraph (A) may include—

(i) employment and training programs administered by the Social Security Administration, including the Ticket to Work and Self-Sufficiency Program established under section 1148 of the Social Security Act (42 U.S.C. 1320b–19);

(ii) employment and training programs carried out by the Small Business Administration;

(iii) programs authorized under section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4));

(iv) work programs authorized under section 6(o) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o));

(v) programs carried out under section 112 of the Rehabilitation Act of 1973 (29 U.S.C. 732);

(vi) programs authorized under the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.); and

(vii) other appropriate Federal, State, or local programs, including employment, education, and training programs provided by public libraries or in the private sector.

(c) MEMORANDUM OF UNDERSTANDING.—

(1) DEVELOPMENT.—The local board, with the agreement of the chief elected official, shall develop and enter into a memorandum of understanding (between the local board and the one-stop partners), consistent with paragraph (2), concerning the operation of the one-stop delivery system in the local area.

(2) CONTENTS.—Each memorandum of understanding shall contain—

(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 and delivered through such system;

(ii) how the costs of such services and the operating costs of such system will be funded, including—

(I) funding through cash and in-kind contributions (fairly evaluated), which contributions may include funding from philanthropic organizations or other private entities, or through other alternative financing options, to provide a stable and equitable funding stream for ongoing one-stop delivery system operations; and

(II) funding of the infrastructure costs 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;

(iv) methods to ensure the needs of workers and youth, and individuals with barriers to employment, including individuals with disabilities, are addressed in the provision of necessary and appropriate access to services, including access to technology and materials, made available through the one-stop delivery system; and

(v) the duration of the memorandum of understanding and the procedures for amending the memorandum during the duration 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; and

(B) such other provisions, consistent with the requirements of this title, as the parties to the agreement determine to be appropriate.

(d) ONE-STOP OPERATORS.—

(1) LOCAL DESIGNATION AND CERTIFICATION.—Consistent with paragraphs (2) and (3), the local board, with the agreement of the chief elected official, is authorized to designate or certify one-stop operators and to terminate for cause the eligibility of such operators.

(2) ELIGIBILITY.—To be eligible to receive funds made available under this subtitle to operate a one-stop center referred to in subsection (e), an entity (which may be a consortium of entities)—

(A) shall be designated or certified as a one-stop operator through a competitive process; and

(B) shall be an entity (public, private, or nonprofit), or consortium of entities (including a consortium of entities that, at a minimum, includes 3 or more of the one-stop partners described in subsection (b)(1)), of demonstrated effectiveness, located in the local area, which may include—

(i) an institution of higher education;

(ii) an employment service State agency established under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), on behalf of the local office of the agency;

(iii) a community-based organization, nonprofit organization, or intermediary;

(iv) a private for-profit entity;

(v) a government agency; and

(vi) another interested organization or entity, which may include a local chamber of commerce or other business organization, or a labor organization.

(3) EXCEPTION.—Elementary schools and secondary schools shall not be eligible for designation or certification as one-stop operators, except that nontraditional public secondary schools and area career and technical education schools may be eligible for such designation or certification.

(4) ADDITIONAL REQUIREMENTS.—The State and local boards shall ensure that in carrying out activities under this title, one-stop operators—

(A) disclose any potential conflicts of interest arising from the relationships of the operators with particular training service providers or other service providers;

(B) do not establish practices that create disincentives to providing services to individuals with barriers to employment who may require longer-term services, such as intensive employment, training, and education services; and

(C) comply with Federal regulations, and procurement policies, relating to the calculation and use of profits.

(e) ESTABLISHMENT OF ONE-STOP DELIVERY SYSTEM.—

(1) IN GENERAL.—There shall be established in each local area in a State that receives an allotment under section 132(b) a one-stop delivery system, which shall—

(A) provide the career services described in section 134(c)(2);

(B) provide access to training services as described in section 134(c)(3), including serving as the point of access to training services for participants in accordance with section 134(c)(3)(G);

(C) provide access to the employment and training activities carried out under section 134(d), if any;

(D) provide access to programs and activities carried out by one-stop partners described in subsection (b); and

(E) provide access to the data, information, and analysis described in section 15(a) of the Wagner-Peyser Act (29 U.S.C. 49l–2(a)) and all job search, placement, recruitment, and other labor exchange services authorized under the Wagner-Peyser Act (29 U.S.C. 49 et seq.).

(2) ONE-STOP DELIVERY.—The one-stop delivery system—

(A) at a minimum, shall make each of the programs, services, and activities described in paragraph (1) accessible at not less than 1 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 1 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 1 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 career services will be available regardless of where the individuals initially enter the statewide workforce development system, including information made available through an access point described in subclause (I);

(C) may have specialized centers to address special needs, such as the needs of dislocated workers, youth, or key industry sectors or clusters; and

(D) as applicable and practicable, shall make programs, services, and activities accessible to individuals through electronic means in a manner that improves efficiency, coordination, and quality in the delivery of one-stop partner services.

(3) COLOCATION OF WAGNER-PEYSER SERVICES.—Consistent with section 3(d) of the Wagner-Peyser Act (29 U.S.C. 49b(d)), and in order to improve service delivery, avoid duplication of services, and enhance coordination of services, including location of staff to ensure access to services in underserved areas, the employment service offices in each State shall be colocated with one-stop centers established under this title.

(4) USE OF COMMON ONE-STOP DELIVERY SYSTEM IDENTIFIER.—In addition to using any State or locally developed identifier, each one-stop delivery system shall include in the identification of products, programs, activities, services, facilities, and related property and materials, a common one-stop delivery system identifier. The identifier shall be developed by the Secretary, in consultation with heads of other appropriate departments and agencies, and representatives of State boards and local boards and of other stakeholders in the one-stop delivery system, not

later than the beginning of the second full program year after the date of enactment of this Act. Such common identifier may consist of a logo, phrase, or other identifier that informs users of the one-stop delivery system that such products, programs, activities, services, facilities, property, or materials are being provided through such system. Nothing in this paragraph shall be construed to prohibit one-stop partners, States, or local areas from having additional identifiers.

(f) APPLICATION TO CERTAIN VOCATIONAL REHABILITATION PROGRAMS.—

(1) LIMITATION.—Nothing in this section shall be construed to apply to part C of title I of the Rehabilitation Act of 1973 (29 U.S.C. 741).

(2) CLIENT ASSISTANCE.—Nothing in this Act shall be construed to require that any entity carrying out a client assistance program authorized under section 112 of the Rehabilitation Act of 1973 (29 U.S.C. 732)—

(A) be included as a mandatory one-stop partner under subsection (b)(1); or

(B) if the entity is included as an additional one-stop partner under subsection (b)(2)—

(i) violate the requirement of section 112(c)(1)(A) of that Act (29 U.S.C. 732(c)(1)(A)) that the entity be independent of any agency that provides treatment, services, or rehabilitation to individuals under that Act; or

(ii) carry out any activity not authorized under section 112 of that Act (including appropriate Federal regulations).

(g) CERTIFICATION AND CONTINUOUS IMPROVEMENT OF ONE-STOP CENTERS.—

(1) IN GENERAL.—In order to be eligible to receive infrastructure funding described in subsection (h), the State board, in consultation with chief elected officials and local boards, shall establish objective criteria and procedures for use by local boards in assessing at least once every 3 years the effectiveness, physical and programmatic accessibility in accordance with section 188, if applicable, and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq), and continuous improvement of one-stop centers and the one-stop delivery system, consistent with the requirements of section 101(d)(6).

(2) CRITERIA.—The criteria and procedures developed under this subsection shall include standards relating to service coordination achieved by the one-stop delivery system with respect to the programs administered by the one-stop partners at the one-stop centers. Such criteria and procedures shall—

(A) be developed in a manner that is consistent with the guidelines, guidance, and policies provided by the Governor and by the State board, in consultation with the chief elected officials and local boards, for such partners' participation under subsections (h)(1) and (i); and

(B) include such factors relating to the effectiveness, accessibility, and improvement of the one-stop delivery system as the State board determines to be appropriate, including at a minimum how well the one-stop center—

(i) supports the achievement of the negotiated local levels of performance for the indicators of performance described in section 116(b)(2) for the local area;

(ii) integrates available services; and

(iii) meets the workforce development and employment needs of local employers and participants.

(3) LOCAL CRITERIA.—Consistent with the criteria developed under paragraph (1) by the State, a local board in the State may develop additional criteria (or higher levels of service coordination than required for the State-developed criteria) relating to service coordination achieved by the one-stop delivery system, for purposes of assessments described in paragraph (1), in order to respond to labor market, economic, and demographic, conditions and trends in the local area.

(4) EFFECT OF CERTIFICATION.—One-stop centers certified under this subsection shall be eligible to receive the infrastructure funding described in subsection (h).

(5) REVIEW AND UPDATE.—The criteria and procedures established under this subsection shall be reviewed and updated by the State board or the local board, as the case may be, as part of the biennial process for review and modification of State and local plans described in sections 102(c)(2) and 108(a).

(h) FUNDING OF ONE-STOP INFRASTRUCTURE.—

(1) IN GENERAL.—

(A) OPTIONS FOR INFRASTRUCTURE FUNDING.—

(i) LOCAL OPTIONS.—The local board, chief elected officials, and one-stop partners described in subsection (b)(1) in a local area may fund the costs of infrastructure of one-stop centers in the local area through—

(I) methods agreed on by the local board, chief elected officials, and one-stop partners (and described in the memorandum of understanding described in subsection (c)); or

(II) if no consensus agreement on methods is reached under subclause (I), the State infrastructure funding mechanism described in paragraph (2).

(ii) FAILURE TO REACH CONSENSUS AGREEMENT ON FUNDING METHODS.—Beginning July 1, 2016, if the local board, chief elected officials, and one-stop partners described in subsection (b)(1) in a local area fail to reach consensus agreement on methods of sufficiently funding the costs of infrastructure of one-stop centers for a program year, the State infrastructure funding mechanism described in paragraph (2) shall be applicable to such local area for that program year and for each subsequent program year for which those entities and individuals fail to reach such agreement.

(B) GUIDANCE FOR INFRASTRUCTURE FUNDING.—In addition to carrying out the requirements relating to the State infrastructure funding mechanism described in paragraph (2), the Governor, after consultation with chief elected officials, local boards, and the State board, and consistent with the guidance and policies provided by the State board under subparagraphs (B) and (C)(i) of section 101(d)(7), shall provide, for the use of local areas under subparagraph (A)(i)(I)—

(i) guidelines for State-administered one-stop partner programs, for determining such programs' contributions to a one-stop delivery system, based on such programs' proportionate use of such system consistent with chapter II of title 2, Code of Federal Regulations (or any corresponding similar regulation or ruling), including determining funding for the costs of infrastructure, which contributions shall be negotiated pursuant to the memorandum of understanding under subsection (c); and

(ii) guidance to assist local boards, chief elected officials, and one-stop partners in local areas in determining equitable and stable methods of funding the costs of infrastructure of one-stop centers in such areas.

(2) STATE ONE-STOP INFRASTRUCTURE FUNDING.—

(A) DEFINITION.—In this paragraph, the term ''covered portion'', used with respect to funding for a fiscal year for a program described in subsection (b)(1), means a portion determined under subparagraph (C) of the Federal funds provided to a State (including local areas within the State) under the Federal law authorizing that program described in subsection (b)(1) for the fiscal year (taking into account the availability of funding for purposes related to infrastructure from philanthropic organizations, private entities, or other alternative financing options).

(B) PARTNER CONTRIBUTIONS.—Subject to subparagraph (D), for local areas in a State that are not covered by paragraph (1)(A)(i)(I), the covered portions of funding for a fiscal year shall be provided to the Governor from the programs described in subsection (b)(1), to assist in paying the costs of infrastructure of one-stop centers in those local areas of the State not adequately funded under the option described in paragraph (1)(A)(i)(I).

(C) DETERMINATION OF GOVERNOR.—

(i) IN GENERAL.—Subject to clause (ii) and subparagraph (D), the Governor, after consultation with chief elected officials, local boards, and the State board, shall determine the portion of funds to be provided under subparagraph (B) by each one-stop partner from each program described in subparagraph (B). In making such determination for the purpose of determining funding contributions, for funding pursuant to clause (i)(II) or (ii) of paragraph (1)(A) by each partner, the Governor shall calculate amounts for the proportionate use of the one-stop centers in the State, consistent with chapter II of title 2, Code of Federal Regulations (or any corresponding similar regulation or ruling), taking into account the costs of administration of the one-stop delivery system for purposes not related to one-stop centers, for each partner. The Governor shall exclude from such determination of funds the amounts for proportionate use of one-stop centers attributable to the programs of one-stop partners for those local areas of the State where the costs of infrastructure of one-stop centers are funded under the option described in paragraph (1)(A)(i)(I). The Governor shall also take into account the statutory requirements for each partner program and the partner program's ability to fulfill such requirements.

(ii) SPECIAL RULE.—In a State in which the State constitution or a State statute places policymaking 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 literacy activities authorized under title II, 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.), or vocational rehabilitation services offered under a provision covered by section 3(13)(D), the determination described in clause (i) with respect to the programs authorized under that title, Act, or provision shall be made by the chief officer of the entity, or the official, with such authority in consultation with the Governor.

(D) LIMITATIONS.—

(i) PROVISION FROM ADMINISTRATIVE FUNDS.—

(I) IN GENERAL.—Subject to subclause (II), the funds provided under this paragraph by each 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 program's limitations with respect to the portion of funds under such program that may be used for administration.

(II) EXCEPTIONS.—Nothing in this clause shall be construed to apply to the programs carried out under this title, or under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.).

(ii) CAP ON REQUIRED CONTRIBUTIONS.—For local areas in a State that are not covered by paragraph (1)(A)(i)(I), the following rules shall apply:

(I) WIA FORMULA PROGRAMS AND EMPLOYMENT SERVICE.—The portion of funds required to be contributed under this paragraph from a program authorized under chapter 2 or 3, or the Wagner-Peyser Act (29 U.S.C. 49 et seq.) shall not exceed 3 percent of the amount of Federal funds provided to carry out that program in the State for a fiscal year.

(II) OTHER ONE-STOP PARTNERS.—The portion of funds required to be contributed under this paragraph from a program described in subsection (b)(1) other than the programs described in subclause (I) shall not exceed 1.5 percent of the amount of Federal funds provided to carry out that program in the State for a fiscal year.

(III) VOCATIONAL REHABILITATION.—Notwithstanding subclauses (I) and (II), an entity administering a program described in subsection (b)(1)(B)(iv) shall not be required to provide from that program, under this paragraph, a portion that exceeds—

(aa) 0.75 percent of the amount of Federal funds provided to carry out such program in the

State for the second full program year that begins after the date of enactment of this Act;

(bb) 1.0 percent of the amount provided to carry out such program in the State for the third full program year that begins after such date;

(cc) 1.25 percent of the amount provided to carry out such program in the State for the fourth full program year that begins after such date; and

(dd) 1.5 percent of the amount provided to carry out such program in the State for the fifth and each succeeding full program year that begins after such date.

(iii) FEDERAL DIRECT SPENDING PROGRAMS.—For local areas in a State that are not covered by paragraph (1)(A)(i)(I), an entity administering a program funded with direct spending as defined in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, as in effect on February 15, 2014 (2 U.S.C. 900(c)(8)) shall not be required to provide, for purposes of this paragraph, an amount in excess of the amount determined under subparagraph (C)(i) to be equivalent to the cost of the proportionate use of the one-stop centers for the one-stop partner for such program in the State.

(iv) NATIVE AMERICAN PROGRAMS.—One-stop partners for Native American programs established under section 166 shall not be subject to the provisions of this subsection (other than this clause) or subsection (i). For purposes of subsection (c)(2)(A)(ii)(II), the method for determining the appropriate portion of funds to be provided by such partners to pay for the costs of infrastructure of a one-stop center shall be determined as part of the development of the memorandum of understanding under subsection (c) for the one-stop center and shall be stated in the memorandum.

(E) APPEAL BY ONE-STOP PARTNERS.—The Governor shall establish a process, described under section 102(b)(2)(D)(i)(IV), for a one-stop partner administering a program described in subsection (b)(1) to appeal a determination regarding the portion of funds to be provided under this paragraph. Such a determination may be appealed under the process on the basis that such determination is inconsistent with the requirements of this paragraph. Such process shall ensure prompt resolution of the appeal in order to ensure the funds are distributed in a timely manner, consistent with the requirements of section 182(e).

(3) ALLOCATION BY GOVERNOR.—

(A) IN GENERAL.—From the funds provided under paragraph (1), the Governor shall allocate the funds to local areas described in subparagraph (B) in accordance with the formula established under subparagraph (B) for the purposes of assisting in paying the costs of infrastructure of one-stop centers.

(B) 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 not funding costs of infrastructure under the option described in paragraph (1)(A)(i)(I). The formula shall be based on factors including the number of one-stop centers in a local area, the population served by such centers, the services provided by such centers, and other factors relating to the performance of such centers that the State board determines are appropriate.

(4) COSTS OF INFRASTRUCTURE.—In this subsection, the term ''costs of infrastructure'', used with respect to a one-stop center, means the nonpersonnel costs that are necessary for the general operation of the one-stop center, including the rental costs of the facilities, the costs of utilities and maintenance, equipment (including assessment-related products and assistive technology for individuals with disabilities), and technology to facilitate access to the one-stop center, including the center's planning and outreach activities.

(i) OTHER FUNDS.—

(1) IN GENERAL.—Subject to the memorandum of understanding described in subsection (c) for the one-stop delivery system involved, in addition to the funds provided to carry out subsection (h), a portion of funds made available under Federal law authorizing the programs described in subsection (b) and administered by one-stop partners, or the noncash resources available under such programs, shall be used to pay the additional costs relating to the operation of the one-stop delivery system that are not paid from the funds provided under subsection (h), as determined in accordance with paragraph (3), to the extent not inconsistent with the Federal law involved. Such costs shall include the costs of the provision of career services described in section 134(c)(2) applicable to each program and may include common costs that are not paid from the funds provided under subsection (h).

(2) SHARED SERVICES.—The costs described under paragraph (1) may include costs of services that are authorized for and may be commonly provided through the one-stop partner programs to any individual, such as initial intake, assessment of needs, appraisal of basic skills, identification of appropriate services to meet such needs, referrals to other one-stop partners, and other similar services.

(3) DETERMINATION AND GUIDANCE.—The method for determining the appropriate portion of funds and noncash resources to be provided by the one-stop partner for each program under paragraph (1) for a one-stop center shall be determined as part of the development of the memorandum of understanding under subsection (c) for the one-stop center and shall be stated in the memorandum. The State board shall provide guidance to facilitate the determination, for purposes of the memorandum of understanding, of an appropriate allocation of the funds and noncash resources in local areas, consistent with the requirements of section 101(d)(6)(C).

SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF TRAINING SERVICES.

(a) ELIGIBILITY.—

(1) IN GENERAL.—Except as provided in subsection (h), the Governor, after consultation with the State board, shall establish criteria, information requirements, and procedures regarding the eligibility of providers of training services to receive funds provided under section 133(b) for the provision of training services in local areas in the State.

(2) PROVIDERS.—Subject to the provisions of this section, to be eligible to receive those funds for the provision of training services, the provider shall be—

(A) an institution of higher education that provides a program that leads to a recognized postsecondary credential;

(B) an entity that carries out programs registered 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, which may include joint labor-management organizations, and eligible providers of adult education and literacy activities under title II if such activities are provided in combination with occupational skills training.

(3) INCLUSION IN LIST OF ELIGIBLE PROVIDERS.—A provider described in subparagraph (A) or (C) of paragraph (2) shall comply with the criteria, information requirements, and procedures established under this section to be included on the list of eligible providers of training services described in subsection (d). A provider described in paragraph (2)(B) shall be included and maintained on the list of eligible providers of training services described in subsection (d) for so long as the corresponding program of the provider remains registered as described in paragraph (2)(B).

(b) CRITERIA AND INFORMATION REQUIREMENTS.—

(1) STATE CRITERIA.—In establishing criteria pursuant to subsection (a), the Governor shall take into account each of the following:

(A) The performance of providers of training services with respect to—

(i) the performance accountability measures and other matters for which information is required under paragraph (2); and

(ii) other appropriate measures of performance outcomes determined by the Governor for those participants receiving training services under this subtitle (taking into consideration the characteristics of the population served and relevant economic conditions), and the outcomes of the program through which those training services were provided for students in general with respect to employment and earnings as defined under section 116(b)(2).

(B) The need to ensure access to training services throughout the State, including in rural areas, and through the use of technology.

(C) Information reported to State agencies with respect to Federal and State programs involving training services (other than the program carried out under this subtitle), including one-stop partner programs.

(D) The degree to which the training programs of such providers relate to in-demand industry sectors and occupations in the State.

(E) The requirements for State licensing of providers of training services, and the licensing status of providers of training services if applicable.

(F) Ways in which the criteria can encourage, to the extent practicable, the providers to use industry-recognized certificates or certifications.

(G) The ability of the providers to offer programs that lead to recognized postsecondary credentials.

(H) The quality of a program of training services, including a program of training services that leads to a recognized postsecondary credential.

(I) The ability of the providers to provide training services to individuals who are employed and individuals with barriers to employment.

(J) Such other factors as the Governor determines are appropriate to ensure—

(i) the accountability of the providers;

(ii) that the one-stop centers in the State will ensure that such providers meet the needs of local employers and participants;

(iii) the informed choice of participants among training services providers; and

(iv) that the collection of information required to demonstrate compliance with the criteria is not unduly burdensome or costly to providers.

(2) STATE INFORMATION REQUIREMENTS.—The information requirements established by the Governor shall require that a provider of training services submit appropriate, accurate, and timely information to the State, to enable the State to carry out subsection (d), with respect to participants receiving training services under this subtitle in the applicable program, including—

(A) information on the performance of the provider with respect to the performance accountability measures described in section 116 for such participants (taking into consideration the characteristics of the population served and relevant economic conditions), and information specifying the percentage of such participants who entered unsubsidized employment in an occupation related to the program, to the extent practicable;

(B) information on recognized postsecondary credentials received by such participants;

(C) information on cost of attendance, including costs of tuition and fees, for participants in the program;

(D) information on the program completion rate for such participants; and

(E) information on the criteria described in paragraph (1).

(3) LOCAL CRITERIA AND INFORMATION REQUIREMENTS.—A local board in the State may

establish criteria and information requirements in addition to the criteria and information requirements established by the Governor, or may require higher levels of performance than required for the criteria established by the Governor, for purposes of determining the eligibility of providers of training services to receive funds described in subsection (a) for the provision of training services in the local area involved.

(4) CRITERIA AND INFORMATION REQUIREMENTS TO ESTABLISH INITIAL ELIGIBILITY.—

(A) PURPOSE.—The purpose of this paragraph is to enable the providers of programs carried out under chapter 3 to offer the highest quality training services and be responsive to in-demand and emerging industries by providing training services for those industries.

(B) INITIAL ELIGIBILITY.—Providers may seek initial eligibility under this paragraph as providers of training services and may receive that initial eligibility for only 1 fiscal year for a particular program. The criteria and information requirements established by the Governor under this paragraph shall require that a provider who has not previously been an eligible provider of training services under this section (or section 122 of the Workforce Investment Act of 1998, as in effect on the day before the date of enactment of this Act) provide the information described in subparagraph (C).

(C) INFORMATION.—The provider shall provide verifiable program-specific performance information based on criteria established by the State as described in subparagraph (D) that supports the provider's ability to serve participants under this subtitle.

(D) CRITERIA.—The criteria described in subparagraph (C) shall include at least—

(i) a factor related to indicators described in section 116;

(ii) a factor concerning whether the provider is in a partnership with business;

(iii) other factors that indicate high-quality training services, including the factor described in paragraph (1)(H); and

(iv) a factor concerning alignment of the training services with in-demand industry sectors and occupations, to the extent practicable.

(E) PROVISION.—The provider shall provide the information described in subparagraph (C) to the Governor and the local board in a manner that will permit the Governor and the local board to make a decision on inclusion of the provider on the list of eligible providers described in subsection (d).

(F) LIMITATION.—A provider that receives initial eligibility under this paragraph for a program shall be subject to the requirements under subsection (c) for that program after such initial eligibility expires.

(c) PROCEDURES.—

(1) APPLICATION PROCEDURES.—The procedures established under subsection (a) shall identify the application process for a provider of training services to become eligible to receive funds provided under section 133(b) for the provision of training services. The procedures shall identify the respective roles of the State and local areas in receiving and reviewing the applications and in making determinations of such eligibility based on the criteria, information, and procedures established under this section. The procedures shall also 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.

(2) RENEWAL PROCEDURES.—The procedures established by the Governor shall also provide for biennial review and renewal of eligibility under this section for providers of training services.

(d) LIST AND INFORMATION TO ASSIST PARTICIPANTS IN CHOOSING PROVIDERS.—

(1) IN GENERAL.—In order to facilitate and assist participants in choosing employment and training activities and in choosing providers of training services, the Governor shall ensure that an appropriate list of providers determined to be eligible under this section to offer a program in the State (and, as appropriate, in a local area), accompanied by information identifying the recognized postsecondary credential offered by the provider and other appropriate information, is prepared. The list shall be provided to the local boards in the State, and made available to such participants and to members of the public through the one-stop delivery system in the State.

(2) ACCOMPANYING INFORMATION.—The accompanying information shall—

(A) with respect to providers described in subparagraphs (A) and (C) of subsection (a)(2), consist of information provided by such providers, disaggregated by local areas served, as applicable, in accordance with subsection (b);

(B) with respect to providers described in subsection (b)(4), consist of information provided by such providers in accordance with subsection (b)(4); and

(C) such other information as the Governor determines to be appropriate.

(3) AVAILABILITY.—The list and the accompanying information shall be made available to such participants and to members of the public through the one-stop delivery system in the State, in a manner that does not reveal personally identifiable information about an individual participant.

(4) LIMITATION.—In carrying out the requirements of this subsection, no personally identifiable information regarding a student, including a Social Security number, student identification number, or other identifier, may be disclosed 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).

(e) OPPORTUNITY TO SUBMIT COMMENTS.—In establishing, under this section, criteria, information requirements, procedures, and the list of eligible providers described in subsection (d), the Governor shall provide an opportunity for interested members of the public to make recommendations and submit comments regarding such criteria, information requirements, procedures, and list.

(f) 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, violated this section (or section 122 of the Workforce Investment Act of 1998, as in effect on the day before the date of enactment of this Act) by intentionally supplying inaccurate information under this section, the eligibility of such provider to receive funds under chapter 3 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 (or title I of the Workforce Investment Act of 1998, as in effect on the day before such date of enactment), the eligibility of such provider to receive funds under chapter 3 for the program involved shall be terminated for a period of not less than 2 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 of subtitle B of title I of the Workforce Investment Act of 1998, as in effect on the day before such date of enactment, or chapter 3 of this subtitle during a period of violation described in such subparagraph.

(2) CONSTRUCTION.—Paragraph (1) shall be construed to provide remedies and penalties that supplement, but shall not supplant, civil and criminal remedies and penalties specified in other provisions of law.

(g) AGREEMENTS WITH OTHER STATES.—States may enter into agreements, on a reciprocal basis, to permit eligible providers of training services to accept individual training accounts provided in another State.

(h) ON-THE-JOB TRAINING, CUSTOMIZED TRAINING, INCUMBENT WORKER TRAINING, AND OTHER TRAINING EXCEPTIONS.—

(1) IN GENERAL.—Providers of on-the-job training, customized training, incumbent worker training, internships, and paid or unpaid work experience opportunities, or transitional employment shall not be subject to the requirements of subsections (a) through (f).

(2) COLLECTION AND DISSEMINATION OF INFORMATION.—A one-stop operator in a local area shall collect such performance information from providers of on-the-job training, customized training, incumbent worker training, internships, paid or unpaid work experience opportunities, and transitional employment as the Governor may require, and use the information to determine whether the providers meet such performance criteria as the Governor may require. The one-stop operator shall disseminate information identifying such 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 providers of training services.

(i) TRANSITION PERIOD FOR IMPLEMENTATION.—The Governor and local boards shall implement the requirements of this section not later than 12 months after the date of enactment of this Act. In order to facilitate early implementation of this section, the Governor may establish transition procedures under which providers eligible to provide training services under chapter 5 of subtitle B of title I of the Workforce Investment Act of 1998, as such chapter was in effect on the day before the date of enactment of this Act, may continue to be eligible to provide such services until December 31, 2015, or until such earlier date as the Governor determines to be appropriate.

SEC. 123. ELIGIBLE PROVIDERS OF YOUTH WORKFORCE INVESTMENT ACTIVITIES.

(a) IN GENERAL.—From the funds allocated under section 128(b) to a local area, the local board for such area shall award grants or contracts on a competitive basis to providers of youth workforce investment activities identified based on the criteria in the State plan (including such quality criteria as the Governor shall establish for a training program that leads to a recognized postsecondary credential), and taking into consideration the ability of the providers to meet performance accountability measures based on primary indicators of performance for the youth program as described in section 116(b)(2)(A)(ii)), as described in section 102(b)(2)(D)(i)(V), and shall conduct oversight with respect to such providers.

(b) EXCEPTIONS.—A local board may award grants or contracts on a sole-source basis if such board determines there is an insufficient number of eligible providers of youth workforce investment activities in the local area involved (such as a rural area) for grants and contracts to be awarded on a competitive basis under subsection (a).

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES

SEC. 126. GENERAL AUTHORIZATION.

The Secretary shall make an allotment under section 127(b)(1)(C) to each State that meets the requirements of section 102 or 103 and a grant under section 127(b)(1)(B) to each outlying area that complies with the requirements of this title, to assist the State or outlying area, and to enable the State or outlying area to assist local areas, for the purpose of providing workforce investment activities for eligible youth in the State or outlying area and in the local areas.

SEC. 127. STATE ALLOTMENTS.

(a) IN GENERAL.—The Secretary shall—

(1) for each fiscal year for which the amount appropriated under section 136(a) exceeds $925,000,000, reserve 4 percent of the excess amount to provide youth workforce investment activities under section 167 (relating to migrant and seasonal farmworkers); and

(2) use the remainder of the amount appropriated under section 136(a) for a fiscal year to make allotments and grants in accordance with subsection (b).

(b) ALLOTMENT AMONG STATES.—

(1) YOUTH WORKFORCE INVESTMENT ACTIVITIES.—

(A) NATIVE AMERICANS.—From the amount appropriated under section 136(a) for a fiscal year that is not reserved under subsection (a)(1), the Secretary shall reserve not more than 1½ percent of such amount to provide youth workforce investment activities under section 166 (relating to Native Americans).

(B) OUTLYING AREAS.—

(i) IN GENERAL.—From the amount appropriated under section 136(a) for each fiscal year that is not reserved under subsection (a)(1) and subparagraph (A), the Secretary shall reserve not more than ¼ of 1 percent of such amount to provide assistance to the outlying areas to carry out youth workforce investment activities and statewide workforce investment activities.

(ii) LIMITATION FOR OUTLYING AREAS.—

(I) COMPETITIVE GRANTS.—The Secretary shall use funds reserved under clause (i) to award grants to outlying areas to carry out youth workforce investment activities and statewide workforce investment activities.

(II) AWARD BASIS.—The Secretary shall award grants pursuant to subclause (I) on a competitive basis and pursuant to the recommendations of experts in the field of employment and training, working through the Pacific Region Educational Laboratory in Honolulu, Hawaii.

(III) ADMINISTRATIVE COSTS.—The Secretary may provide not more than 5 percent of the funds made available for grants under subclause (I) to pay the administrative costs of the Pacific Region Educational Laboratory in Honolulu, Hawaii, regarding activities assisted under this clause.

(iii) ADDITIONAL REQUIREMENT.—The provisions of section 501 of Public Law 95–134 (48 U.S.C. 1469a), permitting the consolidation of grants by the outlying areas, shall not apply to assistance provided to those areas, including Palau, under this subparagraph.

(C) STATES.—

(i) IN GENERAL.—From the remainder of the amount appropriated under section 136(a) for a fiscal year that exists after the Secretary determines the amounts to be reserved under subsection (a)(1) and subparagraphs (A) and (B), the Secretary shall make allotments to the States in accordance with clause (ii) for youth workforce investment activities and statewide workforce investment activities.

(ii) FORMULA.—Subject to clauses (iii) and (iv), of the remainder—

(I) 33⅓ 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) 33⅓ percent shall be allotted on the basis of the relative excess number of unemployed individuals in each State, compared to the total excess number of unemployed individuals in all States; and

(III) 33⅓ 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, except as described in clause (iii).

(iii) CALCULATION.—In determining an allotment under clause (ii)(III) for any State in which there is an area that was designated as a local area as described in section 107(c)(1)(C), the allotment shall be based on the higher of—

(I) the number of individuals who are age 16 through 21 in families with an income below the low-income level in such area; or

(II) the number of disadvantaged youth in such area.

(iv) MINIMUM AND MAXIMUM PERCENTAGES AND MINIMUM ALLOTMENTS.—In making allotments under this subparagraph, the Secretary shall ensure the following:

(I) MINIMUM PERCENTAGE AND ALLOTMENT.—Subject to subclause (IV), the Secretary shall ensure that no State shall receive an allotment for a fiscal year that is less than the greater of—

(aa) an amount based on 90 percent of the allotment percentage of the State for the preceding fiscal year; or

(bb) 100 percent of the allotments of the State under section 127(b)(1)(C) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act) for fiscal year 2014.

(II) SMALL STATE MINIMUM ALLOTMENT.—Subject to subclauses (I), (III), and (IV), the Secretary shall ensure that no State shall receive an allotment under this subparagraph that is less than the total of—

(aa) 3/10 of 1 percent of $1,000,000,000 of the remainder described in clause (i) for the fiscal year; and

(bb) if the remainder described in clause (i) for the fiscal year exceeds $1,000,000,000, ⅔ of 1 percent of the excess.

(III) MAXIMUM PERCENTAGE.—Subject to subclause (I), the Secretary shall ensure that no State shall receive an allotment percentage for a fiscal year that is more than 130 percent of the allotment percentage of the State for the preceding fiscal year.

(IV) MINIMUM FUNDING.—In any fiscal year in which the remainder described in clause (i) does not exceed $1,000,000,000, the minimum allotments under subclauses (I) and (II) shall be calculated by the methodology specified in section 127(b)(1)(C)(iv)(IV) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act).

(2) DEFINITIONS.—For the purpose of the formula specified in paragraph (1)(C):

(A) ALLOTMENT PERCENTAGE.—The term ''allotment percentage'', used with respect to fiscal year 2015 or a subsequent fiscal year, means a percentage of the remainder described in paragraph (1)(C)(i) that is received through an allotment made under paragraph (1)(C) for the fiscal year. The term, used with respect to fiscal year 2014, means the percentage of the amount allotted to States under section 127(b)(1)(C) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act) that is received under such section by the State involved for fiscal year 2014.

(B) 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 6.5 percent for the most recent 12 months, as determined by the Secretary. For purposes of this subparagraph, determinations of areas of substantial unemployment shall be made once each fiscal year.

(C) DISADVANTAGED YOUTH.—Subject to paragraph (3), the term ''disadvantaged youth'' means an individual who is age 16 through 21 who received an income, or is a member of a family that received 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.

(D) EXCESS NUMBER.—The term ''excess number'' means, used with respect to the excess number of unemployed individuals within a State, the higher of—

(i) the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in the State; or

(ii) the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in areas of substantial unemployment in such State.

(E) LOW-INCOME LEVEL.—The term ''low-income level'' means $7,000 with respect to income in 1969, and for any later year means that amount that bears the same relationship to $7,000 as the Consumer Price Index for that year bears to the Consumer Price Index for 1969, rounded to the nearest $1,000.

(3) SPECIAL RULE.—For the purpose of the formula specified in paragraph (1)(C), the Secretary shall, as appropriate and to the extent practicable, exclude college students and members of the Armed Forces from the determination of the number of disadvantaged youth.

(c) REALLOTMENT.—

(1) IN GENERAL.—The Secretary shall, in accordance with this subsection, reallot to eligible States amounts that are made available to States from allotments made under this section or a corresponding provision of the Workforce Investment Act of 1998 for youth workforce investment activities and statewide workforce investment activities (referred to individually in this subsection as a ''State allotment'') and that are available for reallotment.

(2) AMOUNT.—The amount available for reallotment for a program year is equal to the amount by which the unobligated balance of the State allotment, at the end of the program year prior to the program year for which the determination under this paragraph is made, exceeds 20 percent of such allotment for the prior program year.

(3) REALLOTMENT.—In making reallotments to eligible States of amounts available pursuant to paragraph (2) for a program year, the Secretary shall allot to each eligible State an amount based on the relative amount of the State allotment for the program year for which the determination is made, as compared to the total amount of the State allotments for all eligible States for such program year.

(4) ELIGIBILITY.—For purposes of this subsection, an eligible State means a State that does not have an amount available for reallotment under paragraph (2) for the program year for which the determination under paragraph (2) is made.

(5) PROCEDURES.—The Governor shall prescribe uniform procedures for the obligation of funds by local areas within the State in order to avoid the requirement that funds be made available for reallotment under this subsection. The Governor shall further prescribe equitable procedures for making funds available from the State and local areas in the event that a State is required to make funds available for reallotment under this subsection.

SEC. 128. WITHIN STATE ALLOCATIONS.

(a) RESERVATIONS FOR STATEWIDE ACTIVITIES.—

(1) IN GENERAL.—The Governor shall reserve not more than 15 percent of each of the amounts allotted to the State under section 127(b)(1)(C) and paragraphs (1)(B) and (2)(B) of section 132(b) for a fiscal year for statewide workforce investment activities.

(2) USE OF FUNDS.—Regardless of whether the reserved amounts were allotted under section 127(b)(1)(C), or under paragraph (1)(B) or (2)(B) of section 132(b), the Governor may use the reserved amounts to carry out statewide activities under section 129(b) or statewide employment and training activities, for adults or dislocated workers, under section 134(a).

(b) WITHIN STATE ALLOCATIONS.—

(1) METHODS.—The Governor, acting in accordance with the State plan, and after consulting with chief elected officials and local boards in the local areas, shall allocate the

funds that are allotted to the State for youth activities and statewide workforce investment activities under section 127(b)(1)(C) and are not reserved under subsection (a), in accordance with paragraph (2) or (3).

(2) FORMULA ALLOCATION.—

(A) YOUTH ACTIVITIES.—

(i) ALLOCATION.—In allocating the funds described in paragraph (1) to local areas, a State may allocate—

(I) 33⅓ percent of the funds on the basis described in section 127(b)(1)(C)(ii)(I);

(II) 33⅓ percent of the funds on the basis described in section 127(b)(1)(C)(ii)(II); and

(III) 33⅓ percent of the funds on the basis described in clauses (ii)(III) and (iii) of section 127(b)(1)(C).

(ii) MINIMUM PERCENTAGE.—The local area shall not receive an allocation percentage for a fiscal year that is less than 90 percent of the average allocation percentage of the local area for the 2 preceding fiscal years. Amounts necessary for increasing such allocations to local areas to comply with the preceding sentence shall be obtained by ratably reducing the allocations to be made to other local areas under this subparagraph.

(iii) DEFINITION.—In this subparagraph, the term ''allocation percentage'', used with respect to fiscal year 2015 or a subsequent fiscal year, means a percentage of the funds referred to in clause (i), received through an allocation made under this subparagraph, for the fiscal year. The term, used with respect to fiscal year 2013 or 2014, means a percentage of the funds referred to in section 128(b)(1) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act), received through an allocation made under paragraph (2) or (3) of section 128(b) of the Workforce Investment Act of 1998 (as so in effect), for the fiscal year 2013 or 2014, respectively.

(B) APPLICATION.—For purposes of carrying out subparagraph (A)—

(i) references in section 127(b) to a State shall be deemed to be references to a local area;

(ii) references in section 127(b) to all States shall be deemed to be references to all local areas in the State involved; and

(iii) except as described in clause (i), references in section 127(b)(1) to the term ''excess number'' shall be considered to be references to the term as defined in section 127(b)(2).

(3) YOUTH DISCRETIONARY ALLOCATION.—In lieu of making the allocation described in paragraph (2), in allocating the funds described in paragraph (1) to local areas, a State may distribute—

(A) a portion equal to not less than 70 percent of the funds in accordance with paragraph (2)(A); and

(B) the remaining portion of the funds on the basis of a formula that—

(i) incorporates additional factors (other than the factors described in paragraph (2)(A)) relating to—

(I) excess youth poverty in urban, rural, and suburban local areas; and

(II) excess unemployment above the State average in urban, rural, and suburban local areas; and

(ii) was developed by the State board and approved by the Secretary as part of the State plan.

(4) LOCAL ADMINISTRATIVE COST LIMIT.—

(A) IN GENERAL.—Of the amount allocated to a local area under this subsection and section 133(b) 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 under this chapter or chapter 3.

(B) USE OF FUNDS.—Funds made available for administrative costs under subparagraph (A) may be used for the administrative costs of any of the local workforce investment activities described in this chapter or chapter 3, regardless of whether the funds were allocated under this subsection or section 133(b).

(c) REALLOCATION AMONG LOCAL AREAS.—

(1) IN GENERAL.—The Governor may, in accordance with this subsection and after consultation with the State board, reallocate to eligible local areas within the State amounts that are made available to local areas from allocations made under this section or a corresponding provision of the Workforce Investment Act of 1998 for youth workforce investment activities (referred to individually in this subsection as a ''local allocation'') and that are available for reallocation.

(2) AMOUNT.—The amount available for reallocation for a program year is equal to the amount by which the unobligated balance of the local allocation, at the end of the program year prior to the program year for which the determination under this paragraph is made, exceeds 20 percent of such allocation for the prior program year.

(3) REALLOCATION.—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 of the local allocation for the program year for which the determination is made, as compared to the total amount of the local allocations for all eligible local areas in the State for such program year.

(4) ELIGIBILITY.—For purposes of this subsection, an eligible local area means a local area that does not have an amount available for reallocation under paragraph (2) for the program year for which the determination under paragraph (2) is made.

SEC. 129. USE OF FUNDS FOR YOUTH WORKFORCE INVESTMENT ACTIVITIES.

(a) YOUTH PARTICIPANT ELIGIBILITY.—

(1) ELIGIBILITY.—

(A) IN GENERAL.—To be eligible to participate in activities carried out under this chapter during any program year an individual shall, at the time the eligibility determination is made, be an out-of-school youth or an in-school youth.

(B) OUT-OF-SCHOOL YOUTH.—In this title, the term ''out-of-school youth'' means an individual who is—

(i) not attending any school (as defined under State law);

(ii) not younger than age 16 or older than age 24; and

(iii) one or more of the following:

(I) A school dropout.

(II) A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter.

(III) A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is—

(aa) basic skills deficient; or

(bb) an English language learner.

(IV) An individual who is subject to the juvenile or adult justice system.

(V) A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement.

(VI) An individual who is pregnant or parenting.

(VII) A youth who is an individual with a disability.

(VIII) A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

(C) IN-SCHOOL YOUTH.—In this section, the term ''in-school youth'' means an individual who is—

(i) attending school (as defined by State law);

(ii) not younger than age 14 or (unless an individual with a disability who is attending school under State law) older than age 21;

(iii) a low-income individual; and

(iv) one or more of the following:

(I) Basic skills deficient.

(II) An English language learner.

(III) An offender.

(IV) A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement.

(V) Pregnant or parenting.

(VI) A youth who is an individual with a disability.

(VII) An individual who requires additional assistance to complete an educational program or to secure or hold employment.

(2) SPECIAL RULE.—For the purpose of this subsection, the term ''low-income'', used with respect to an individual, also includes a youth living in a high-poverty area.

(3) EXCEPTION AND LIMITATION.—

(A) EXCEPTION FOR PERSONS WHO ARE NOT LOW-INCOME INDIVIDUALS.—

(i) DEFINITION.—In this subparagraph, the term ''covered individual'' means an in-school youth, or an out-of-school youth who is described in subclause (III) or (VIII) of paragraph (1)(B)(iii).

(ii) EXCEPTION.—In each local area, not more than 5 percent of the individuals assisted under this section may be persons who would be covered individuals, except that the persons are not low-income individuals.

(B) LIMITATION.—In each local area, not more than 5 percent of the in-school youth assisted under this section may be eligible under paragraph (1) because the youth are in-school youth described in paragraph (1)(C)(iv)(VII).

(4) OUT-OF-SCHOOL PRIORITY.—

(A) IN GENERAL.—For any program year, not less than 75 percent of the funds allotted under section 127(b)(1)(C), reserved under section 128(a), and available for statewide activities under subsection (b), and not less than 75 percent of funds available to local areas under subsection (c), shall be used to provide youth workforce investment activities for out-of-school youth.

(B) EXCEPTION.—A State that receives a minimum allotment under section 127(b)(1) in accordance with section 127(b)(1)(C)(iv) or under section 132(b)(1) in accordance with section 132(b)(1)(B)(iv) may decrease the percentage described in subparagraph (A) to not less than 50 percent for a local area in the State, if—

(i) after an analysis of the in-school youth and out-of-school youth populations in the local area, the State determines that the local area will be unable to use at least 75 percent of the funds available for activities under subsection (c) to serve out-of-school youth due to a low number of out-of-school youth; and

(ii)(I) the State submits to the Secretary, for the local area, a request including a proposed percentage decreased to not less than 50 percent for purposes of subparagraph (A), and a summary of the analysis described in clause (i); and

(II) the request is approved by the Secretary.

(5) CONSISTENCY WITH COMPULSORY SCHOOL ATTENDANCE LAWS.—In providing assistance under this section to an individual who is required to attend school under applicable State compulsory school attendance laws, the priority in providing such assistance shall be for the individual to attend school regularly.

(b) STATEWIDE ACTIVITIES.—

(1) REQUIRED STATEWIDE YOUTH ACTIVITIES.—Funds reserved by a Governor as described in sections 128(a) and 133(a)(1) shall be used, regardless of whether the funds were allotted to the State under section 127(b)(1)(C) or under paragraph (1)(B) or (2)(B) of section 132(b) for statewide activities, which shall include—

(A) conducting evaluations under section 116(e) of activities authorized under this chapter and chapter 3 in coordination with evaluations carried out by the Secretary under section 169(a);

(B) disseminating a list of eligible providers of youth workforce investment activities, as determined under section 123;

(C) providing assistance to local areas as described in subsections (b)(6) and (c)(2) of section 106, for local coordination of activities carried out under this title;

(D) operating a fiscal and management accountability information system under section 116(i);

(E) carrying out monitoring and oversight of activities carried out under this chapter and chapter 3, which may include a review comparing the services provided to male and female youth; and

(F) providing additional assistance to local areas that have high concentrations of eligible youth.

(2) ALLOWABLE STATEWIDE YOUTH ACTIVITIES.—Funds reserved by a Governor as described in sections 128(a) and 133(a)(1) may be used, regardless of whether the funds were allotted to the State under section 127(b)(1)(C) or under paragraph (1)(B) or (2)(B) of section 132(b), for statewide activities, which may include—

(A) conducting—

(i) research related to meeting the education and employment needs of eligible youth; and

(ii) demonstration projects related to meeting the education and employment needs of eligible youth;

(B) supporting the development of alternative, evidence-based programs and other activities that enhance the choices available to eligible youth and encourage such youth to reenter and complete secondary education, enroll in postsecondary education and advanced training, progress through a career pathway, and enter into unsubsidized employment that leads to economic self-sufficiency;

(C) supporting the provision of career services described in section 134(c)(2) in the one-stop delivery system in the State;

(D) supporting financial literacy, including—

(i) supporting the ability of participants to create household budgets, initiate savings plans, and make informed financial decisions about education, retirement, home ownership, wealth building, or other savings goals;

(ii) supporting the ability to manage spending, credit, and debt, including credit card debt, effectively;

(iii) increasing awareness of the availability and significance of credit reports and credit scores in obtaining credit, including determining their accuracy (and how to correct inaccuracies in the reports and scores), and their effect on credit terms;

(iv) supporting the ability to understand, evaluate, and compare financial products, services, and opportunities; and

(v) supporting activities that address the particular financial literacy needs of non-English speakers, including providing the support through the development and distribution of multilingual financial literacy and education materials; and

(E) providing technical assistance to, as appropriate, local boards, chief elected officials, one-stop operators, one-stop partners, and eligible providers, in local areas, which provision of technical assistance shall include the development and training of staff, the development of exemplary program activities, the provision of technical assistance to local areas that fail to meet local performance accountability measures described in section 116(c), and the provision of technology to facilitate remote access to services provided through the one-stop delivery system in the State.

(3) LIMITATION.—Not more than 5 percent of the funds allotted to a State under section 127(b)(1)(C) shall be used by the State for administrative activities carried out under this subsection or section 134(a).

(c) LOCAL ELEMENTS AND REQUIREMENTS.—

(1) PROGRAM DESIGN.—Funds allocated to a local area for eligible youth under section 128(b) shall be used to carry out, for eligible youth, programs that—

(A) provide an objective assessment of the academic levels, skill levels, and service needs of each participant, which assessment shall include a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes (including interests and aptitudes for nontraditional jobs), supportive service needs, and developmental needs of such participant, for the purpose of identifying appropriate services and career pathways for participants, except that a new assessment of a participant is not required if the provider carrying out such a program determines it is appropriate to use a recent assessment of the participant conducted pursuant to another education or training program;

(B) develop service strategies for each participant that are directly linked to 1 or more of the indicators of performance described in section 116(b)(2)(A)(ii), and that shall identify career pathways that include education and employment goals (including, in appropriate circumstances, nontraditional employment), appropriate achievement objectives, and appropriate services for the participant taking into account the assessment conducted pursuant to subparagraph (A), except that a new service strategy for a participant is not required if the provider carrying out such a program determines it is appropriate to use a recent service strategy developed for the participant under another education or training program;

(C) provide—

(i) activities leading to the attainment of a secondary school diploma or its recognized equivalent, or a recognized postsecondary credential;

(ii) preparation for postsecondary educational and training opportunities;

(iii) strong linkages between academic instruction (based on State academic content and student academic achievement standards established under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311)) and occupational education that lead to the attainment of recognized postsecondary credentials;

(iv) preparation for unsubsidized employment opportunities, in appropriate cases; and

(v) effective connections to employers, including small employers, in in-demand industry sectors and occupations of the local and regional labor markets; and

(D) at the discretion of the local board, implement a pay-for-performance contract strategy for elements described in paragraph (2), for which the local board may reserve and use not more than 10 percent of the total funds allocated to the local area under section 128(b).

(2) PROGRAM ELEMENTS.—In order to support the attainment of a secondary school diploma or its recognized equivalent, entry into postsecondary education, and career readiness for participants, the programs described in paragraph (1) shall provide elements consisting of—

(A) tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential;

(B) alternative secondary school services, or dropout recovery services, as appropriate;

(C) paid and unpaid work experiences that have as a component academic and occupational education, which may include—

(i) summer employment opportunities and other employment opportunities available throughout the school year;

(ii) pre-apprenticeship programs;

(iii) internships and job shadowing; and

(iv) on-the-job training opportunities;

(D) occupational skill training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area involved, if the local board determines that the programs meet the quality criteria described in section 123;

(E) education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;

(F) leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate;

(G) supportive services;

(H) adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;

(I) followup services for not less than 12 months after the completion of participation, as appropriate;

(J) comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral, as appropriate;

(K) financial literacy education;

(L) entrepreneurial skills training;

(M) services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services; and

(N) activities that help youth prepare for and transition to postsecondary education and training.

(3) ADDITIONAL REQUIREMENTS.—

(A) INFORMATION AND REFERRALS.—Each local board shall ensure that each participant shall be provided—

(i) information on the full array of applicable or appropriate services that are available through the local board or other eligible providers or one-stop partners, including those providers or partners receiving funds under this subtitle; and

(ii) referral to appropriate training and educational programs that have the capacity to serve the participant either on a sequential or concurrent basis.

(B) APPLICANTS NOT MEETING ENROLLMENT REQUIREMENTS.—Each eligible provider of a program of youth workforce investment activities shall ensure that an eligible applicant who does not meet the enrollment requirements of the particular program or who cannot be served shall be referred for further assessment, as necessary, and referred to appropriate programs in accordance with subparagraph (A) to meet the basic skills and training needs of the applicant.

(C) INVOLVEMENT IN DESIGN AND IMPLEMENTATION.—The local board shall ensure that parents, participants, and other members of the community with experience relating to programs for youth are involved in the design and implementation of the programs described in paragraph (1).

(4) PRIORITY.—Not less than 20 percent of the funds allocated to the local area as described in paragraph (1) shall be used to provide in-school youth and out-of-school youth with activities under paragraph (2)(C).

(5) RULE OF CONSTRUCTION.—Nothing in this chapter shall be construed to require that each of the elements described in subparagraphs of paragraph (2) be offered by each provider of youth services.

(6) PROHIBITIONS.—

(A) PROHIBITION AGAINST FEDERAL CONTROL OF EDUCATION.—No provision of this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational

institution, school, or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution, school, or school system.

(B) NONINTERFERENCE AND NONREPLACEMENT OF REGULAR ACADEMIC REQUIREMENTS.—No funds described in paragraph (1) shall be used to provide an activity for eligible youth who are not school dropouts if participation in the activity would interfere with or replace the regular academic requirements of the youth.

(7) LINKAGES.—In coordinating the programs authorized under this section, local boards shall establish linkages with local educational agencies responsible for services to participants as appropriate.

(8) VOLUNTEERS.—The local board shall make opportunities available for individuals who have successfully participated in programs carried out under this section to volunteer assistance to participants in the form of mentoring, tutoring, and other activities.

CHAPTER 3—ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES

SEC. 131. GENERAL AUTHORIZATION.

The Secretary shall make allotments under paragraphs (1)(B) and (2)(B) of section 132(b) to each State that meets the requirements of section 102 or 103 and grants under paragraphs (1)(A) and (2)(A) of section 132(b) to each outlying area that complies with the requirements of this title, to assist the State or outlying area, and to enable the State or outlying area to assist local areas, for the purpose of providing workforce investment activities for adults, and dislocated workers, in the State or outlying area and in the local areas.

SEC. 132. STATE ALLOTMENTS.

(a) IN GENERAL.—The Secretary shall—

(1) make allotments and grants from the amount appropriated under section 136(b) for a fiscal year in accordance with subsection (b)(1); and

(2)(A) reserve 20 percent of the amount appropriated under section 136(c) for the fiscal year for use under subsection (b)(2)(A), and under sections 168(b) (relating to dislocated worker technical assistance), 169(c) (relating to dislocated worker projects), and 170 (relating to national dislocated worker grants); and

(B) make allotments from 80 percent of the amount appropriated under section 136(c) for the fiscal year in accordance with subsection (b)(2)(B).

(b) ALLOTMENT AMONG STATES.—

(1) ADULT EMPLOYMENT AND TRAINING ACTIVITIES.—

(A) RESERVATION FOR OUTLYING AREAS.—

(i) IN GENERAL.—From the amount made available under subsection (a)(1) for a fiscal year, the Secretary shall reserve not more than ¼ of 1 percent of such amount to provide assistance to the outlying areas.

(ii) APPLICABILITY OF ADDITIONAL REQUIREMENTS.—From the amount reserved under clause (i), the Secretary shall provide assistance to the outlying areas for adult employment and training activities and statewide workforce investment activities in accordance with the requirements of section 127(b)(1)(B).

(B) STATES.—

(i) IN GENERAL.—After determining the amount to be reserved under subparagraph (A), the Secretary shall allot the remainder of the amount made available under subsection (a)(1) for that fiscal year to the States pursuant to clause (ii) for adult employment and training activities and statewide workforce investment activities.

(ii) FORMULA.—Subject to clauses (iii) and (iv), of the remainder—

(I) 33⅓ 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) 33⅓ percent shall be allotted on the basis of the relative excess number of unemployed individuals in each State, compared to the total excess number of unemployed individuals in all States; and

(III) 33⅓ percent shall be allotted on the basis of the relative number of disadvantaged adults in each State, compared to the total number of disadvantaged adults in all States, except as described in clause (iii).

(iii) CALCULATION.—In determining an allotment under clause (ii)(III) for any State in which there is an area that was designated as a local area as described in section 107(c)(1)(C), the allotment shall be based on the higher of—

(I) the number of adults in families with an income below the low-income level in such area; or

(II) the number of disadvantaged adults in such area.

(iv) MINIMUM AND MAXIMUM PERCENTAGES AND MINIMUM ALLOTMENTS.—In making allotments under this subparagraph, the Secretary shall ensure the following:

(I) MINIMUM PERCENTAGE AND ALLOTMENT.—Subject to subclause (IV), the Secretary shall ensure that no State shall receive an allotment for a fiscal year that is an amount based on 90 percent of the allotment percentage of the State for the preceding fiscal year.

(II) SMALL STATE MINIMUM ALLOTMENT.—Subject to subclauses (I), (III), and (IV), the Secretary shall ensure that no State shall receive an allotment under this subparagraph that is less than the total of—

(aa) 3/10 of 1 percent of $960,000,000 of the remainder described in clause (i) for the fiscal year; and

(bb) if the remainder described in clause (i) for the fiscal year exceeds $960,000,000, ⅖ of 1 percent of the excess.

(III) MAXIMUM PERCENTAGE.—Subject to subclause (I), the Secretary shall ensure that no State shall receive an allotment percentage for a fiscal year that is more than 130 percent of the allotment percentage of the State for the preceding fiscal year.

(IV) MINIMUM FUNDING.—In any fiscal year in which the remainder described in clause (i) does not exceed $960,000,000, the minimum allotments under subclauses (I) and (II) shall be calculated by the methodology specified in section 132(b)(1)(B)(iv)(IV) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act).

(v) DEFINITIONS.—For the purpose of the formula specified in this subparagraph:

(I) ADULT.—The term ''adult'' means an individual who is not less than age 22 and not more than age 72.

(II) ALLOTMENT PERCENTAGE.—The term ''allotment percentage'', used with respect to fiscal year 2015 or a subsequent fiscal year, means a percentage of the remainder described in clause (i) that is received through an allotment made under this subparagraph for the fiscal year. The term, used with respect to fiscal year 2014, means the percentage of the amount allotted to States under section 132(b)(1)(B) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act) that is received under such section by the State involved for fiscal year 2014.

(III) 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 6.5 percent for the most recent 12 months, as determined by the Secretary. For purposes of this subclause, determinations of areas of substantial unemployment shall be made once each fiscal year.

(IV) DISADVANTAGED ADULT.—Subject to subclause (V), the term ''disadvantaged adult'' means an adult who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of—

(aa) the poverty line; or

(bb) 70 percent of the lower living standard income level.

(V) DISADVANTAGED ADULT SPECIAL RULE.—The Secretary shall, as appropriate and to the extent practicable, exclude college students and members of the Armed Forces from the determination of the number of disadvantaged adults.

(VI) EXCESS NUMBER.—The term ''excess number'' means, used with respect to the excess number of unemployed individuals within a State, the higher of—

(aa) the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in the State; or

(bb) the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in areas of substantial unemployment in such State.

(VII) LOW-INCOME LEVEL.—The term ''low-income level'' means $7,000 with respect to income in 1969, and for any later year means that amount that bears the same relationship to $7,000 as the Consumer Price Index for that year bears to the Consumer Price Index for 1969, rounded to the nearest $1,000.

(2) DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES.—

(A) RESERVATION FOR OUTLYING AREAS.—

(i) IN GENERAL.—From the amount made available under subsection (a)(2)(A) for a fiscal year, the Secretary shall reserve not more than ¼ of 1 percent of the amount appropriated under section 136(c) for the fiscal year to provide assistance to the outlying areas.

(ii) APPLICABILITY OF ADDITIONAL REQUIREMENTS.—From the amount reserved under clause (i), the Secretary shall provide assistance to the outlying areas for dislocated worker employment and training activities and statewide workforce investment activities in accordance with the requirements of section 127(b)(1)(B).

(B) STATES.—

(i) IN GENERAL.—The Secretary shall allot the amount referred to in subsection (a)(2)(B) for a fiscal year to the States pursuant to clause (ii) for dislocated worker employment and training activities and statewide workforce investment activities.

(ii) FORMULA.—Subject to clause (iii), of the amount—

(I) 33⅓ percent shall be allotted on the basis of the relative number of unemployed individuals in each State, compared to the total number of unemployed individuals in all States;

(II) 33⅓ percent shall be allotted on the basis of the relative excess number of unemployed individuals in each State, compared to the total excess number of unemployed individuals in all States; and

(III) 33⅓ 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.

(iii) MINIMUM AND MAXIMUM PERCENTAGES AND MINIMUM ALLOTMENTS.—In making allotments under this subparagraph, for fiscal year 2016 and each subsequent fiscal year, the Secretary shall ensure the following:

(I) MINIMUM PERCENTAGE AND ALLOTMENT.—The Secretary shall ensure that no State shall receive an allotment for a fiscal year that is an amount based on 90 percent of the allotment percentage of the State for the preceding fiscal year.

(II) MAXIMUM PERCENTAGE.—Subject to subclause (I), the Secretary shall ensure that no State shall receive an allotment percentage for a fiscal year that is more than 130 percent of the allotment percentage of the State for the preceding fiscal year.

(iv) DEFINITIONS.—For the purpose of the formula specified in this subparagraph:

(I) ALLOTMENT PERCENTAGE.—The term ''allotment percentage'', used with respect to fiscal year 2015 or a subsequent fiscal year, means a percentage of the amount described in clause (i) that is received through an allotment made under this subparagraph for the fiscal year.

(II) EXCESS NUMBER.—The term ''excess number'' means, used with respect to the excess number of unemployed individuals within a State, the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in the State.

(c) REALLOTMENT.—

(1) IN GENERAL.—The Secretary shall, in accordance with this subsection, reallot to eligible States amounts that are made available to States from allotments made under this section or a corresponding provision of the Workforce Investment Act of 1998 for employment and training activities and statewide workforce investment activities (referred to individually in this subsection as a ''State allotment'') and that are available for reallotment.

(2) AMOUNT.—The amount available for reallotment for a program year for programs funded under subsection (b)(1)(B) (relating to adult employment and training) or for programs funded under subsection (b)(2)(B) (relating to dislocated worker employment and training) is equal to the amount by which the unobligated balance of the State allotments for adult employment and training activities or dislocated worker employment and training activities, respectively, at the end of the program year prior to the program year for which the determination under this paragraph is made, exceeds 20 percent of such allotments for the prior program year.

(3) REALLOTMENT.—In making reallotments to eligible States of amounts available pursuant to paragraph (2) for a program year, the Secretary shall allot to each eligible State an amount based on the relative amount of the State allotment under paragraph (1)(B) or (2)(B), respectively, of subsection (b) for the program year for which the determination is made, as compared to the total amount of the State allotments under paragraph (1)(B) or (2)(B), respectively, of subsection (b) for all eligible States for such program year.

(4) ELIGIBILITY.—For purposes of this subsection, an eligible State means—

(A) with respect to funds allotted through a State allotment for adult employment and training activities, a State that does not have an amount of such funds available for reallotment under paragraph (2) for the program year for which the determination under paragraph (2) is made; and

(B) with respect to funds allotted through a State allotment for dislocated worker employment and training activities, a State that does not have an amount of such funds available for reallotment under paragraph (2) for the program year for which the determination under paragraph (2) is made.

(5) PROCEDURES.—The Governor shall prescribe uniform procedures for the obligation of funds by local areas within the State in order to avoid the requirement that funds be made available for reallotment under this subsection. The Governor shall further prescribe equitable procedures for making funds available from the State and local areas in the event that a State is required to make funds available for reallotment under this subsection.

SEC. 133. WITHIN STATE ALLOCATIONS.

(a) RESERVATIONS FOR STATE ACTIVITIES.—

(1) STATEWIDE WORKFORCE INVESTMENT ACTIVITIES.—The Governor shall make the reservation required under section 128(a).

(2) STATEWIDE RAPID RESPONSE ACTIVITIES.—The Governor shall reserve not more than 25 percent of the total amount allotted to the State under section 132(b)(2)(B) for a fiscal year for statewide rapid response activities described in section 134(a)(2)(A).

(b) WITHIN STATE ALLOCATION.—

(1) METHODS.—The Governor, acting in accordance with the State plan, and after consulting with chief elected officials and local boards in the local areas, shall allocate—

(A) the funds that are allotted to the State for adult employment and training activities and statewide workforce investment activities under section 132(b)(1)(B) and are not reserved under subsection (a)(1), in accordance with paragraph (2) or (3); and

(B) the funds that are allotted to the State for dislocated worker employment and training activities and statewide workforce investment activities under section 132(b)(2)(B) and are not reserved under paragraph (1) or (2) of subsection (a), in accordance with paragraph (2).

(2) FORMULA ALLOCATIONS.—

(A) ADULT EMPLOYMENT AND TRAINING ACTIVITIES.—

(i) ALLOCATION.—In allocating the funds described in paragraph (1)(A) to local areas, a State may allocate—

(I) 33⅓ percent of the funds on the basis described in section 132(b)(1)(B)(ii)(I);

(II) 33⅓ percent of the funds on the basis described in section 132(b)(1)(B)(ii)(II); and

(III) 33⅓ percent of the funds on the basis described in clauses (ii)(III) and (iii) of section 132(b)(1)(B).

(ii) MINIMUM PERCENTAGE.—The local area shall not receive an allocation percentage for a fiscal year that is less than 90 percent of the average allocation percentage of the local area for the 2 preceding fiscal years. Amounts necessary for increasing such allocations to local areas to comply with the preceding sentence shall be obtained by ratably reducing the allocations to be made to other local areas under this subparagraph.

(iii) DEFINITION.—In this subparagraph, the term ''allocation percentage'', used with respect to fiscal year 2015 or a subsequent fiscal year, means a percentage of the funds referred to in clause (i), received through an allocation made under this subparagraph, for the fiscal year. The term, used with respect to fiscal year 2013 or 2014, means a percentage of the amount allocated to local areas under paragraphs (2)(A) and (3) of section 133(b) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act), received through an allocation made under paragraph (2)(A) or (3) of that section for fiscal year 2013 or 2014, respectively.

(B) DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES.—

(i) ALLOCATION.—In allocating the funds described in paragraph (1)(B) to local areas, a State shall allocate the funds based on an allocation formula prescribed by the Governor of the State. Such formula may be amended by the Governor not more than once for each program year. Such formula shall utilize the most appropriate information available to the Governor to distribute amounts to address the State's worker readjustment assistance needs.

(ii) INFORMATION.—The information described in clause (i) shall include insured unemployment data, unemployment concentrations, plant closing and mass layoff data, declining industries data, farmer-rancher economic hardship data, and long-term unemployment data.

(iii) MINIMUM PERCENTAGE.—The local area shall not receive an allocation percentage for fiscal year 2016 or a subsequent fiscal year that is less than 90 percent of the average allocation percentage of the local area for the 2 preceding fiscal years. Amounts necessary for increasing such allocations to local areas to comply with the preceding sentence shall be obtained by ratably reducing the allocations to be made to other local areas under this subparagraph.

(iv) DEFINITION.—In this subparagraph, the term ''allocation percentage'', used with respect to fiscal year 2015 or a subsequent fiscal year, means a percentage of the funds referred to in clause (i), received through an allocation made under this subparagraph for the fiscal year. The term, used with respect to fiscal year 2014, means a percentage of the amount allocated to local areas under section 133(b)(2)(B) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act), received through an allocation made under that section for fiscal year 2014.

(C) APPLICATION.—For purposes of carrying out subparagraph (A)—

(i) references in section 132(b) to a State shall be deemed to be references to a local area;

(ii) references in section 132(b) to all States shall be deemed to be references to all local areas in the State involved; and

(iii) except as described in clause (i), references in section 132(b)(1) to the term ''excess number'' shall be considered to be references to the term as defined in section 132(b)(1).

(3) ADULT EMPLOYMENT AND TRAINING DISCRETIONARY ALLOCATIONS.—In lieu of making the allocation described in paragraph (2)(A), in allocating the funds described in paragraph (1)(A) to local areas, a State may distribute—

(A) a portion equal to not less than 70 percent of the funds in accordance with paragraph (2)(A); and

(B) the remaining portion of the funds on the basis of a formula that—

(i) incorporates additional factors (other than the factors described in paragraph (2)(A)) relating to—

(I) excess poverty in urban, rural, and suburban local areas; and

(II) excess unemployment above the State average in urban, rural, and suburban local areas; and

(ii) was developed by the State board and approved by the Secretary as part of the State plan.

(4) TRANSFER AUTHORITY.—A local board may transfer, if such a transfer is approved by the Governor, up to and including 100 percent of the funds allocated to the local area under paragraph (2)(A) or (3), and up to and including 100 percent of the funds allocated to the local area under paragraph (2)(B), for a fiscal year between—

(A) adult employment and training activities; and

(B) dislocated worker employment and training activities.

(5) ALLOCATION.—

(A) IN GENERAL.—The Governor shall allocate the funds described in paragraph (1) to local areas under paragraphs (2) and (3) for the purpose of providing a single system of employment and training activities for adults and dislocated workers in accordance with subsections (c) and (d) of section 134.

(B) ADDITIONAL REQUIREMENTS.—

(i) ADULTS.—Funds allocated under paragraph (2)(A) or (3) shall be used by a local area to contribute to the costs of the one-stop delivery system described in section 121(e) as determined under section 121(h) and to pay for employment and training activities provided to adults in the local area, consistent with section 134.

(ii) DISLOCATED WORKERS.—Funds allocated under paragraph (2)(B) shall be used by a local area to contribute to the costs of the one-stop delivery system described in section 121(e) as determined under section 121(h) and to pay for employment and training activities provided to dislocated workers in the local area, consistent with section 134.

(c) REALLOCATION AMONG LOCAL AREAS.—

(1) IN GENERAL.—The Governor may, in accordance with this subsection and after consultation with the State board, reallocate to eligible local areas within the State amounts that are made available to local areas from allocations made under paragraph (2)(A) or (3) of subsection (b) or a corresponding provision of the Workforce Investment Act of 1998 for adult employment and training activities, or under subsection (b)(2)(B) or a corresponding provision of

the Workforce Investment Act of 1998 for dislocated worker employment and training activities (referred to individually in this subsection as a ''local allocation'') and that are available for reallocation.

(2) AMOUNT.—The amount available for reallocation for a program year—

(A) for adult employment and training activities is equal to the amount by which the unobligated balance of the local allocation under paragraph (2)(A) or (3) of subsection (b) for such activities, at the end of the program year prior to the program year for which the determination under this subparagraph is made, exceeds 20 percent of such allocation for the prior program year; and

(B) for dislocated worker employment and training activities is equal to the amount by which the unobligated balance of the local allocation under subsection (b)(2)(B) for such activities, at the end of the program year prior to the program year for which the determination under this subparagraph is made, exceeds 20 percent of such allocation for the prior program year.

(3) REALLOCATION.—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—

(A) with respect to such available amounts that were allocated under paragraph (2)(A) or (3) of subsection (b), an amount based on the relative amount of the local allocation under paragraph (2)(A) or (3) of subsection (b), as appropriate, for the program year for which the determination is made, as compared to the total amount of the local allocations under paragraph (2)(A) or (3) of subsection (b), as appropriate, for all eligible local areas in the State for such program year; and

(B) with respect to such available amounts that were allocated under subsection (b)(2)(B), an amount based on the relative amount of the local allocation under subsection (b)(2)(B) for the program year for which the determination is made, as compared to the total amount of the local allocations under subsection (b)(2)(B) for all eligible local areas in the State for such program year.

(4) ELIGIBILITY.—For purposes of this subsection, an eligible local area means—

(A) with respect to funds allocated through a local allocation for adult employment and training activities, a local area that does not have an amount of such funds available for reallocation under paragraph (2) for the program year for which the determination under paragraph (2) is made; and

(B) with respect to funds allocated through a local allocation for dislocated worker employment and training activities, a local area that does not have an amount of such funds available for reallocation under paragraph (2) for the program year for which the determination under paragraph (2) is made.

SEC. 134. USE OF FUNDS FOR EMPLOYMENT AND TRAINING ACTIVITIES.

(a) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—

(1) IN GENERAL.—Funds reserved by a Governor—

(A) as described in section 133(a)(2) shall be used to carry out the statewide rapid response activities described in paragraph (2)(A); and

(B) as described in sections 128(a) and 133(a)(1)—

(i) shall be used to carry out the statewide employment and training activities described in paragraph (2)(B); and

(ii) may be used to carry out any of the statewide employment and training activities described in paragraph (3),

regardless of whether the funds were allotted to the State under section 127(b)(1) or under paragraph (1) or (2) of section 132(b).

(2) REQUIRED STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—

(A) STATEWIDE RAPID RESPONSE ACTIVITIES.—

(i) IN GENERAL.—A State shall carry out statewide rapid response activities using funds reserved by the Governor for the State under section 133(a)(2), which activities shall include—

(I) 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 for the local areas; and

(II) provision of 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, working in conjunction with the local boards and the chief elected officials for the local areas.

(ii) USE OF UNOBLIGATED FUNDS.—Funds reserved by a Governor under section 133(a)(2), and section 133(a)(2) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act), to carry out this subparagraph that remain unobligated after the first program year for which such funds were allotted may be used by the Governor to carry out statewide activities authorized under subparagraph (B) or paragraph (3)(A), in addition to activities under this subparagraph.

(B) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—Funds reserved by a Governor under sections 128(a)(1) and 133(a)(1) and not used under paragraph (1)(A) (regardless of whether the funds were allotted to the States under section 127(b)(1)(C) or paragraph (1)(B) or (2)(B) of section 132(b)) shall be used for statewide employment and training activities, including—

(i) providing assistance to—

(I) State entities and agencies, local areas, and one-stop partners in carrying out the activities described in the State plan, including the coordination and alignment of data systems used to carry out the requirements of this Act;

(II) local areas for carrying out the regional planning and service delivery efforts required under section 106(c);

(III) local areas by providing information on and support for the effective development, convening, and implementation of industry or sector partnerships; and

(IV) local areas, one-stop operators, one-stop partners, and eligible providers, including the development and training of staff, which may include the development and training of staff to provide opportunities for individuals with barriers to employment to enter in-demand industry sectors or occupations and nontraditional occupations, the development of exemplary program activities, and the provision of technical assistance to local areas that fail to meet local performance accountability measures described in section 116(c);

(ii) providing assistance to local areas as described in section 106(b)(6);

(iii) operating a fiscal and management accountability information system in accordance with section 116(i);

(iv) carrying out monitoring and oversight of activities carried out under this chapter and chapter 2;

(v) disseminating—

(I) the State list of eligible providers of training services, including eligible providers of nontraditional training services and eligible providers of apprenticeship programs described in section 122(a)(2)(B);

(II) information identifying eligible providers of on-the-job training, customized training, incumbent worker training, internships, paid or unpaid work experience opportunities, or transitional jobs;

(III) information on effective outreach to, partnerships with, and services for, business;

(IV) information on effective service delivery strategies to serve workers and job seekers;

(V) performance information and information on the cost of attendance (including tuition and fees) for participants in applicable programs, as described in subsections (d) and (h) of section 122; and

(VI) information on physical and programmatic accessibility, in accordance with section 188, if applicable, and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), for individuals with disabilities; and

(vi) conducting evaluations under section 116(e) of activities authorized under this chapter and chapter 2 in coordination with evaluations carried out by the Secretary under section 169(a).

(3) ALLOWABLE STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—

(A) IN GENERAL.—Funds reserved by a Governor under sections 128(a)(1) and 133(a)(1) and not used under paragraph (1)(A) or (2)(B) (regardless of whether the funds were allotted to the State under section 127(b)(1)(C) or paragraph (1)(B) or (2)(B) of section 132(b)) may be used to carry out additional statewide employment and training activities, which may include—

(i) implementing innovative programs and strategies designed to meet the needs of all employers (including small employers) in the State, which programs and strategies may include incumbent worker training programs, customized training, sectoral and industry cluster strategies and implementation of industry or sector partnerships, career pathway programs, microenterprise and entrepreneurial training and support programs, utilization of effective business intermediaries, layoff aversion strategies, 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 development system more relevant to the needs of State and local businesses, consistent with the objectives of this title;

(ii) developing strategies for effectively serving individuals with barriers to employment and for coordinating programs and services among one-stop partners;

(iii) the development or identification of education and training programs that respond to real-time labor market analysis, that utilize direct assessment and prior learning assessment to measure and provide credit for prior knowledge, skills, competencies, and experiences, that evaluate such skills and competencies for adaptability, that ensure credits are portable and stackable for more skilled employment, and that accelerate course or credential completion;

(iv) implementing programs to increase the number of individuals training for and placed in nontraditional employment;

(v) carrying out activities to facilitate remote access to services, including training services described in subsection (c)(3), provided through a one-stop delivery system, including facilitating access through the use of technology;

(vi) supporting the provision of career services described in subsection (c)(2) in the one-stop delivery systems in the State;

(vii) coordinating activities with the child welfare system to facilitate provision of services for children and youth who are eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677);

(viii) activities—

(I) to improve coordination of workforce investment activities with economic development activities;

(II) to improve coordination of employment and training activities with—

(aa) child support services, and assistance provided by State and local agencies carrying out part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.);

(bb) cooperative extension programs carried out by the Department of Agriculture;

(cc) programs carried out in local areas for individuals with disabilities, including programs

carried out by State agencies relating to intellectual disabilities and developmental disabilities, activities carried out by Statewide Independent Living Councils established under section 705 of the Rehabilitation Act of 1973 (29 U.S.C. 796d), programs funded under part B of chapter 1 of title VII of such Act (29 U.S.C. 796e et seq.), and activities carried out by centers for independent living, as defined in section 702 of such Act (29 U.S.C. 796a);

(dd) adult education and literacy activities, including those provided by public libraries;

(ee) activities in the corrections system that assist ex-offenders in reentering the workforce; and

(ff) financial literacy activities including those described in section 129(b)(2)(D); and

(III) consisting of development and dissemination of workforce and labor market information;

(ix) conducting research and demonstration projects related to meeting the employment and education needs of adult and dislocated workers;

(x) implementing promising services for workers and businesses, which may include providing support for education, training, skill upgrading, and statewide networking for employees to become workplace learning advisors and maintain proficiency in carrying out the activities associated with such advising;

(xi) providing incentive grants to local areas for performance by the local areas on local performance accountability measures described in section 116(c);

(xii) adopting, calculating, or commissioning for approval an economic self-sufficiency standard for the State that specifies the income needs of families, by family size, the number and ages of children in the family, and substate geographical considerations;

(xiii) developing and disseminating common intake procedures and related items, including registration processes, materials, or software; and

(xiv) providing technical assistance to local areas that are implementing pay-for-performance contract strategies, which technical assistance may include providing assistance with data collection, meeting data entry requirements, identifying levels of performance, and conducting evaluations of such strategies.

(B) LIMITATION.—

(i) IN GENERAL.—Of the funds allotted to a State under sections 127(b) and 132(b) and reserved as described in sections 128(a) and 133(a)(1) for a fiscal year—

(I) not more than 5 percent of the amount allotted under section 127(b)(1);

(II) not more than 5 percent of the amount allotted under section 132(b)(1); and

(III) not more than 5 percent of the amount allotted under section 132(b)(2),

may be used by the State for the administration of statewide youth workforce investment activities carried out under section 129 and statewide employment and training activities carried out under this section.

(ii) USE OF FUNDS.—Funds made available for administrative costs under clause (i) may be used for the administrative cost of any of the statewide youth workforce investment activities or statewide employment and training activities, regardless of whether the funds were allotted to the State under section 127(b)(1) or paragraph (1) or (2) of section 132(b).

(b) LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—Funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to a local area for dislocated workers under section 133(b)(2)(B)—

(1) shall be used to carry out employment and training activities described in subsection (c) for adults or dislocated workers, respectively; and

(2) may be used to carry out employment and training activities described in subsection (d) for adults or dislocated workers, respectively.

(c) REQUIRED LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—

(1) IN GENERAL.—

(A) ALLOCATED FUNDS.—Funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to the local area for dislocated workers under section 133(b)(2)(B), shall be used—

(i) to establish a one-stop delivery system described in section 121(e);

(ii) to provide the career services described in paragraph (2) to adults and dislocated workers, respectively, through the one-stop delivery system in accordance with such paragraph;

(iii) to provide training services described in paragraph (3) to adults and dislocated workers, respectively, described in such paragraph;

(iv) to establish and develop relationships and networks with large and small employers and their intermediaries; and

(v) to develop, convene, or implement industry or sector partnerships.

(B) OTHER FUNDS.—Consistent with subsections (h) and (i) of section 121, a portion of the funds made available under Federal law authorizing the programs and activities described in section 121(b)(1)(B), including the Wagner-Peyser Act (29 U.S.C. 49 et seq.), shall be used as described in clauses (i) and (ii) of subparagraph (A), to the extent not inconsistent with the Federal law involved.

(2) CAREER SERVICES.—

(A) SERVICES PROVIDED.—Funds described in paragraph (1) shall be used to provide career services, which shall be available to individuals who are adults or dislocated workers through the one-stop delivery system and shall, at a minimum, include—

(i) determinations of whether the individuals are eligible to receive assistance under this subtitle;

(ii) outreach, intake (which may include worker profiling), and orientation to the information and other services available through the one-stop delivery system;

(iii) initial assessment of skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs;

(iv) labor exchange services, including—

(I) job search and placement assistance and, in appropriate cases, career counseling, including—

(aa) provision of information on in-demand industry sectors and occupations; and

(bb) provision of information on nontraditional employment; and

(II) appropriate recruitment and other business services on behalf of employers, including small employers, in the local area, which services may include services described in this subsection, such as providing information and referral to specialized business services not traditionally offered through the one-stop delivery system;

(v) provision of referrals to and coordination of activities with other programs and services, including programs and services within the one-stop delivery system and, in appropriate cases, other workforce development programs;

(vi) provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including—

(I) job vacancy listings in such labor market areas;

(II) information on job skills necessary to obtain the jobs described in subclause (I); and

(III) information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for such occupations; and

(vii) provision of performance information and program cost information on eligible providers of training services as described in section 122, provided by program, and eligible providers of youth workforce investment activities described in section 123, providers of adult education described in title II, providers of career and technical education activities at the postsecondary level, and career and technical education activities available to school dropouts, under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), and providers of vocational rehabilitation services described in title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.);

(viii) provision of information, in formats that are usable by and understandable to one-stop center customers, regarding how the local area is performing on the local performance accountability measures described in section 116(c) and any additional performance information with respect to the one-stop delivery system in the local area;

(ix)(I) provision of information, in formats that are usable by and understandable to one-stop center customers, relating to the availability of supportive services or assistance, including child care, child support, medical or child health assistance under title XIX or XXI of the Social Security Act (42 U.S.C. 1396 et seq. and 1397aa et seq.), benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), assistance through the earned income tax credit under section 32 of the Internal Revenue Code of 1986, and assistance under a State program for temporary assistance for needy families funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) and other supportive services and transportation provided through funds made available under such part, available in the local area; and

(II) referral to the services or assistance described in subclause (I), as appropriate;

(x) provision of information and assistance regarding filing claims for unemployment compensation;

(xi) assistance in establishing eligibility for programs of financial aid assistance for training and education programs that are not funded under this Act;

(xii) services, if determined to be appropriate in order for an individual to obtain or retain employment, that consist of—

(I) comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include—

(aa) diagnostic testing and use of other assessment tools; and

(bb) in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;

(II) development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals, including providing information on eligible providers of training services pursuant to paragraph (3)(F)(ii), and career pathways to attain career objectives;

(III) group counseling;

(IV) individual counseling;

(V) career planning;

(VI) short-term prevocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training;

(VII) internships and work experiences that are linked to careers;

(VIII) workforce preparation activities;

(IX) financial literacy services, such as the activities described in section 129(b)(2)(D);

(X) out-of-area job search assistance and relocation assistance; or

(XI) English language acquisition and integrated education and training programs; and

(xiii) followup services, including counseling regarding the workplace, for participants in workforce investment activities authorized under this subtitle who are placed in unsubsidized employment, for not less than 12 months

after the first day of the employment, as appropriate.

(B) USE OF PREVIOUS ASSESSMENTS.—A one-stop operator or one-stop partner shall not be required to conduct a new interview, evaluation, or assessment of a participant under subparagraph (A)(xii) if the one-stop operator or one-stop partner determines that it is appropriate to use a recent interview, evaluation, or assessment of the participant conducted pursuant to another education or training program.

(C) DELIVERY OF SERVICES.—The career services described in subparagraph (A) shall be provided through the one-stop delivery system—

(i) directly through one-stop operators identified pursuant to section 121(d); or

(ii) through contracts with service providers, which may include contracts with public, private for-profit, and private nonprofit service providers, approved by the local board.

(3) TRAINING SERVICES.—

(A) IN GENERAL.—

(i) ELIGIBILITY.—Except as provided in clause (ii), funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to the local area for dislocated workers under section 133(b)(2)(B), shall be used to provide training services to adults and dislocated workers, respectively—

(I) who, after an interview, evaluation, or assessment, and career planning, have been determined by a one-stop operator or one-stop partner, as appropriate, to—

(aa) be unlikely or unable to obtain or retain employment, that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment, through the career services described in paragraph (2)(A)(xii);

(bb) be in need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment; and

(cc) have the skills and qualifications to successfully participate in the selected program of training services;

(II) who select programs of training services that are directly linked to the employment opportunities in the local area or the planning region, or in another area to which the adults or dislocated workers are willing to commute or relocate;

(III) who meet the requirements of subparagraph (B); and

(IV) who are determined to be eligible in accordance with the priority system in effect under subparagraph (E).

(ii) USE OF PREVIOUS ASSESSMENTS.—A one-stop operator or one-stop partner shall not be required to conduct a new interview, evaluation, or assessment of a participant under clause (i) if the one-stop operator or one-stop partner determines that it is appropriate to use a recent interview, evaluation, or assessment of the participant conducted pursuant to another education or training program.

(iii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed to mean an individual is required to receive career services prior to receiving training services.

(B) QUALIFICATION.—

(i) REQUIREMENT.—Notwithstanding section 479B of the Higher Education Act of 1965 (20 U.S.C. 1087uu) and except as provided in clause (ii), provision of such training services shall be limited to individuals who—

(I) are unable to obtain other grant assistance for such services, including Federal Pell Grants established under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.); or

(II) require assistance beyond the assistance made available under other grant assistance programs, including Federal Pell Grants.

(ii) REIMBURSEMENTS.—Training services may be provided under this paragraph to an individual who otherwise meets the requirements of this paragraph while an application for a Federal Pell Grant is pending, except that if such individual is subsequently awarded a Federal Pell Grant, appropriate reimbursement shall be made to the local area from such Federal Pell Grant.

(iii) CONSIDERATION.—In determining whether an individual requires assistance under clause (i)(II), a one-stop operator (or one-stop partner, where appropriate) may take into consideration the full cost of participating in training services, including the costs of dependent care and transportation, and other appropriate costs.

(C) PROVIDER QUALIFICATION.—Training services shall be provided through providers identified in accordance with section 122.

(D) TRAINING SERVICES.—Training services may include—

(i) occupational skills training, including training for nontraditional employment;

(ii) on-the-job training;

(iii) incumbent worker training in accordance with subsection (d)(4);

(iv) programs that combine workplace training with related instruction, which may include cooperative education programs;

(v) training programs operated by the private sector;

(vi) skill upgrading and retraining;

(vii) entrepreneurial training;

(viii) transitional jobs in accordance with subsection (d)(5);

(ix) job readiness training provided in combination with services described in any of clauses (i) through (viii);

(x) adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with services described in any of clauses (i) through (vii); and

(xi) customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

(E) PRIORITY.—With respect to funds allocated to a local area for adult employment and training activities under paragraph (2)(A) or (3) of section 133(b), priority shall be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient for receipt of career services described in paragraph (2)(A)(xii) and training services. The appropriate local board and the Governor shall direct the one-stop operators in the local area with regard to making determinations related to such priority.

(F) CONSUMER CHOICE REQUIREMENTS.—

(i) IN GENERAL.—Training services provided under this paragraph shall be provided in a manner that maximizes consumer choice in the selection of an eligible provider of such services.

(ii) ELIGIBLE PROVIDERS.—Each local board, through one-stop centers, shall make available the list of eligible providers of training services described in section 122(d), and accompanying information, in accordance with section 122(d).

(iii) INDIVIDUAL TRAINING ACCOUNTS.—An individual who seeks training services and who is eligible pursuant to subparagraph (A), may, in consultation with a career planner, select an eligible provider of training services from the list of providers described in clause (ii). 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 an individual training account.

(iv) COORDINATION.—Each local board may, through one-stop centers, coordinate funding for individual training accounts with funding from other Federal, State, local, or private job training programs or sources to assist the individual in obtaining training services.

(v) ADDITIONAL INFORMATION.—Priority consideration shall, consistent with clause (i), be given to programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area involved.

(G) USE OF INDIVIDUAL TRAINING ACCOUNTS.—

(i) IN GENERAL.—Except as provided in clause (ii), training services provided under this paragraph shall be provided through the use of individual training accounts in accordance with this paragraph, and shall be provided to eligible individuals through the one-stop delivery system.

(ii) TRAINING CONTRACTS.—Training services authorized under this paragraph may be provided pursuant to a contract for services in lieu of an individual training account if—

(I) the requirements of subparagraph (F) are met;

(II) such services are on-the-job training, customized training, incumbent worker training, or transitional employment;

(III) the local board determines there are an insufficient number of eligible providers of training services in the local area involved (such as in a rural area) to accomplish the purposes of a system of individual training accounts;

(IV) the local board determines that there is a training services program of demonstrated effectiveness offered in the local area by a community-based organization or another private organization to serve individuals with barriers to employment;

(V) the local board determines that—

(aa) it would be most appropriate to award a contract to an institution of higher education or other eligible provider of training services in order to facilitate the training of multiple individuals in in-demand industry sectors or occupations; and

(bb) such contract does not limit customer choice; or

(VI) the contract is a pay-for-performance contract.

(iii) LINKAGE TO OCCUPATIONS IN DEMAND.—Training services provided under this paragraph shall be directly linked to an in-demand industry sector or occupation in the local area or the planning region, or in another area to which an adult or dislocated worker receiving such services is willing to relocate, except that a local board may approve training services for occupations determined by the local board to be in sectors of the economy that have a high potential for sustained demand or growth in the local area.

(iv) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude the combined use of individual training accounts and contracts in the provision of training services, including arrangements that allow individuals receiving individual training accounts to obtain training services that are contracted for under clause (ii).

(H) REIMBURSEMENT FOR ON-THE-JOB TRAINING.—

(i) REIMBURSEMENT LEVEL.—For purposes of the provision of on-the-job training under this paragraph, the Governor or local board involved may increase the amount of the reimbursement described in section 3(44) to an amount of up to 75 percent of the wage rate of a participant for a program carried out under chapter 2 or this chapter, if, respectively—

(I) the Governor approves the increase with respect to a program carried out with funds reserved by the State under that chapter, taking into account the factors described in clause (ii); or

(II) the local board approves the increase with respect to a program carried out with funds allocated to a local area under such chapter, taking into account those factors.

(ii) FACTORS.—For purposes of clause (i), the Governor or local board, respectively, shall take into account factors consisting of—

(I) the characteristics of the participants;

(II) the size of the employer;

(III) the quality of employer-provided training and advancement opportunities; and

(IV) such other factors as the Governor or local board, respectively, may determine to be

appropriate, which may include the number of employees participating in the training, wage and benefit levels of those employees (at present and anticipated upon completion of the training), and relation of the training to the competitiveness of a participant.

(d) PERMISSIBLE LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—

(1) IN GENERAL.—

(A) ACTIVITIES.—Funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to the local area for dislocated workers under section 133(b)(2)(B), may be used to provide, through the one-stop delivery system involved (and through collaboration with the local board, for the purpose of the activities described in clauses (vii) and (ix))—

(i) customized screening and referral of qualified participants in training services described in subsection (c)(3) to employers;

(ii) customized employment-related services to employers, employer associations, or other such organizations on a fee-for-service basis;

(iii) implementation of a pay-for-performance contract strategy for training services, for which the local board may reserve and use not more than 10 percent of the total funds allocated to the local area under paragraph (2) or (3) of section 133(b);

(iv) customer support to enable individuals with barriers to employment (including individuals with disabilities) and veterans, to navigate among multiple services and activities for such populations;

(v) technical assistance for one-stop operators, one-stop partners, and eligible providers of training services, regarding the provision of services to individuals with disabilities in local areas, including the development and training of staff, the provision of outreach, intake, assessments, and service delivery, the coordination of services across providers and programs, and the development of performance accountability measures;

(vi) employment and training activities provided in coordination with—

(I) child support enforcement activities of the State and local agencies carrying out part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.);

(II) child support services, and assistance, provided by State and local agencies carrying out part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.);

(III) cooperative extension programs carried out by the Department of Agriculture; and

(IV) activities to facilitate remote access to services provided through a one-stop delivery system, including facilitating access through the use of technology;

(vii) activities—

(I) to improve coordination between workforce investment activities and economic development activities carried out within the local area involved, and to promote entrepreneurial skills training and microenterprise services;

(II) to improve services and linkages between the local workforce investment system (including the local one-stop delivery system) and employers, including small employers, in the local area, through services described in this section; and

(III) to strengthen linkages between the one-stop delivery system and unemployment insurance programs;

(viii) training programs for displaced homemakers and for individuals training for nontraditional occupations, in conjunction with programs operated in the local area;

(ix) activities to provide business services and strategies that meet the workforce investment needs of area employers, as determined by the local board, consistent with the local plan under section 108, which services—

(I) may be provided through effective business intermediaries working in conjunction with the local board, and may also be provided on a fee-for-service basis or through the leveraging of economic development, philanthropic, and other public and private resources in a manner determined appropriate by the local board; and

(II) may include—

(aa) developing and implementing industry sector strategies (including strategies involving industry partnerships, regional skills alliances, industry skill panels, and sectoral skills partnerships);

(bb) developing and delivering innovative workforce investment services and strategies for area employers, which may include career pathways, skills upgrading, skill standard development and certification for recognized postsecondary credential or other employer use, apprenticeship, and other effective initiatives for meeting the workforce investment needs of area employers and workers;

(cc) assistance to area employers in managing reductions in force in coordination with rapid response activities provided under subsection (a)(2)(A) and with strategies for the aversion of layoffs, which strategies may include early identification of firms at risk of layoffs, use of feasibility studies to assess the needs of and options for at-risk firms, and the delivery of employment and training activities to address risk factors; and

(dd) the marketing of business services offered under this title, to appropriate area employers, including small and mid-sized employers;

(x) activities to adjust the economic self-sufficiency standards referred to in subsection (a)(3)(A)(xii) for local factors, or activities to adopt, calculate, or commission for approval, economic self-sufficiency standards for the local areas that specify the income needs of families, by family size, the number and ages of children in the family, and substate geographical considerations;

(xi) improved coordination between employment and training activities and programs carried out in the local area for individuals with disabilities, including programs carried out by State agencies relating to intellectual disabilities and developmental disabilities, activities carried out by Statewide Independent Living Councils established under section 705 of the Rehabilitation Act of 1973 (29 U.S.C. 796d), programs funded under part B of chapter 1 of title VII of such Act (29 U.S.C. 796e et seq.), and activities carried out by centers for independent living, as defined in section 702 of such Act (29 U.S.C. 796a); and

(xii) implementation of promising services to workers and businesses, which may include support for education, training, skill upgrading, and statewide networking for employees to become workplace learning advisors and maintain proficiency in carrying out the activities associated with such advising.

(B) WORK SUPPORT ACTIVITIES FOR LOW-WAGE WORKERS.—

(i) IN GENERAL.—Funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to the local area for dislocated workers under section 133(b)(2)(B), may be used to provide, through the one-stop delivery system involved, work support activities designed to assist low-wage workers in retaining and enhancing employment. The one-stop partners of the system shall coordinate the appropriate programs and resources of the partners with the activities and resources provided under this subparagraph.

(ii) ACTIVITIES.—The work support activities described in clause (i) may include the provision of activities described in this section through the one-stop delivery system in a manner that enhances the opportunities of such workers to participate in the activities, such as the provision of activities described in this section during nontraditional hours and the provision of onsite child care while such activities are being provided.

(2) SUPPORTIVE SERVICES.—Funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to the local area for dislocated workers under section 133(b)(2)(B), may be used to provide supportive services to adults and dislocated workers, respectively—

(A) who are participating in programs with activities authorized in paragraph (2) or (3) of subsection (c); and

(B) who are unable to obtain such supportive services through other programs providing such services.

(3) NEEDS-RELATED PAYMENTS.—

(A) IN GENERAL.—Funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to the local area for dislocated workers under section 133(b)(2)(B), may be used to provide needs-related payments to adults and dislocated workers, respectively, who are unemployed and do not qualify for (or have ceased to qualify for) unemployment compensation for the purpose of enabling such individuals to participate in programs of training services under subsection (c)(3).

(B) ADDITIONAL ELIGIBILITY REQUIREMENTS.—In addition to the requirements contained in subparagraph (A), a dislocated worker who has ceased to qualify for unemployment compensation may be eligible to receive needs-related payments under this paragraph only if such worker was enrolled in the training services—

(i) by the end of the 13th week after the most recent layoff that resulted in a determination of the worker's eligibility for employment and training activities for dislocated workers under this subtitle; or

(ii) if later, by the end of the 8th week after the worker is informed that a short-term layoff will exceed 6 months.

(C) LEVEL OF PAYMENTS.—The level of a needs-related payment made to a dislocated worker under this paragraph shall not exceed the greater of—

(i) the applicable level of unemployment compensation; or

(ii) if such worker did not qualify for unemployment compensation, an amount equal to the poverty line, for an equivalent period, which amount shall be adjusted to reflect changes in total family income.

(4) INCUMBENT WORKER TRAINING PROGRAMS.—

(A) IN GENERAL.—

(i) STANDARD RESERVATION OF FUNDS.—The local board may reserve and use not more than 20 percent of the funds allocated to the local area involved under section 133(b) to pay for the Federal share of the cost of providing training through a training program for incumbent workers, carried out in accordance with this paragraph.

(ii) DETERMINATION OF ELIGIBILITY.—For the purpose of determining the eligibility of an employer to receive funding under clause (i), the local board shall take into account factors consisting of—

(I) the characteristics of the participants in the program;

(II) the relationship of the training to the competitiveness of a participant and the employer; and

(III) such other factors as the local board may determine to be appropriate, which may include the number of employees participating in the training, the wage and benefit levels of those employees (at present and anticipated upon completion of the training), and the existence of other training and advancement opportunities provided by the employer.

(iii) STATEWIDE IMPACT.—The Governor or State board involved may make recommendations to the local board for providing incumbent worker training that has statewide impact.

(B) TRAINING ACTIVITIES.—The training program for incumbent workers carried out under this paragraph shall be carried out by the local board in conjunction with the employers or groups of employers of such workers (which may include employers in partnership with other entities for the purposes of delivering training) for

the purpose of assisting such workers in obtaining the skills necessary to retain employment or avert layoffs.

(C) EMPLOYER PAYMENT OF NON-FEDERAL SHARE.—Employers participating in the program carried out under this paragraph shall be required to pay for the non-Federal share of the cost of providing the training to incumbent workers of the employers.

(D) NON-FEDERAL SHARE.—

(i) FACTORS.—Subject to clause (ii), the local board shall establish the non-Federal share of such cost (taking into consideration such other factors as the number of employees participating in the training, the wage and benefit levels of the employees (at the beginning and anticipated upon completion of the training), the relationship of the training to the competitiveness of the employer and employees, and the availability of other employer-provided training and advancement opportunities.

(ii) LIMITS.—The non-Federal share shall not be less than—

(I) 10 percent of the cost, for employers with not more than 50 employees;

(II) 25 percent of the cost, for employers with more than 50 employees but not more than 100 employees; and

(III) 50 percent of the cost, for employers with more than 100 employees.

(iii) CALCULATION OF EMPLOYER SHARE.—The non-Federal share provided by an employer participating in the program may include the amount of the wages paid by the employer to a worker while the worker is attending a training program under this paragraph. The employer may provide the share in cash or in kind, fairly evaluated.

(5) TRANSITIONAL JOBS.—The local board may use not more than 10 percent of the funds allocated to the local area involved under section 133(b) to provide transitional jobs under subsection (c)(3) that—

(A) are time-limited work experiences that are subsidized and are in the public, private, or nonprofit sectors for individuals with barriers to employment who are chronically unemployed or have an inconsistent work history;

(B) are combined with comprehensive employment and supportive services; and

(C) are designed to assist the individuals described in subparagraph (A) to establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment.

CHAPTER 4—GENERAL WORKFORCE INVESTMENT PROVISIONS

SEC. 136. AUTHORIZATION OF APPROPRIATIONS.

(a) YOUTH WORKFORCE INVESTMENT ACTIVITIES.—There are authorized to be appropriated to carry out the activities described in section 127(a), $820,430,000 for fiscal year 2015, $883,800,000 for fiscal year 2016, $902,139,000 for fiscal year 2017, $922,148,000 for fiscal year 2018, $943,828,000 for fiscal year 2019, and $963,837,000 for fiscal year 2020.

(b) ADULT EMPLOYMENT AND TRAINING ACTIVITIES.—There are authorized to be appropriated to carry out the activities described in section 132(a)(1), $766,080,000 for fiscal year 2015, $825,252,000 for fiscal year 2016, $842,376,000 for fiscal year 2017, $861,060,000 for fiscal year 2018, $881,303,000 for fiscal year 2019, and $899,987,000 for fiscal year 2020.

(c) DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES.—There are authorized to be appropriated to carry out the activities described in section 132(a)(2), $1,222,457,000 for fiscal year 2015, $1,316,880,000 for fiscal year 2016, $1,344,205,000 for fiscal year 2017, $1,374,019,000 for fiscal year 2018, $1,406,322,000 for fiscal year 2019, and $1,436,137,000 for fiscal year 2020.

Subtitle C—Job Corps

SEC. 141. PURPOSES.

The purposes of this subtitle are—

(1) to maintain a national Job Corps program, carried out in partnership with States and communities, to—

(A) assist eligible youth to connect to the labor force by providing them with intensive social, academic, career and technical education, and service-learning opportunities, in primarily residential centers, in order for such youth to obtain secondary school diplomas or recognized postsecondary credentials leading to—

(i) successful careers, in in-demand industry sectors or occupations or the Armed Forces, that will result in economic self-sufficiency and opportunities for advancement; or

(ii) enrollment in postsecondary education, including an apprenticeship program; and

(B) support responsible citizenship;

(2) to set forth standards and procedures for selecting individuals as enrollees in the Job Corps;

(3) to authorize the establishment of Job Corps centers in which enrollees will participate in intensive programs of activities described in this subtitle; and

(4) to prescribe various other powers, duties, and responsibilities incident to the operation and continuing development of the Job Corps.

SEC. 142. DEFINITIONS.

In this subtitle:

(1) APPLICABLE LOCAL BOARD.—The term ''applicable local board'' means a local board—

(A) that provides information for a Job Corps center on local employment opportunities and the job skills needed to obtain the opportunities; and

(B) that serves communities in which the graduates of the Job Corps center seek employment.

(2) APPLICABLE ONE-STOP CENTER.—The term ''applicable one-stop center'' means a one-stop center that provides services, such as referral, assessment, recruitment, and placement, to support the purposes of the Job Corps.

(3) ENROLLEE.—The term ''enrollee'' means an individual who has voluntarily applied for, been selected for, and enrolled in the Job Corps program, and remains with the program, but has not yet become a graduate.

(4) FORMER ENROLLEE.—The term ''former enrollee'' means an individual who has voluntarily applied for, been selected for, and enrolled in the Job Corps program, but left the program prior to becoming a graduate.

(5) GRADUATE.—The term ''graduate'' means an individual who has voluntarily applied for, been selected for, and enrolled in the Job Corps program and who, as a result of participation in the Job Corps program, has received a secondary school diploma or recognized equivalent, or completed the requirements of a career and technical education and training program that prepares individuals for employment leading to economic self-sufficiency or entrance into postsecondary education or training.

(6) JOB CORPS.—The term ''Job Corps'' means the Job Corps described in section 143.

(7) JOB CORPS CENTER.—The term ''Job Corps center'' means a center described in section 147.

(8) OPERATOR.—The term ''operator'' means an entity selected under this subtitle to operate a Job Corps center.

(9) REGION.—The term ''region'' means an area defined by the Secretary.

(10) SERVICE PROVIDER.—The term ''service provider'' means an entity selected under this subtitle to provide services described in this subtitle to a Job Corps center.

SEC. 143. ESTABLISHMENT.

There shall be within the Department of Labor a ''Job Corps''.

SEC. 144. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.

(a) IN GENERAL.—To be eligible to become an enrollee, an individual shall be—

(1) not less than age 16 and not more than age 21 on the date of enrollment, except that—

(A) not more than 20 percent of the individuals enrolled in the Job Corps may be not less than age 22 and not more than age 24 on the date of enrollment; and

(B) either such maximum age limitation may be waived by the Secretary, in accordance with regulations of the Secretary, in the case of an individual with a disability;

(2) a low-income individual; and

(3) an individual who is one or more of the following:

(A) Basic skills deficient.

(B) A school dropout.

(C) A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, an individual in foster care, or an individual who was in foster care and has aged out of the foster care system.

(D) A parent.

(E) An individual who requires additional education, career and technical education or training, or workforce preparation skills to be able to obtain and retain employment that leads to economic self-sufficiency.

(b) SPECIAL RULE FOR VETERANS.—Notwithstanding the requirement of subsection (a)(2), a veteran shall be eligible to become an enrollee under subsection (a) if the individual—

(1) meets the requirements of paragraphs (1) and (3) of such subsection; and

(2) does not meet the requirement of subsection (a)(2) because the military income earned by such individual within the 6-month period prior to the individual's application for Job Corps prevents the individual from meeting such requirement.

SEC. 145. RECRUITMENT, SCREENING, SELECTION, AND ASSIGNMENT OF ENROLLEES.

(a) STANDARDS AND PROCEDURES.—

(1) IN GENERAL.—The Secretary shall prescribe specific standards and procedures for the recruitment, screening, and selection of eligible applicants for the Job Corps, after considering recommendations from Governors of States, local boards, and other interested parties.

(2) METHODS.—In prescribing standards and procedures under paragraph (1), the Secretary, at a minimum, shall—

(A) prescribe procedures for informing enrollees that drug tests will be administered to the enrollees and the results received within 45 days after the enrollees enroll in the Job Corps;

(B) establish standards for recruitment of Job Corps applicants;

(C) establish standards and procedures for—

(i) determining, for each applicant, whether the educational and career and technical education and training needs of the applicant can best be met through the Job Corps program or an alternative program in the community in which the applicant resides; and

(ii) obtaining from each applicant pertinent data relating to background, needs, and interests for determining eligibility and potential assignment;

(D) where appropriate, take measures to improve the professional capability of the individuals conducting screening of the applicants; and

(E) assure appropriate representation of enrollees from urban areas and from rural areas.

(3) IMPLEMENTATION.—The standards and procedures shall be implemented through arrangements with—

(A) applicable one-stop centers;

(B) organizations that have a demonstrated record of effectiveness in serving at-risk youth and placing such youth into employment, including community action agencies, business organizations, or labor organizations; and

(C) child welfare agencies that are responsible for children and youth eligible for benefits and services under section 477 of the Social Security Act (42 U.S.C. 677).

(4) CONSULTATION.—The standards and procedures shall provide for necessary consultation with individuals and organizations, including court, probation, parole, law enforcement, education, welfare, and medical authorities and advisers.

(5) REIMBURSEMENT.—The Secretary is authorized to enter into contracts with and make payments to individuals and organizations for the cost of conducting recruitment, screening, and selection of eligible applicants for the Job Corps, as provided for in this section. The Secretary shall make no payment to any individual or organization solely as compensation for referring the names of applicants for the Job Corps.

(b) SPECIAL LIMITATIONS ON SELECTION.—

(1) IN GENERAL.—No individual shall be selected as an enrollee unless the individual or organization implementing the standards and procedures described in subsection (a) determines that—

(A) there is a reasonable expectation that the individual considered for selection can participate successfully in group situations and activities, and is not likely to engage in behavior that would prevent other enrollees from receiving the benefit of the Job Corps program or be incompatible with the maintenance of sound discipline and satisfactory relationships between the Job Corps center to which the individual might be assigned and communities surrounding the Job Corps center;

(B) the individual manifests a basic understanding of both the rules to which the individual will be subject and of the consequences of failure to observe the rules, and agrees to comply with such rules; and

(C) the individual has passed a background check conducted in accordance with procedures established by the Secretary and with applicable State and local laws.

(2) INDIVIDUALS ON PROBATION, PAROLE, OR SUPERVISED RELEASE.—An individual on probation, parole, or supervised release may be selected as an enrollee only if release from the supervision of the probation or parole official involved is satisfactory to the official and the Secretary and does not violate applicable laws (including regulations). No individual shall be denied a position in the Job Corps solely on the basis of individual contact with the criminal justice system except for a disqualifying conviction as specified in paragraph (3).

(3) INDIVIDUALS CONVICTED OF CERTAIN CRIMES.—An individual shall not be selected as an enrollee if the individual has been convicted of a felony consisting of murder (as described in section 1111 of title 18, United States Code), child abuse, or a crime involving rape or sexual assault.

(c) ASSIGNMENT PLAN.—

(1) IN GENERAL.—Every 2 years, the Secretary shall develop and implement a plan for assigning enrollees to Job Corps centers. In developing the plan, the Secretary shall, based on the analysis described in paragraph (2), establish targets, applicable to each Job Corps center, for—

(A) the maximum attainable percentage of enrollees at the Job Corps center that reside in the State in which the center is located; and

(B) the maximum attainable percentage of enrollees at the Job Corps center that reside in the region in which the center is located, and in surrounding regions.

(2) ANALYSIS.—In order to develop the plan described in paragraph (1), every 2 years the Secretary, in consultation with operators of Job Corps centers, shall analyze relevant factors relating to each Job Corps center, including—

(A) the size of the population of individuals eligible to participate in Job Corps in the State and region in which the Job Corps center is located, and in surrounding regions;

(B) the relative demand for participation in the Job Corps in the State and region, and in surrounding regions;

(C) the capacity and utilization of the Job Corps center, including the education, training, and supportive services provided through the center; and

(D) the performance of the Job Corps center relating to the expected levels of performance for the indicators described in section 159(c)(1), and whether any actions have been taken with respect to such center pursuant to paragraphs (2) and (3) of section 159(f).

(d) ASSIGNMENT OF INDIVIDUAL ENROLLEES.—

(1) IN GENERAL.—After an individual has been selected for the Job Corps in accordance with the standards and procedures of the Secretary under subsection (a), the enrollee shall be assigned to the Job Corps center that 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 Secretary may waive this requirement if—

(A) the enrollee would be unduly delayed in participating in the Job Corps program because the closest center is operating at full capacity; or

(B) the parent or guardian of the enrollee requests assignment of the enrollee to another Job Corps center due to circumstances in the community of the enrollee that would impair prospects for successful participation in the Job Corps program.

(2) ENROLLEES WHO ARE YOUNGER THAN 18.—An enrollee who is younger than 18 shall not be assigned to a Job Corps center other than the center closest to the home that offers the career and technical education and training desired by the enrollee pursuant to paragraph (1) if the parent or guardian of the enrollee objects to the assignment.

SEC. 146. ENROLLMENT.

(a) RELATIONSHIP BETWEEN ENROLLMENT AND MILITARY OBLIGATIONS.—Enrollment in the Job Corps shall not relieve any individual of obligations under the Military Selective Service Act (50 U.S.C. App. 451 et seq.).

(b) PERIOD OF ENROLLMENT.—No individual may be enrolled in the Job Corps for more than 2 years, except—

(1) in a case in which completion of an advanced career training program under section 148(c) would require an individual to participate in the Job Corps for not more than one additional year;

(2) in the case of an individual with a disability who would reasonably be expected to meet the standards for a Job Corps graduate, as defined under section 142(5), if allowed to participate in the Job Corps for not more than 1 additional year;

(3) in the case of an individual who participates in national service, as authorized by a Civilian Conservation Center program, who would be granted an enrollment extension in the Job Corps for the amount of time equal to the period of national service; or

(4) as the Secretary may authorize in a special case.

SEC. 147. JOB CORPS CENTERS.

(a) OPERATORS AND SERVICE PROVIDERS.—

(1) ELIGIBLE ENTITIES.—

(A) OPERATORS.—The Secretary shall enter into an agreement with a Federal, State, or local agency, an area career and technical education school, a residential career and technical education school, or a private organization, for the operation of each Job Corps center.

(B) PROVIDERS.—The Secretary may enter into an agreement with a local entity, or other entity with the necessary capacity, to provide activities described in this subtitle to a Job Corps center.

(2) SELECTION PROCESS.—

(A) COMPETITIVE BASIS.—Except as provided in subsections (a) and (b) of section 3304 of title 41, United States Code, the Secretary shall select on a competitive basis an entity to operate a Job Corps center and entities to provide activities described in this subtitle to the Job Corps center. In developing a solicitation for an operator or service provider, the Secretary shall consult with the Governor of the State in which the center is located, the workforce council for the Job Corps center (if established), and the applicable local board regarding the contents of such solicitation, including elements that will promote the consistency of the activities carried out through the center with the objectives set forth in the State plan or in a local plan.

(B) RECOMMENDATIONS AND CONSIDERATIONS.—

(i) OPERATORS.—In selecting an entity to operate a Job Corps center, the Secretary shall consider—

(I) the ability of the entity to coordinate the activities carried out through the Job Corps center with activities carried out under the appropriate State plan and local plans;

(II) the ability of the entity to offer career and technical education and training that has been proposed by the workforce council under section 154(c), and the degree to which such education and training reflects employment opportunities in the local areas in which enrollees at the center intend to seek employment;

(III) the degree to which the entity demonstrates relationships with the surrounding communities, employers, labor organizations, State boards, local boards, applicable one-stop centers, and the State and region in which the center is located;

(IV) the performance of the entity, if any, relating to operating or providing activities described in this subtitle to a Job Corps center, including information regarding the entity in any reports developed by the Office of Inspector General of the Department of Labor and the entity's demonstrated effectiveness in assisting individuals in achieving the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii); and

(V) the ability of the entity to demonstrate a record of successfully assisting at-risk youth to connect to the workforce, including providing them with intensive academics and career and technical education and training.

(ii) PROVIDERS.—In selecting a service provider for a Job Corps center, the Secretary shall consider the factors described in clause (i).

(3) ADDITIONAL SELECTION FACTORS.—To be eligible to operate a Job Corps center, an entity shall submit to the Secretary, at such time and in such manner as the Secretary may require, information related to additional selection factors, which shall include the following:

(A) A description of the program activities that will be offered at the center and how the academics and career and technical education and training reflect State and local employment opportunities, including opportunities in in-demand industry sectors and occupations recommended by the workforce council under section 154(c)(2)(A).

(B) 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 or education leading to a recognized postsecondary credential upon completion of the program.

(C) A description of the demonstrated record of effectiveness that the entity has in placing at-risk youth into employment and postsecondary education, including past performance of operating a Job Corps center under this subtitle or subtitle C of title I of the Workforce Investment Act of 1998, and as appropriate, the entity's demonstrated effectiveness in assisting individuals in achieving the indicators of performance for eligible youth described in section 116(b)(2)(A)(ii).

(D) A description of the relationships that the entity has developed with State boards, local boards, applicable one-stop centers, employers, labor organizations, State and local educational agencies, and the surrounding communities in which the center is located, in an effort to promote a comprehensive statewide workforce development system.

(E) A description of the entity's ability to coordinate the activities carried out through the Job Corps center with activities carried out under the appropriate State plan and local plans.

(F) 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).

(G) A description of the steps to be taken to control costs in accordance with section 159(a)(3).

(H) A detailed budget of the activities that will be supported using funds under this subtitle and non-Federal resources.

(I) An assurance the entity is licensed to operate in the State in which the center is located.

(J) An assurance the entity will comply with basic health and safety codes, which shall include the disciplinary measures described in section 152(b).

(K) Any other information on additional selection factors that the Secretary may require.

(b) HIGH-PERFORMING CENTERS.—

(1) IN GENERAL.—If an entity meets the requirements described in paragraph (2) as applied to a particular Job Corps center, such entity shall be allowed to compete in any competitive selection process carried out for an award to operate such center.

(2) HIGH PERFORMANCE.—An entity shall be considered to be an operator of a high-performing center if the Job Corps center operated by the entity—

(A) is ranked among the top 20 percent of Job Corps centers for the most recent preceding program year; and

(B) meets the expected levels of performance established under section 159(c)(1) and, with respect to each of the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii)—

(i) for the period of the most recent preceding 3 program years for which information is available at the time the determination is made, achieved an average of 100 percent, or higher, of the expected level of performance established under section 159(c)(1) for the indicator; and

(ii) for the most recent preceding program year for which information is available at the time the determination is made, achieved 100 percent, or higher, of the expected level of performance established under such section for the indicator.

(3) TRANSITION.—If any of the program years described in paragraph (2)(B) precedes the implementation of the establishment of expected levels of performance under section 159(c) and the application of the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii), an entity shall be considered an operator of a high-performing center during that period if the Job Corps center operated by the entity—

(A) meets the requirements of paragraph (2)(B) with respect to such preceding program years using the performance of the Job Corps center regarding the national goals or targets established by the Office of the Job Corps under the previous performance accountability system for—

(i) the 6-month follow-up placement rate of graduates in employment, the military, education, or training;

(ii) the 12–month follow-up placement rate of graduates in employment, the military, education, or training;

(iii) the 6-month follow-up average weekly earnings of graduates;

(iv) the rate of attainment of secondary school diplomas or their recognized equivalent;

(v) the rate of attainment of completion certificates for career and technical training;

(vi) average literacy gains; and

(vii) average numeracy gains; or

(B) is ranked among the top 5 percent of Job Corps centers for the most recent preceding program year.

(c) CHARACTER AND ACTIVITIES.—Job Corps centers may be residential or nonresidential in character, and shall be designed and operated so as to provide enrollees, in a well-supervised setting, with access to activities described in this subtitle. In any year, no more than 20 percent of the individuals enrolled in the Job Corps may be nonresidential participants in the Job Corps.

(d) 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 provide, in addition to academics, career and technical education and training, and workforce preparation skills training, 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) ASSISTANCE DURING DISASTERS.—Enrollees in Civilian Conservation Centers may provide assistance in addressing national, State, and local disasters, consistent with current child labor laws (including regulations). The Secretary of Agriculture shall ensure that with respect to the provision of such assistance the enrollees are properly trained, equipped, supervised, and dispatched consistent with standards for the conservation and rehabilitation of wildlife established under the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.).

(3) NATIONAL LIAISON.—The Secretary of Agriculture shall designate a Job Corps National Liaison to support the agreement under this section between the Departments of Labor and Agriculture.

(e) INDIAN TRIBES.—

(1) GENERAL AUTHORITY.—The Secretary may enter into agreements with Indian tribes to operate Job Corps centers for Indians.

(2) DEFINITIONS.—In this subsection, the terms ''Indian'' and ''Indian tribe'' have the meanings given such terms in subsections (d) and (e), respectively, of section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(f) LENGTH OF AGREEMENT.—The agreement described in subsection (a)(1)(A) shall be for not more than a 2-year period. The Secretary may exercise any contractual option to renew the agreement in 1-year increments for not more than 3 additional years, consistent with the requirements of subsection (g).

(g) RENEWAL CONDITIONS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall not renew the terms of an agreement for any 1-year additional period described in subsection (f) for an entity to operate a particular Job Corps center if, for both of the 2 most recent preceding program years for which information is available at the time the determination is made, or if a second program year is not available, the preceding year for which information is available, such center—

(A) has been ranked in the lowest 10 percent of Job Corps centers; and

(B) failed to achieve an average of 50 percent or higher of the expected level of performance under section 159(c)(1) with respect to each of the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii).

(2) EXCEPTION.—Notwithstanding paragraph (1), the Secretary may exercise an option to renew the agreement for no more than 2 additional years if the Secretary determines such renewal would be in the best interest of the Job Corps program, taking into account factors including—

(A) significant improvements in program performance in carrying out a performance improvement plan under section 159(f)(2);

(B) that the performance is due to circumstances beyond the control of the entity, such as an emergency or disaster, as defined in section 170(a)(1);

(C) a significant disruption in the operations of the center, including in the ability to continue to provide services to students, or significant increase in the cost of such operations; or

(D) a significant disruption in the procurement process with respect to carrying out a competition for the selection of a center operator.

(3) DETAILED EXPLANATION.—If the Secretary exercises an option under paragraph (2), the Secretary shall provide, 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 detailed explanation of the rationale for exercising such option.

(4) ADDITIONAL CONSIDERATIONS.—The Secretary shall only renew the agreement of an entity to operate a Job Corps center if the entity—

(A) has a satisfactory record of integrity and business ethics;

(B) has adequate financial resources to perform the agreement;

(C) has the necessary organization, experience, accounting and operational controls, and technical skills; and

(D) is otherwise qualified and eligible under applicable laws and regulations, including that the contractor is not under suspension or debarred from eligibility for Federal contracts.

SEC. 148. PROGRAM ACTIVITIES.

(a) ACTIVITIES PROVIDED BY JOB CORPS CENTERS.—

(1) IN GENERAL.—Each Job Corps center shall provide enrollees with an intensive, well organized, and fully supervised program of education, including English language acquisition programs, career and technical education and training, work experience, work-based learning, recreational activities, physical rehabilitation and development, driver's education, and counseling, which may include information about financial literacy. Each Job Corps center shall provide enrollees assigned to the center with access to career services described in clauses (i) through (xi) of section 134(c)(2)(A).

(2) RELATIONSHIP TO OPPORTUNITIES.—The activities provided under this subsection shall be targeted to helping enrollees, on completion of their enrollment—

(A) secure and maintain meaningful unsubsidized employment;

(B) enroll in and complete secondary education or postsecondary education or training programs, including other suitable career and technical education and training, and apprenticeship programs; or

(C) satisfy Armed Forces requirements.

(3) LINK TO EMPLOYMENT OPPORTUNITIES.—The career and technical education and training provided shall be linked to employment opportunities in in-demand industry sectors and occupations in the State or local area in which the Job Corps center is located and, to the extent practicable, in the State or local area in which the enrollee intends to seek employment after graduation.

(b) ACADEMIC AND CAREER AND TECHNICAL EDUCATION AND TRAINING.—The Secretary may arrange for career and technical education and training of enrollees through local public or private educational agencies, career and technical educational institutions, technical institutes, or national service providers, whenever such entities provide education and training substantially equivalent in cost and quality to that which the Secretary could provide through other means.

(c) ADVANCED CAREER TRAINING PROGRAMS.—

(1) IN GENERAL.—The Secretary may arrange for programs of advanced career training for selected enrollees in which the enrollees may continue to participate for a period of not to exceed 1 year in addition to the period of participation to which the enrollees would otherwise be limited. The advanced career training may be provided through the eligible providers of training services identified under section 122.

(2) BENEFITS.—During the period of participation in an advanced career training program, an enrollee shall be eligible for full Job Corps benefits, or a monthly stipend equal to the average value of the residential support, food, allowances, and other benefits provided to enrollees assigned to residential Job Corps centers.

(3) DEMONSTRATION.—The Secretary shall develop standards by which 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) for the most recently preceding 2 program years, such operator has, on average, met or exceeded the expected levels of performance under section 159(c)(1) for each of the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii).

(d) GRADUATE SERVICES.—In order to promote the retention of graduates in employment or postsecondary education, the Secretary shall arrange for the provision of job placement and support services to graduates for up to 12 months after the date of graduation. Multiple resources, including one-stop partners, may support the provision of these services, including services from the State vocational rehabilitation agency, to supplement job placement and job development efforts for Job Corps graduates who are individuals with disabilities.

(e) CHILD CARE.—The Secretary shall, to the extent practicable, provide child care at or near Job Corps centers, for individuals who require child care for their children in order to participate in the Job Corps.

SEC. 149. COUNSELING AND JOB PLACEMENT.

(a) ASSESSMENT AND COUNSELING.—The Secretary shall arrange for assessment and counseling for each enrollee at regular intervals to measure progress in the academic and career and technical education and training programs carried out through the Job Corps.

(b) PLACEMENT.—The Secretary shall arrange for assessment and counseling for enrollees prior to their scheduled graduations to determine their capabilities and, based on their capabilities, shall place the enrollees in employment leading to economic self-sufficiency for which the enrollees are trained or assist the enrollees in participating in further activities described in this subtitle. In arranging for the placement of graduates in jobs, the Secretary shall utilize the one-stop delivery system to the maximum extent practicable.

(c) STATUS AND PROGRESS.—The Secretary shall determine the status and progress of enrollees scheduled for graduation and make every effort to assure that their needs for further activities described in this subtitle are met.

(d) SERVICES TO FORMER ENROLLEES.—The Secretary may provide such services as the Secretary determines to be appropriate under this subtitle to former enrollees.

SEC. 150. SUPPORT.

(a) PERSONAL ALLOWANCES.—The Secretary may provide enrollees assigned to Job Corps centers with such personal allowances as the Secretary may determine to be necessary or appropriate to meet the needs of the enrollees.

(b) TRANSITION ALLOWANCES.—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 recognized postsecondary credentials.

(c) TRANSITION SUPPORT.—The Secretary may arrange for the provision of 3 months of employment services for former enrollees.

SEC. 151. OPERATIONS.

(a) OPERATING PLAN.—The provisions of the contract between the Secretary and an entity selected to operate a Job Corps center shall, at a minimum, serve as an operating plan for the Job Corps center.

(b) ADDITIONAL INFORMATION.—The Secretary may require the operator, in order to remain eligible to operate the Job Corps center, to submit such additional information as the Secretary may require, which shall be considered part of the operating plan.

(c) AVAILABILITY.—The Secretary shall make the operating plan described in subsections (a) and (b), excluding any proprietary information, available to the public.

SEC. 152. STANDARDS OF CONDUCT.

(a) PROVISION AND ENFORCEMENT.—The Secretary shall provide, and directors of Job Corps centers shall stringently enforce, standards of conduct within the centers. Such standards of conduct shall include provisions forbidding the actions described in subsection (b)(2)(A).

(b) DISCIPLINARY MEASURES.—

(1) IN GENERAL.—To promote the proper behavioral standards in the Job Corps, the directors of Job Corps centers shall have the authority to take appropriate disciplinary measures against enrollees if such a director determines that an enrollee has committed a violation of the standards of conduct. The director shall dismiss the enrollee from the Job Corps if the director determines that the retention of the enrollee in the Job Corps will jeopardize the enforcement of such standards, threaten the safety of staff, students, or the local community, or diminish the opportunities of other enrollees.

(2) ZERO TOLERANCE POLICY AND DRUG TESTING.—

(A) GUIDELINES.—The Secretary shall adopt guidelines establishing a zero tolerance policy for an act of violence, for use, sale, or possession of a controlled substance, for abuse of alcohol, or for other illegal or disruptive activity.

(B) DRUG TESTING.—The Secretary shall require drug testing of all enrollees for controlled substances in accordance with procedures prescribed by the Secretary under section 145(a).

(C) DEFINITIONS.—In this paragraph:

(i) CONTROLLED SUBSTANCE.—The term ''controlled substance'' has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(ii) ZERO TOLERANCE POLICY.—The term ''zero tolerance policy'' means a policy under which an enrollee shall be automatically dismissed from the Job Corps after a determination by the director that the enrollee has carried out an action described in subparagraph (A).

(c) APPEAL.—A disciplinary measure taken by a director under this section shall be subject to expeditious appeal in accordance with procedures established by the Secretary.

SEC. 153. COMMUNITY PARTICIPATION.

(a) BUSINESS AND COMMUNITY PARTICIPATION.—The director of each Job Corps center shall ensure the establishment and development of the mutually beneficial business and community relationships and networks described in subsection (b), including the use of local boards, in order to enhance the effectiveness of such centers.

(b) NETWORKS.—The activities carried out by each Job Corps center under this section shall include—

(1) establishing and developing relationships and networks with—

(A) local and distant employers, to the extent practicable, in coordination with entities carrying out other Federal and non-Federal programs that conduct similar outreach to employers;

(B) applicable one-stop centers and applicable local boards, for the purpose of providing—

(i) information to, and referral of, potential enrollees; and

(ii) job opportunities for Job Corps graduates; and

(C)(i) entities carrying out relevant apprenticeship programs and youth programs;

(ii) labor-management organizations and local labor organizations;

(iii) employers and contractors that support national training contractor programs; and

(iv) community-based organizations, non-profit organizations, and intermediaries providing workforce development-related services; and

(2) establishing and developing relationships with members of the community in which the Job Corps center is located, informing members of the community about the projects of the Job Corps center and changes in the rules, procedures, or activities of the center that may affect the community, and planning events of mutual interest to the community and the Job Corps center.

(c) NEW CENTERS.—The director of a Job Corps center that is not yet operating shall ensure the establishment and development of the relationships and networks described in subsection (b) at least 3 months prior to the date on which the center accepts the first enrollee at the center.

SEC. 154. WORKFORCE COUNCILS.

(a) IN GENERAL.—Each Job Corps center shall have a workforce council, appointed by the director of the center, in accordance with procedures established by the Secretary.

(b) WORKFORCE COUNCIL COMPOSITION.—

(1) IN GENERAL.—A workforce council shall be comprised of—

(A) a majority of members who shall be owners of business concerns, chief executives or chief operating officers of nongovernmental employers, or other private sector employers, who—

(i) have substantial management, hiring, or policy responsibility; and

(ii) represent businesses with employment opportunities that reflect the employment opportunities of the applicable local areas in which enrollees will be seeking employment;

(B) representatives of labor organizations (where present) and representatives of employees; and

(C) enrollees and graduates of the Job Corps.

(2) LOCAL BOARD.—The workforce council may include members of the applicable local boards who meet the requirements described in paragraph (1).

(3) EMPLOYERS OUTSIDE OF LOCAL AREA.—The workforce council for a Job Corps center may include, or otherwise provide for consultation with, employers from outside the local area who are likely to hire a significant number of enrollees from the Job Corps center.

(4) SPECIAL RULE FOR SINGLE STATE LOCAL AREAS.—In the case of a single State local area designated under section 106(d), the workforce council shall include a representative of the State Board.

(c) RESPONSIBILITIES.—The responsibilities of the workforce council shall be—

(1) to work closely with all applicable local boards in order to determine, and recommend to the Secretary, appropriate career and technical education and training for the center;

(2) to review all the relevant labor market information, including related information in the State plan or the local plan, to—

(A) recommend the in-demand industry sectors or occupations in the area in which the Job Corps center operates;

(B) determine the employment opportunities in the local areas in which the enrollees intend to seek employment after graduation;

(C) determine the skills and education that are necessary to obtain the employment opportunities; and

(D) recommend to the Secretary the type of career and technical education and training that should be implemented at the center to enable the enrollees to obtain the employment opportunities; and

(3) to meet at least once every 6 months to reevaluate the labor market information, and other relevant information, to determine, and recommend to the Secretary, any necessary changes in the career and technical education and training provided at the center.

(d) NEW CENTERS.—The workforce council for a Job Corps center that is not yet operating shall carry out the responsibilities described in subsection (c) at least 3 months prior to the date on which the center accepts the first enrollee at the center.

SEC. 155. ADVISORY COMMITTEES.

The Secretary may establish and use advisory committees in connection with the operation of

the Job Corps program, and the operation of Job Corps centers, whenever the Secretary determines that the availability of outside advice and counsel on a regular basis would be of substantial benefit in identifying and overcoming problems, in planning program or center development, or in strengthening relationships between the Job Corps and agencies, institutions, or groups engaged in related activities.

SEC. 156. EXPERIMENTAL PROJECTS AND TECHNICAL ASSISTANCE.

(a) PROJECTS.—The Secretary may carry out experimental, research, or demonstration projects relating to carrying out the Job Corps program. The Secretary may waive any provisions of this subtitle that the Secretary finds would prevent the Secretary from carrying out the projects if the Secretary informs the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, in writing, not less than 90 days in advance of issuing such waiver.

(b) TECHNICAL ASSISTANCE.—From the funds provided under section 162 (for the purposes of administration), the Secretary may reserve ¼ of 1 percent to provide, directly or through grants, contracts, or other agreements or arrangements as the Secretary considers appropriate, technical assistance for the Job Corps program for the purpose of improving program quality. Such assistance shall include—

(1) assisting Job Corps centers and programs—

(A) in correcting deficiencies under, and violations of, this subtitle;

(B) in meeting or exceeding the expected levels of performance under section 159(c)(1) for the indicators of performance described in section 116(b)(2)(A);

(C) in the development of sound management practices, including financial management procedures; and

(2) assisting entities, including entities not currently operating a Job Corps center, in developing the additional selection factors information described in section 147(a)(3).

SEC. 157. APPLICATION OF PROVISIONS OF FEDERAL LAW.

(a) ENROLLEES NOT CONSIDERED TO BE FEDERAL EMPLOYEES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection and in section 8143(a) of title 5, United States Code, enrollees shall not be considered to be Federal employees and shall not be subject to the provisions of law relating to Federal employment, including such provisions regarding hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(2) PROVISIONS RELATING TO TAXES AND SOCIAL SECURITY BENEFITS.—For purposes of the Internal Revenue Code of 1986 and title II of the Social Security Act (42 U.S.C. 401 et seq.), enrollees shall be deemed to be employees of the United States and any service performed by an individual as an enrollee shall be deemed to be performed in the employ of the United States.

(3) PROVISIONS RELATING TO COMPENSATION TO FEDERAL EMPLOYEES FOR WORK INJURIES.—For purposes of subchapter I of chapter 81 of title 5, United States Code (relating to compensation to Federal employees for work injuries), enrollees shall be deemed to be civil employees of the Government of the United States within the meaning of the term ''employee'' as defined in section 8101 of title 5, United States Code, and the provisions of such subchapter shall apply as specified in section 8143(a) of title 5, United States Code.

(4) FEDERAL TORT CLAIMS PROVISIONS.—For purposes of the Federal tort claims provisions in title 28, United States Code, enrollees shall be considered to be employees of the Government.

(b) ADJUSTMENTS AND SETTLEMENTS.—Whenever the Secretary finds a claim for damages to a person or property resulting from the operation of the Job Corps to be a proper charge against the United States, and the claim is not cognizable under section 2672 of title 28, United States Code, the Secretary may adjust and settle the claim in an amount not exceeding $1,500.

(c) PERSONNEL OF THE UNIFORMED SERVICES.—Personnel of the uniformed services who are detailed or assigned to duty in the performance of agreements made by the Secretary for the support of the Job Corps shall not be counted in computing strength under any law limiting the strength of such services or in computing the percentage authorized by law for any grade in such services.

SEC. 158. SPECIAL PROVISIONS.

(a) ENROLLMENT.—The Secretary shall ensure that women and men have an equal opportunity to participate in the Job Corps program, consistent with section 145.

(b) STUDIES, EVALUATIONS, PROPOSALS, AND DATA.—The Secretary shall assure that all studies, evaluations, proposals, and data produced or developed with Federal funds in the course of carrying out the Job Corps program shall become the property of the United States.

(c) TRANSFER OF PROPERTY.—

(1) IN GENERAL.—Notwithstanding chapter 5 of title 40, United States Code, and any other provision of law, the Secretary and the Secretary of Education shall receive priority by the Secretary of Defense for the direct transfer, on a nonreimbursable basis, of the property described in paragraph (2) for use in carrying out programs under this Act or under any other Act.

(2) PROPERTY.—The property described in this paragraph is real and personal property under the control of the Department of Defense that is not used by such Department, including property that the Secretary of Defense determines is in excess of current and projected requirements of such Department.

(d) GROSS RECEIPTS.—Transactions conducted by a private for-profit or nonprofit entity that is an operator or service provider for a Job Corps center shall not be considered to be generating gross receipts. Such an operator or service provider shall not be liable, directly or indirectly, to any State or subdivision of a State (nor to any person acting on behalf of such a State or subdivision) for any gross receipts taxes, business privilege taxes measured by gross receipts, or any similar taxes imposed on, or measured by, gross receipts in connection with any payments made to or by such entity for operating or providing services to a Job Corps center. Such an operator or service provider shall not be liable to any State or subdivision of a State to collect or pay any sales, excise, use, or similar tax imposed on the sale to or use by such operator or service provider of any property, service, or other item in connection with the operation of or provision of services to a Job Corps center.

(e) MANAGEMENT FEE.—The Secretary shall provide each operator and (in an appropriate case, as determined by the Secretary) service provider with an equitable and negotiated management fee of not less than 1 percent of the amount of the funding provided under the appropriate agreement specified in section 147.

(f) DONATIONS.—The Secretary may accept on behalf of the Job Corps or individual Job Corps centers charitable donations of cash or other assistance, including equipment and materials, if such donations are available for appropriate use for the purposes set forth in this subtitle.

(g) SALE OF PROPERTY.—Notwithstanding any other provision of law, if the Administrator of General Services sells a Job Corps center facility, the Administrator shall transfer the proceeds from the sale to the Secretary, who shall use the proceeds to carry out the Job Corps program.

SEC. 159. MANAGEMENT INFORMATION.

(a) FINANCIAL MANAGEMENT INFORMATION SYSTEM.—

(1) IN GENERAL.—The Secretary shall establish procedures to ensure that each operator, and each service provider, maintains a financial management information system that will provide—

(A) accurate, complete, and current disclosures of the costs of Job Corps operations; and

(B) sufficient data for the effective evaluation of activities carried out through the Job Corps program.

(2) ACCOUNTS.—Each operator and service provider shall maintain funds received under this subtitle in accounts in a manner that ensures timely and accurate reporting as required by the Secretary.

(3) FISCAL RESPONSIBILITY.—Operators shall remain fiscally responsible and control costs, regardless of whether the funds made available for Job Corps centers are incrementally increased or decreased between fiscal years.

(b) AUDIT.—

(1) ACCESS.—The Secretary, the Inspector General of the Department of Labor, the Comptroller General of the United States, and any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the operators and service providers described in subsection (a) that are pertinent to the Job Corps program, for purposes of conducting surveys, audits, and evaluations of the operators and service providers.

(2) SURVEYS, AUDITS, AND EVALUATIONS.—The Secretary shall survey, audit, or evaluate, or arrange for the survey, audit, or evaluation of, the operators and service providers, using Federal auditors or independent public accountants. The Secretary shall conduct such surveys, audits, or evaluations not less often than once every 3 years.

(c) INFORMATION ON INDICATORS OF PERFORMANCE.—

(1) LEVELS OF PERFORMANCE AND INDICATORS.—The Secretary shall annually establish expected levels of performance for a Job Corps center and the Job Corps program relating to each of the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii).

(2) PERFORMANCE OF RECRUITERS.—The Secretary shall also establish performance indicators, and expected levels of performance on the performance indicators, for recruitment service providers serving the Job Corps program. The performance indicators shall relate to—

(A) the number of enrollees recruited, compared to the established goals for such recruitment, and the number of enrollees who remain committed to the program for 90 days after enrollment; and

(B) the measurements described in subparagraphs (I), (L), and (M) of subsection (d)(1).

(3) PERFORMANCE OF CAREER TRANSITION SERVICE PROVIDERS.—The Secretary shall also establish performance indicators, and expected performance levels on the performance indicators, for career transition service providers serving the Job Corps program. The performance indicators shall relate to—

(A) the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii); and

(B) the measurements described in subparagraphs (D), (E), (H), (J), and (K) of subsection (d)(1).

(4) 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, a report including—

(A) information on the performance of each Job Corps center, and the Job Corps program, based on the performance indicators described in paragraph (1), as compared to the expected level of performance established under such paragraph for each performance indicator; and

(B) information on the performance of the service providers described in paragraphs (2) and (3) on the performance indicators established under such paragraphs, as compared to the expected level of performance established for each performance indicator.

(d) ADDITIONAL INFORMATION.—

(1) IN GENERAL.—The Secretary shall also collect, and submit in the report described in subsection (c)(4), information on the performance of each Job Corps center, and the Job Corps program, regarding—

(A) the number of enrollees served;

(B) demographic information on the enrollees served, including age, race, gender, and education and income level;

(C) the number of graduates of a Job Corps center;

(D) the number of graduates who entered the Armed Forces;

(E) the number of graduates who entered apprenticeship programs;

(F) the number of graduates who received a regular secondary school diploma;

(G) the number of graduates who received a State recognized equivalent of a secondary school diploma;

(H) the number of graduates who entered unsubsidized employment related to the career and technical education and training received through the Job Corps program and the number who entered unsubsidized employment not related to the education and training received;

(I) the percentage and number of former enrollees, including the number dismissed under the zero tolerance policy described in section 152(b);

(J) the percentage and number of graduates who enter postsecondary education;

(K) the average wage of graduates who enter unsubsidized employment—

(i) on the first day of such employment; and

(ii) on the day that is 6 months after such first day;

(L) the percentages of enrollees described in subparagraphs (A) and (B) of section 145(c)(1), as compared to the percentage targets established by the Secretary under such section for the center;

(M) the cost per enrollee, which is calculated by comparing the number of enrollees at the center in a program year to the total budget for such center in the same program year;

(N) the cost per graduate, which is calculated by comparing the number of graduates of the center in a program year compared to the total budget for such center in the same program year; and

(O) any additional information required by the Secretary.

(2) RULES FOR REPORTING OF DATA.—The disaggregation of data under this subsection shall not be required when the number of individuals in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual.

(e) METHODS.—The Secretary shall collect the information described in subsections (c) and (d), using methods described in section 116(i)(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) PERFORMANCE ASSESSMENTS AND IMPROVEMENTS.—

(1) ASSESSMENTS.—The Secretary shall conduct an annual assessment of the performance of each Job Corps center. Based on the assessment, the Secretary shall take measures to continuously improve the performance of the Job Corps program.

(2) PERFORMANCE IMPROVEMENT.—With respect to a Job Corps center that fails to meet the expected levels of performance relating to the primary indicators of performance specified in subsection (c)(1), the Secretary shall develop and implement a performance improvement plan. Such a plan shall require action to be taken during a 1-year period, including—

(A) providing technical assistance to the center;

(B) changing the career and technical education and training offered at the center;

(C) changing the management staff of the center;

(D) replacing the operator of the center;

(E) reducing the capacity of the center;

(F) relocating the center; or

(G) closing the center.

(3) ADDITIONAL PERFORMANCE IMPROVEMENT.—In addition to the performance improvement plans required under paragraph (2), the Secretary may develop and implement additional performance improvement plans. Such a plan shall require improvements, including the actions described in such paragraph, for a Job Corps center that fails to meet criteria established by the Secretary other than the expected levels of performance described in such paragraph.

(4) CIVILIAN CONSERVATION CENTERS.—With respect to a Civilian Conservation Center that fails to meet the expected levels of performance relating to the primary indicators of performance specified in subsection (c)(1) or fails to improve performance as described in paragraph (2) after 3 program years, the Secretary, in consultation with the Secretary of Agriculture, shall select an entity to operate the Civilian Conservation Center on a competitive basis, in accordance with the requirements of section 147.

(g) PARTICIPANT HEALTH AND SAFETY.—

(1) CENTER.—The Secretary shall ensure that a review by an appropriate Federal, State, or local entity of the physical condition and health-related activities of each Job Corps center occurs annually.

(2) WORK-BASED LEARNING LOCATIONS.—The Secretary shall require that an entity that has entered into a contract to provide work-based learning activities for any Job Corps enrollee under this subtitle shall comply with the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) or, as appropriate, under the corresponding State Occupational Safety and Health Act of 1970 requirements in the State in which such activities occur.

(h) BUILDINGS AND FACILITIES.—The Secretary shall collect, and submit in the report described in subsection (c)(4), information regarding the state of Job Corps buildings and facilities. Such report shall include—

(1) a review of requested construction, rehabilitation, and acquisition projects, by each Job Corps center; and

(2) a review of new facilities under construction.

(i) NATIONAL AND COMMUNITY SERVICE.—The Secretary shall include in the report described in subsection (c)(4) available information regarding the national and community service activities of enrollees, particularly those enrollees at Civilian Conservation Centers.

(j) CLOSURE OF JOB CORPS CENTER.—Prior to the closure of any Job Corps center, the Secretary shall ensure—

(1) that the proposed decision to close the center is announced in advance to the general public through publication in the Federal Register or other appropriate means;

(2) the establishment of a reasonable comment period, not to exceed 30 days, for interested individuals to submit written comments to the Secretary; and

(3) that the Member of Congress who represents the district in which such center is located is notified within a reasonable period of time in advance of any final decision to close the center.

SEC. 160. GENERAL PROVISIONS.

The Secretary is authorized to—

(1) disseminate, with regard to the provisions of section 3204 of title 39, United States Code, data and information in such forms as the Secretary shall determine to be appropriate, to public agencies, private organizations, and the general public;

(2) subject to section 157(b), collect or compromise all obligations to or held by the Secretary and exercise all legal or equitable rights accruing to the Secretary in connection with the payment of obligations until such time as such obligations may be referred to the Attorney General for suit or collection; and

(3) expend funds made available for purposes of this subtitle—

(A) for printing and binding, in accordance with applicable law (including regulation); and

(B) without regard to any other law (including regulation), for rent of buildings and space in buildings and for repair, alteration, and improvement of buildings and space in buildings rented by the Secretary, except that the Secretary shall not expend funds under the authority of this subparagraph—

(i) except when necessary to obtain an item, service, or facility, that is required in the proper administration of this subtitle, and that otherwise could not be obtained, or could not be obtained in the quantity or quality needed, or at the time, in the form, or under the conditions in which the item, service, or facility is needed; and

(ii) prior to having given written notification to the Administrator of General Services (if the expenditure would affect an activity that otherwise would be under the jurisdiction of the General Services Administration) of the intention of the Secretary to make the expenditure, and the reasons and justifications for the expenditure.

SEC. 161. JOB CORPS OVERSIGHT AND REPORTING.

(a) TEMPORARY FINANCIAL REPORTING.—

(1) IN GENERAL.—During the periods described in paragraphs (2) and (3)(B), the Secretary shall prepare and submit to the applicable committees financial reports regarding the Job Corps program under this subtitle. Each such financial report shall include—

(A) information regarding the implementation of the financial oversight measures suggested in the May 31, 2013, report of the Office of Inspector General of the Department of Labor entitled ''The U.S. Department of Labor's Employment and Training Administration Needs to Strengthen Controls over Job Corps Funds'';

(B) a description of any budgetary shortfalls for the program for the period covered by the financial report, and the reasons for such shortfalls; and

(C) a description and explanation for any approval for contract expenditures that are in excess of the amounts provided for under the contract.

(2) TIMING OF REPORTS.—The Secretary shall submit a financial report under paragraph (1) once every 6 months beginning on the date of enactment of this Act, for a 3-year period. After the completion of such 3-year period, the Secretary shall submit a financial report under such paragraph once a year for the next 2 years, unless additional reports are required under paragraph (3)(B).

(3) REPORTING REQUIREMENTS IN CASES OF BUDGETARY SHORTFALLS.—If any financial report required under this subsection finds that the Job Corps program under this subtitle has a budgetary shortfall for the period covered by the report, the Secretary shall—

(A) not later than 90 days after the budgetary shortfall was identified, submit a report to the applicable committees explaining how the budgetary shortfall will be addressed; and

(B) submit an additional financial report under paragraph (1) for each 6-month period subsequent to the finding of the budgetary shortfall until the Secretary demonstrates, through such report, that the Job Corps program has no budgetary shortfall.

(b) THIRD-PARTY REVIEW.—Every 5 years after the date of enactment of this Act, the Secretary shall provide for a third-party review of the Job Corps program under this subtitle that addresses all of the areas described in subparagraphs (A) through (G) of section 169(a)(2). The results of the review shall be submitted 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.

(c) CRITERIA FOR JOB CORPS CENTER CLOSURES.—By not later than December 1, 2014, the Secretary shall establish written criteria that the Secretary shall use to determine when a Job Corps center supported under this subtitle is to be closed and how to carry out such closure, and shall submit such criteria to the applicable committees.

(d) DEFINITION OF APPLICABLE COMMITTEES.—In this section, the term ''applicable committees'' means—

(1) the Committee on Education and the Workforce of the House of Representatives;

(2) the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies of the Committee of Appropriations of the House of Representatives;

(3) the Committee on Health, Education, Labor, and Pensions of the Senate; and

(4) the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies of the Committee of Appropriations of the Senate.

SEC. 162. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this subtitle—

(1) $1,688,155,000 for fiscal year 2015;

(2) $1,818,548,000 for fiscal year 2016;

(3) $1,856,283,000 for fiscal year 2017;

(4) $1,897,455,000 for fiscal year 2018;

(5) $1,942,064,000 for fiscal year 2019; and

(6) $1,983,236,000 for fiscal year 2020.

Subtitle D—National Programs

SEC. 166. NATIVE AMERICAN PROGRAMS.

(a) PURPOSE.—

(1) IN GENERAL.—The purpose of this section is to support employment and training activities for Indian, Alaska Native, and Native Hawaiian individuals in order—

(A) to develop more fully the academic, occupational, and literacy skills of such individuals;

(B) to make such individuals more competitive in the workforce and to equip them with the entrepreneurial skills necessary for successful self-employment; and

(C) to promote the economic and social development of Indian, Alaska Native, and Native Hawaiian communities in accordance with the goals and values of such communities.

(2) INDIAN POLICY.—All programs assisted under this section shall be administered in a manner consistent with the principles of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) and the government-to-government relationship between the Federal Government and Indian tribal governments.

(b) DEFINITIONS.—As used in this section:

(1) ALASKA NATIVE.—The term ''Alaska Native'' includes a Native and a descendant of a Native, as such terms are defined in subsections (b) and (r) of section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b), (r)).

(2) INDIAN, INDIAN TRIBE, AND TRIBAL ORGANIZATION.—The terms ''Indian'', ''Indian tribe'', and ''tribal organization'' have the meanings given such terms in subsections (d), (e), and (l), respectively, of section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) NATIVE HAWAIIAN AND NATIVE HAWAIIAN ORGANIZATION.—The terms ''Native Hawaiian'' and ''Native Hawaiian organization'' have the meanings given such terms in section 7207 of the Native Hawaiian Education Act (20 U.S.C. 7517).

(c) PROGRAM AUTHORIZED.—Every 4 years, the Secretary shall, on a competitive basis, make grants to, or 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 the authorized activities described in subsection (d).

(d) AUTHORIZED ACTIVITIES.—

(1) IN GENERAL.—Funds made available under subsection (c) shall be used to carry out the activities described in paragraph (2) that—

(A) are consistent with this section; and

(B) are necessary to meet the needs of Indians, Alaska Natives, or Native Hawaiians preparing to enter, reenter, or retain unsubsidized employment leading to self-sufficiency.

(2) WORKFORCE DEVELOPMENT ACTIVITIES AND SUPPLEMENTAL SERVICES.—

(A) IN GENERAL.—Funds made available under subsection (c) shall be used for—

(i) comprehensive workforce development activities for Indians, Alaska Natives, or Native Hawaiians, including training on entrepreneurial skills; or

(ii) supplemental services for Indian, Alaska Native, or Native Hawaiian youth on or near Indian reservations and in Oklahoma, Alaska, or Hawaii.

(B) SPECIAL RULE.—Notwithstanding any other provision of this section, individuals who were eligible to participate in programs under section 401 of the Job Training Partnership Act (as such section was in effect on the day before the date of enactment of the Workforce Investment Act of 1998) shall be eligible to participate in an activity assisted under this section.

(e) PROGRAM PLAN.—In order to receive a grant or enter into a contract or cooperative agreement under this section, an entity described in subsection (c) shall submit to the Secretary a program plan that describes a 4-year strategy for meeting the needs of Indian, Alaska Native, or Native Hawaiian individuals, as appropriate, in the area served by such entity. Such plan shall—

(1) be consistent with the purpose of this section;

(2) identify the population to be served;

(3) identify the education and employment needs of the population to be served and the manner in which the activities to be provided will strengthen the ability of the individuals served to obtain or retain unsubsidized employment leading to self-sufficiency;

(4) describe the activities to be provided and the manner in which such activities are to be integrated with other appropriate activities; and

(5) describe, after the entity submitting the plan consults with the Secretary, the performance accountability measures to be used to assess the performance of entities in carrying out the activities assisted under this section, which shall include the primary indicators of performance described in section 116(b)(2)(A) and expected levels of performance for such indicators, in accordance with subsection (h).

(f) CONSOLIDATION OF FUNDS.—Each entity receiving assistance under subsection (c) may consolidate such assistance with assistance received from related programs in accordance with the provisions of the Indian Employment, Training and Related Services Demonstration Act of 1992 (25 U.S.C. 3401 et seq.).

(g) NONDUPLICATIVE AND NONEXCLUSIVE SERVICES.—Nothing in this section shall be construed—

(1) to limit the eligibility of any entity described in subsection (c) to participate in any activity offered by a State or local entity under this Act; or

(2) to preclude or discourage any agreement, between any entity described in subsection (c) and any State or local entity, to facilitate the provision of services by such entity or to the population served by such entity.

(h) PERFORMANCE ACCOUNTABILITY MEASURES.—

(1) ADDITIONAL PERFORMANCE INDICATORS AND STANDARDS.—

(A) DEVELOPMENT OF INDICATORS AND STANDARDS.—The Secretary, in consultation with the Native American Employment and Training Council, shall develop a set of performance indicators and standards that is in addition to the primary indicators of performance described in section 116(b)(2)(A) and that shall be applicable to programs under this section.

(B) SPECIAL CONSIDERATIONS.—Such performance indicators and standards shall take into account—

(i) the purpose of this section as described in subsection (a)(1);

(ii) the needs of the groups served by this section, including the differences in needs among such groups in various geographic service areas; and

(iii) the economic circumstances of the communities served, including differences in circumstances among various geographic service areas.

(2) AGREEMENT ON ADJUSTED LEVELS OF PERFORMANCE.—The Secretary and the entity described in subsection (c) shall reach agreement on the levels of performance for each of the primary indicators of performance described in section 116(b)(2)(A), taking into account economic conditions, characteristics of the individuals served, and other appropriate factors and using, to the extent practicable, the statistical adjustment model under section 116(b)(3)(A)(viii). The levels agreed to shall be the adjusted levels of performance and shall be incorporated in the program plan.

(i) ADMINISTRATIVE PROVISIONS.—

(1) ORGANIZATIONAL UNIT ESTABLISHED.—The Secretary shall designate a single organizational unit within the Department of Labor that shall have primary responsibility for the administration of the activities authorized under this section.

(2) REGULATIONS.—The Secretary shall consult with the entities described in subsection (c) in—

(A) establishing regulations to carry out this section, including regulations relating to the performance accountability measures for entities receiving assistance under this section; and

(B) developing a funding distribution plan that takes into consideration previous levels of funding (prior to the date of enactment of this Act) to such entities.

(3) WAIVERS.—

(A) IN GENERAL.—With respect to an entity described in subsection (c), the Secretary, notwithstanding any other provision of law, may, pursuant to a request submitted by such entity that meets the requirements established under subparagraph (B), waive any of the statutory or regulatory requirements of this title that are inconsistent with the specific needs of the entity described in such subsection, except that the Secretary may not waive requirements relating to wage and labor standards, worker rights, participation and protection of workers and participants, grievance procedures, and judicial review.

(B) REQUEST AND APPROVAL.—An entity described in subsection (c) that requests a waiver under subparagraph (A) shall submit a plan to the Secretary to improve the program of workforce investment activities carried out by the entity, which plan shall meet the requirements established by the Secretary and shall be generally consistent with the requirements of section 189(i)(3)(B).

(4) ADVISORY COUNCIL.—

(A) IN GENERAL.—Using funds made available to carry out this section, the Secretary shall establish a Native American Employment and Training Council to facilitate the consultation described in paragraph (2) and to provide the advice described in subparagraph (C).

(B) COMPOSITION.—The Council shall be composed of individuals, appointed by the Secretary, who are representatives of the entities described in subsection (c).

(C) DUTIES.—The Council shall advise the Secretary on the operation and administration of the programs assisted under this section, including the selection of the individual appointed as head of the unit established under paragraph (1).

(D) PERSONNEL MATTERS.—

(i) COMPENSATION OF MEMBERS.—Members of the Council shall serve without compensation.

(ii) TRAVEL EXPENSES.—The members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Council.

(iii) ADMINISTRATIVE SUPPORT.—The Secretary shall provide the Council with such administrative support as may be necessary to perform the functions of the Council.

(E) CHAIRPERSON.—The Council shall select a chairperson from among its members.

(F) MEETINGS.—The Council shall meet not less than twice each year.

(G) APPLICATION.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.

(5) TECHNICAL ASSISTANCE.—The Secretary, acting through the unit established under paragraph (1), is authorized to provide technical assistance to entities described in subsection (c) that receive assistance under such subsection to enable such entities to improve the activities authorized under this section that are provided by such entities.

(6) AGREEMENT FOR CERTAIN FEDERALLY RECOGNIZED INDIAN TRIBES TO TRANSFER FUNDS TO THE PROGRAM.—A federally recognized Indian tribe that administers funds provided under this section and funds provided by more than one State under other sections of this title may enter into an agreement with the Secretary and the Governors of the affected States to transfer the funds provided by the States to the program administered by the tribe under this section.

(j) COMPLIANCE WITH SINGLE AUDIT REQUIREMENTS; RELATED REQUIREMENT.—Grants made and contracts and cooperative agreements entered into under this section shall be subject to the requirements of chapter 75 of subtitle V of title 31, United States Code, and charging of costs under this section shall be subject to appropriate circulars issued by the Office of Management and Budget.

(k) ASSISTANCE TO UNIQUE POPULATIONS IN ALASKA AND HAWAII.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary is authorized to award grants, on a competitive basis, to entities with demonstrated experience and expertise in developing and implementing programs for the unique populations who reside in Alaska or Hawaii, including public and private nonprofit organizations, tribal organizations, American Indian tribal colleges or universities, institutions of higher education, or consortia of such organizations or institutions, to improve job training and workforce investment activities for such unique populations.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection—

(A) $461,000 for fiscal year 2015;

(B) $497,000 for fiscal year 2016;

(C) $507,000 for fiscal year 2017;

(D) $518,000 for fiscal year 2018;

(E) $530,000 for fiscal year 2019; and

(F) $542,000 for fiscal year 2020.

SEC. 167. MIGRANT AND SEASONAL FARMWORKER PROGRAMS.

(a) IN GENERAL.—Every 4 years, the Secretary shall, on a competitive basis, make grants to, or enter into contracts with, eligible entities to carry out the activities described in subsection (d).

(b) ELIGIBLE ENTITIES.—To be eligible to receive a grant or enter into a contract under this section, an entity shall have an understanding of the problems of eligible migrant and seasonal farmworkers (including dependents), a familiarity with the area to be served, and the ability to demonstrate a capacity to administer and deliver effectively a diversified program of workforce investment activities (including youth workforce investment activities) and related assistance for eligible migrant and seasonal farmworkers.

(c) PROGRAM PLAN.—

(1) IN GENERAL.—To be eligible to receive a grant or enter into a contract under this section, an entity described in subsection (b) shall submit to the Secretary a plan that describes a 4-year strategy for meeting the needs of eligible migrant and seasonal farmworkers in the area to be served by such entity.

(2) CONTENTS.—Such plan shall—

(A) describe the population to be served and identify the education and employment needs of the population to be served and the manner in which the services to be provided will strengthen the ability of the eligible migrant and seasonal farmworkers and dependents to obtain or retain unsubsidized employment, or stabilize their unsubsidized employment, including upgraded employment in agriculture;

(B) describe the related assistance and supportive services to be provided and the manner in which such assistance and services are to be integrated and coordinated with other appropriate services;

(C) describe the performance accountability measures to be used to assess the performance of such entity in carrying out the activities assisted under this section, which shall include the expected levels of performance for the primary indicators of performance described in section 116(b)(2)(A);

(D) describe the availability and accessibility of local resources, such as supportive services, services provided through one-stop delivery systems, and education and training services, and how the resources can be made available to the population to be served; and

(E) describe the plan for providing services under this section, including strategies and systems for outreach, career planning, assessment, and delivery through one-stop delivery systems.

(3) AGREEMENT ON ADJUSTED LEVELS OF PERFORMANCE.—The Secretary and the entity described in subsection (b) shall reach agreement on the levels of performance for each of the primary indicators of performance described in section 116(b)(2)(A), taking into account economic conditions, characteristics of the individuals served, and other appropriate factors, and using, to the extent practicable, the statistical adjustment model under section 116(b)(3)(A)(viii). The levels agreed to shall be the adjusted levels of performance and shall be incorporated in the program plan.

(4) ADMINISTRATION.—Grants and contracts awarded under this section shall be centrally administered by the Department of Labor and competitively awarded by the Secretary using procedures consistent with standard Federal Government competitive procurement policies.

(d) AUTHORIZED ACTIVITIES.—Funds made available under this section and section 127(a)(1) shall be used to carry out workforce investment activities (including youth workforce investment activities) and provide related assistance for eligible migrant and seasonal farmworkers, which may include—

(1) outreach, employment, training, educational assistance, literacy assistance, English language and literacy instruction, pesticide and worker safety training, housing (including permanent housing), supportive services, and school dropout prevention and recovery activities;

(2) followup services for those individuals placed in employment;

(3) self-employment and related business or micro-enterprise development or education as needed by eligible individuals as identified pursuant to the plan required by subsection (c);

(4) customized career and technical education in occupations that will lead to higher wages, enhanced benefits, and long-term employment in agriculture or another area; and

(5) technical assistance to improve coordination of services and implement best practices relating to service delivery through one-stop delivery systems.

(e) CONSULTATION WITH GOVERNORS AND LOCAL BOARDS.—In making grants and entering into contracts under this section, the Secretary shall consult with the Governors and local boards of the States in which the eligible entities will carry out the activities described in subsection (d).

(f) REGULATIONS.—The Secretary shall consult with eligible migrant and seasonal farmworkers groups and States in establishing regulations to carry out this section, including regulations relating to how economic and demographic barriers to employment of eligible migrant and seasonal farmworkers should be considered and included in the negotiations leading to the adjusted levels of performance described in subsection (c)(3).

(g) COMPLIANCE WITH SINGLE AUDIT REQUIREMENTS; RELATED REQUIREMENT.—Grants made and contracts entered into under this section shall be subject to the requirements of chapter 75 of subtitle V of title 31, United States Code and charging of costs under this section shall be subject to appropriate circulars issued by the Office of Management and Budget.

(h) FUNDING ALLOCATION.—From the funds appropriated and made available to carry out this section, the Secretary shall reserve not more than 1 percent for discretionary purposes, such as providing technical assistance to eligible entities.

(i) DEFINITIONS.—In this section:

(1) ELIGIBLE MIGRANT AND SEASONAL FARMWORKERS.—The term ''eligible migrant and seasonal farmworkers'' means individuals who are eligible migrant farmworkers or are eligible seasonal farmworkers.

(2) ELIGIBLE MIGRANT FARMWORKER.—The term ''eligible migrant farmworker'' means—

(A) an eligible seasonal farmworker described in paragraph (3)(A) whose agricultural labor requires travel to a job site such that the farmworker is unable to return to a permanent place of residence within the same day; and

(B) a dependent of the farmworker described in subparagraph (A).

(3) ELIGIBLE SEASONAL FARMWORKER.—The term ''eligible seasonal farmworker'' means—

(A) a low-income individual who—

(i) for 12 consecutive months out of the 24 months prior to application for the program involved, has been primarily employed in agricultural or fish farming labor that is characterized by chronic unemployment or underemployment; and

(ii) faces multiple barriers to economic self-sufficiency; and

(B) a dependent of the person described in subparagraph (A).

SEC. 168. TECHNICAL ASSISTANCE.

(a) GENERAL TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Secretary shall ensure that the Department has sufficient capacity to, and does, provide, coordinate, and support the development of, appropriate training, technical assistance, staff development, and other activities, including—

(A) assistance in replicating programs of demonstrated effectiveness, to States and localities;

(B) the training of staff providing rapid response services;

(C) the training of other staff of recipients of funds under this title, including the staff of local boards and State boards;

(D) the training of members of State boards and local boards;

(E) assistance in the development and implementation of integrated, technology-enabled intake and case management information systems for programs carried out under this Act and programs carried out by one-stop partners, such as standard sets of technical requirements for the systems, offering interfaces that States could use in conjunction with their current (as of the first date of implementation of the systems) intake and case management information systems that would facilitate shared registration across programs;

(F) assistance regarding accounting and program operations to States and localities (when

such assistance would not supplant assistance provided by the State);

(G) peer review activities under this title; and

(H) in particular, assistance to States in making transitions to implement the provisions of this Act.

(2) FORM OF ASSISTANCE.—

(A) IN GENERAL.—In order to carry out paragraph (1) on behalf of a State or recipient of financial assistance under section 166 or 167, the Secretary, after consultation with the State or grant recipient, may award grants or enter into contracts or cooperative agreements.

(B) LIMITATION.—Grants or contracts awarded under paragraph (1) to entities other than States or local units of government that are for amounts in excess of $100,000 shall only be awarded on a competitive basis.

(b) DISLOCATED WORKER TECHNICAL ASSISTANCE.—

(1) AUTHORITY.—Of the amounts available pursuant to section 132(a)(2)(A), the Secretary shall reserve not more than 5 percent of such amounts to provide technical assistance to States that do not meet the State performance accountability measures for the primary indicators of performance described in section 116(b)(2)(A)(i) with respect to employment and training activities for dislocated workers. Using such reserved funds, the Secretary may provide such assistance to other States, local areas, and other entities involved in providing assistance to dislocated workers, to promote the continuous improvement of assistance provided to dislocated workers, under this title.

(2) TRAINING.—Amounts reserved under this subsection may be used to provide for the training of staff, including specialists, who provide rapid response services. Such training shall include instruction in proven methods of promoting, establishing, and assisting labor-management committees. Such projects shall be administered through the Employment and Training Administration of the Department.

(c) PROMISING AND PROVEN PRACTICES COORDINATION.—The Secretary shall—

(1) establish a system through which States may share information regarding promising and proven practices with regard to the operation of workforce investment activities under this Act;

(2) evaluate and disseminate information regarding such promising and proven practices and identify knowledge gaps; and

(3) commission research under section 169(b) to address knowledge gaps identified under paragraph (2).

SEC. 169. EVALUATIONS AND RESEARCH.

(a) EVALUATIONS.—

(1) EVALUATIONS OF PROGRAMS AND ACTIVITIES CARRIED OUT UNDER THIS TITLE.—

(A) IN GENERAL.—For the purpose of improving the management and effectiveness of programs and activities carried out under this title, the Secretary, through grants, contracts, or cooperative agreements, shall provide for the continuing evaluation of the programs and activities under this title, including those programs and activities carried out under this section.

(B) PERIODIC INDEPENDENT EVALUATION.—The evaluations carried out under this paragraph shall include an independent evaluation, at least once every 4 years, of the programs and activities carried out under this title.

(2) EVALUATION SUBJECTS.—Each evaluation carried out under paragraph (1) shall address—

(A) the general effectiveness of such programs and activities in relation to their cost, including the extent to which the programs and activities—

(i) improve the employment competencies of participants in comparison to comparably-situated individuals who did not participate in such programs and activities; and

(ii) to the extent feasible, increase the level of total employment over the level that would have existed in the absence of such programs and activities;

(B) the effectiveness of the performance accountability measures relating to such programs and activities;

(C) the effectiveness of the structure and mechanisms for delivery of services through such programs and activities, including the coordination and integration of services through such programs and activities;

(D) the impact of such programs and activities on the community, businesses, and participants involved;

(E) the impact of such programs and activities on related programs and activities;

(F) the extent to which such programs and activities meet the needs of various demographic groups; and

(G) such other factors as may be appropriate.

(3) EVALUATIONS OF OTHER PROGRAMS AND ACTIVITIES.—The Secretary may conduct evaluations of other federally funded employment-related programs and activities under other provisions of law.

(4) TECHNIQUES.—Evaluations conducted under this subsection shall utilize appropriate and rigorous methodology and research designs, including the use of control groups chosen by scientific random assignment methodologies. The Secretary shall conduct at least 1 multisite control group evaluation under this subsection by the end of fiscal year 2019, and thereafter shall ensure that such an analysis is included in the independent evaluation described in paragraph (1)(B) that is conducted at least once every 4 years.

(5) REPORTS.—The entity carrying out an evaluation described in paragraph (1) or (2) shall prepare and submit to the Secretary a draft report and a final report containing the results of the evaluation.

(6) REPORTS TO CONGRESS.—Not later than 30 days after the completion of a draft report under paragraph (5), the Secretary shall transmit the draft report 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. Not later than 60 days after the completion of a final report under such paragraph, the Secretary shall transmit the final report to such committees.

(7) PUBLIC AVAILABILITY.—Not later than 30 days after the date the Secretary transmits the final report as described in paragraph (6), the Secretary shall make that final report available to the general public on the Internet, on the Web site of the Department of Labor.

(8) PUBLICATION OF REPORTS.—If an entity that enters into a contract or other arrangement with the Secretary to conduct an evaluation of a program or activity under this subsection requests permission from the Secretary to publish a report resulting from the evaluation, such entity may publish the report unless the Secretary denies the request during the 90-day period beginning on the date the Secretary receives such request.

(9) COORDINATION.—The Secretary shall ensure the coordination of evaluations carried out by States pursuant to section 116(e) with the evaluations carried out under this subsection.

(b) RESEARCH, STUDIES, AND MULTISTATE PROJECTS.—

(1) IN GENERAL.—After consultation with States, localities, and other interested parties, the Secretary shall, every 2 years, publish in the Federal Register, a plan that describes the research, studies, and multistate project priorities of the Department of Labor concerning employment and training for the 5-year period following the submission of the plan. The plan shall be consistent with the purposes of this title, including the purpose of aligning and coordinating core programs with other one-stop partner programs. Copies of the plan shall be transmitted to the Committee on Education and the Workforce of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, the Department of Education, and other relevant Federal agencies.

(2) FACTORS.—The plan published under paragraph (1) shall contain strategies to address national employment and training problems and take into account factors such as—

(A) the availability of existing research (as of the date of the publication);

(B) the need to ensure results that have interstate validity;

(C) the benefits of economies of scale and the efficiency of proposed projects; and

(D) the likelihood that the results of the projects will be useful to policymakers and stakeholders in addressing employment and training problems.

(3) RESEARCH PROJECTS.—The Secretary shall, through grants or contracts, carry out research projects that will contribute to the solution of employment and training problems in the United States and that are consistent with the priorities specified in the plan published under paragraph (1).

(4) STUDIES AND REPORTS.—

(A) NET IMPACT STUDIES AND REPORTS.—The Secretary of Labor, in coordination with the Secretary of Education and other relevant Federal agencies, may conduct studies to determine the net impact and best practices of programs, services, and activities carried out under this Act.

(B) STUDY ON RESOURCES AVAILABLE TO ASSIST DISCONNECTED YOUTH.—The Secretary of Labor, in coordination with the Secretary of Education, may conduct a study examining the characteristics of eligible youth that result in such youth being significantly disconnected from education and workforce participation, the ways in which such youth could have greater opportunities for education attainment and obtaining employment, and the resources available to assist such youth in obtaining the skills, credentials, and work experience necessary to become economically self-sufficient.

(C) STUDY OF EFFECTIVENESS OF WORKFORCE DEVELOPMENT SYSTEM IN MEETING BUSINESS NEEDS.—Using funds available to carry out this subsection jointly with funds available to the Secretary of Commerce, the Administrator of the Small Business Administration, and the Secretary of Education, the Secretary of Labor, in coordination with the Secretary of Commerce, the Administrator of the Small Business Administration, and the Secretary of Education, may conduct a study of the effectiveness of the workforce development system in meeting the needs of business, such as through the use of industry or sector partnerships, with particular attention to the needs of small business, including in assisting workers to obtain the skills needed to utilize emerging technologies.

(D) STUDY ON PARTICIPANTS ENTERING NONTRADITIONAL OCCUPATIONS.—The Secretary of Labor, in coordination with the Secretary of Education, may conduct a study examining the number and percentage of individuals who receive employment and training activities and who enter nontraditional occupations, successful strategies to place and support the retention of individuals in nontraditional employment (such as by providing post-placement assistance to participants in the form of exit interviews, mentoring, networking, and leadership development), and the degree to which recipients of employment and training activities are informed of the possibility of, or directed to begin, training or education needed for entrance into nontraditional occupations.

(E) STUDY ON PERFORMANCE INDICATORS.—The Secretary of Labor, in coordination with the Secretary of Education, may conduct studies to determine the feasibility of, and potential means to replicate, measuring the compensation, including the wages, benefits, and other incentives provided by an employer, received by program participants by using data other than or in addition to data available through wage records, for potential use as a performance indicator.

(F) STUDY ON JOB TRAINING FOR RECIPIENTS OF PUBLIC HOUSING ASSISTANCE.—The Secretary of

Labor, in coordination with the Secretary of Housing and Urban Development, may conduct studies to assist public housing authorities to provide, to recipients of public housing assistance, job training programs that successfully upgrade job skills and employment in, and access to, jobs with opportunity for advancement and economic self-sufficiency for such recipients.

(G) STUDY ON IMPROVING EMPLOYMENT PROSPECTS FOR OLDER INDIVIDUALS.—The Secretary of Labor, in coordination with the Secretary of Education and the Secretary of Health and Human Services, may conduct studies that lead to better design and implementation of, in conjunction with employers, local boards or State boards, community colleges or area career and technical education schools, and other organizations, effective evidence-based strategies to provide services to workers who are low-income, low-skilled older individuals that increase the workers' skills and employment prospects.

(H) STUDY ON PRIOR LEARNING.—The Secretary of Labor, in coordination with other heads of Federal agencies, as appropriate, may conduct studies that, through convening stakeholders from the fields of education, workforce, business, labor, defense, and veterans services, and experts in such fields, develop guidelines for assessing, accounting for, and utilizing the prior learning of individuals, including dislocated workers and veterans, in order to provide the individuals with postsecondary educational credit for such prior learning that leads to the attainment of a recognized postsecondary credential identified under section 122(d) and employment.

(I) STUDY ON CAREER PATHWAYS FOR HEALTH CARE PROVIDERS AND PROVIDERS OF EARLY EDUCATION AND CHILD CARE.—The Secretary of Labor, in coordination with the Secretary of Education and the Secretary of Health and Human Services, shall conduct a multistate study to develop, implement, and build upon career advancement models and practices for low-wage health care providers or providers of early education and child care, including faculty education and distance education programs.

(J) STUDY ON EQUIVALENT PAY.—The Secretary shall conduct a multistate study to develop and disseminate strategies for ensuring that programs and activities carried out under this Act are placing individuals in jobs, education, and training that lead to equivalent pay for men and women, including strategies to increase the participation of women in high-wage, high-demand occupations in which women are underrepresented.

(K) REPORTS.—The Secretary shall prepare and disseminate to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, and to the public, including through electronic means, reports containing the results of the studies conducted under this paragraph.

(5) MULTISTATE PROJECTS.—

(A) AUTHORITY.—The Secretary may, through grants or contracts, carry out multistate projects that require demonstrated expertise that is available at the national level to effectively disseminate best practices and models for implementing employment and training services, address the specialized employment and training needs of particular service populations, or address industry-wide skill shortages, to the extent such projects are consistent with the priorities specified in the plan published under paragraph (1).

(B) DESIGN OF GRANTS.—Agreements for grants or contracts awarded under this paragraph shall be designed to obtain information relating to the provision of services under different economic conditions or to various demographic groups in order to provide guidance at the national and State levels about how best to administer specific employment and training services.

(6) LIMITATIONS.—

(A) COMPETITIVE AWARDS.—A grant or contract awarded for carrying out a project under this subsection in an amount that exceeds $100,000 shall be awarded only on a competitive basis, except that a noncompetitive award may be made in the case of a project that is funded jointly with other public or private sector entities that provide a substantial portion of assistance under the grant or contract for the project.

(B) TIME LIMITS.—A grant or contract shall not be awarded under this subsection to the same organization for more than 3 consecutive years unless such grant or contract is competitively reevaluated within such period.

(C) PEER REVIEW.—

(i) IN GENERAL.—The Secretary shall utilize a peer review process—

(I) to review and evaluate all applications for grants in amounts that exceed $500,000 that are submitted under this section; and

(II) to review and designate exemplary and promising programs under this section.

(ii) AVAILABILITY OF FUNDS.—The Secretary is authorized to use funds provided under this section to carry out peer review activities under this subparagraph.

(D) PRIORITY.—In awarding grants or contracts under this subsection, priority shall be provided to entities with recognized expertise in the methods, techniques, and knowledge of workforce investment activities. The Secretary shall establish appropriate time limits for the duration of such projects.

(c) DISLOCATED WORKER PROJECTS.—Of the amount made available pursuant to section 132(a)(2)(A) for any program year, the Secretary shall use not more than 10 percent of such amount to carry out demonstration and pilot projects, multiservice projects, and multistate projects relating to the employment and training needs of dislocated workers. Of the requirements of this section, such projects shall be subject only to the provisions relating to review and evaluation of applications under subsection (b)(6)(C). Such projects may include demonstration and pilot projects relating to promoting self-employment, promoting job creation, averting dislocations, assisting dislocated farmers, assisting dislocated fishermen, and promoting public works. Such projects shall be administered by the Secretary, acting through the Assistant Secretary for Employment and Training.

SEC. 170. NATIONAL DISLOCATED WORKER GRANTS.

(a) DEFINITIONS.—In this section:

(1) EMERGENCY OR DISASTER.—The term ''emergency or disaster'' means—

(A) an emergency or a major disaster, as 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 (1) and (2)); or

(B) an emergency or disaster situation of national significance that could result in a potentially large loss of employment, as declared or otherwise recognized by the chief official of a Federal agency with authority for or jurisdiction over the Federal response to the emergency or disaster situation.

(2) DISASTER AREA.—The term ''disaster area'' means an area that has suffered or in which has occurred an emergency or disaster.

(b) IN GENERAL.—

(1) GRANTS.—The Secretary is authorized to award national dislocated worker grants—

(A) to an entity described in subsection (c)(1)(B) 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;

(B) to provide assistance to—

(i) the Governor of any State within the boundaries of which is a disaster area, to provide disaster relief employment in the disaster area; or

(ii) the Governor of any State to which a substantial number of workers from an area in which an emergency or disaster has been declared or otherwise recognized have relocated;

(C) to provide additional assistance to a State board or local board for eligible dislocated workers in a case in which the State board or local board has expended the funds provided under this section to carry out activities described in subparagraphs (A) and (B) and can demonstrate the need for additional funds to provide appropriate services for such workers, in accordance with requirements prescribed by the Secretary; and

(D) to provide additional assistance to a State board or local board serving an area where—

(i) a higher-than-average demand for employment and training activities for dislocated members of the Armed Forces, spouses described in section 3(15)(E), or members of the Armed Forces described in subsection (c)(2)(A)(iv), exceeds State and local resources for providing such activities; and

(ii) such activities are to be carried out in partnership with the Department of Defense and Department of Veterans Affairs transition assistance programs.

(2) DECISIONS AND OBLIGATIONS.—The Secretary shall issue a final decision on an application for a national dislocated worker grant under this subsection not later than 45 calendar days after receipt of the application. The Secretary shall issue a notice of obligation for such grant not later than 10 days after the award of such grant.

(c) EMPLOYMENT AND TRAINING ASSISTANCE REQUIREMENTS.—

(1) GRANT RECIPIENT ELIGIBILITY.—

(A) APPLICATION.—To be eligible to receive a grant under subsection (b)(1)(A), an entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(B) ELIGIBLE ENTITY.—In this paragraph, the term ''entity'' means a State, a local board, an entity described in section 166(c), an entity determined to be eligible by the Governor of the State involved, and any other entity that demonstrates to the Secretary the capability to effectively respond to the circumstances relating to particular dislocations.

(2) PARTICIPANT ELIGIBILITY.—

(A) IN GENERAL.—In order to be eligible to receive employment and training assistance under a national dislocated worker grant awarded pursuant to subsection (b)(1)(A), an individual shall be—

(i) a dislocated worker;

(ii) a civilian employee of the Department of Defense or the Department of Energy employed at a military installation that is being closed, or that will undergo realignment, within the next 24 months after the date of the determination of eligibility;

(iii) an individual who is employed in a nonmanagerial position with a Department of Defense contractor, who is determined by the Secretary of Defense to be at risk of termination from employment as a result of reductions in defense expenditures, and whose employer is converting operations from defense to nondefense applications in order to prevent worker layoffs; or

(iv) a member of the Armed Forces who—

(I) was on active duty or full-time National Guard duty;

(II)(aa) is involuntarily separated (as defined in section 1141 of title 10, United States Code) from active duty or full-time National Guard duty; or

(bb) is separated from active duty or full-time National Guard duty pursuant to a special separation benefits program under section 1174a of title 10, United States Code, or the voluntary separation incentive program under section 1175 of that title;

(III) is not entitled to retired or retained pay incident to the separation described in subclause (II); and

(IV) applies for such employment and training assistance before the end of the 180-day period beginning on the date of that separation.

(B) RETRAINING ASSISTANCE.—The individuals described in subparagraph (A)(iii) shall be eligible for retraining assistance to upgrade skills by obtaining marketable skills needed to support the conversion described in subparagraph (A)(iii).

(C) ADDITIONAL REQUIREMENTS.—The Secretary shall establish and publish additional requirements related to eligibility for employment and training assistance under the national dislocated worker grants to ensure effective use of the funds available for this purpose.

(D) DEFINITIONS.—In this paragraph, the terms ''military installation'' and ''realignment'' have the meanings given the terms in section 2910 of the Defense Base Closure and Realignment Act of 1990 (Public Law 101–510; 10 U.S.C. 2687 note).

(d) DISASTER RELIEF EMPLOYMENT ASSISTANCE REQUIREMENTS.—

(1) IN GENERAL.—Funds made available under subsection (b)(1)(B)—

(A) shall be used, in coordination with the Administrator of the Federal Emergency Management Agency, as applicable, to provide disaster relief employment on projects that provide food, clothing, shelter, and other humanitarian assistance for emergency and disaster victims, and projects regarding demolition, cleaning, repair, renovation, and reconstruction of damaged and destroyed structures, facilities, and lands located within the disaster area and in offshore areas related to the emergency or disaster;

(B) may be expended through public and private agencies and organizations engaged in such projects; and

(C) may be expended to provide employment and training activities.

(2) ELIGIBILITY.—An individual shall be eligible to be offered disaster relief employment under subsection (b)(1)(B) if such individual—

(A) is a dislocated worker;

(B) is a long-term unemployed individual;

(C) is temporarily or permanently laid off as a consequence of the emergency or disaster; or

(D) in the case of an individual who is self-employed, becomes unemployed or significantly underemployed as a result of the emergency or disaster.

(3) LIMITATIONS ON DISASTER RELIEF EMPLOYMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), no individual shall be employed under subsection (b)(1)(B) for more than 12 months for work related to recovery from a single emergency or disaster.

(B) EXTENSION.—At the request of a State, the Secretary may extend such employment, related to recovery from a single emergency or disaster involving the State, for not more than an additional 12 months.

(4) USE OF AVAILABLE FUNDS.—Funds made available under subsection (b)(1)(B) shall be available to assist workers described in paragraph (2) who are affected by an emergency or disaster, including workers who have relocated from an area in which an emergency or disaster has been declared or otherwise recognized, as appropriate. Under conditions determined by the Secretary and following notification to the Secretary, a State may use such funds, that are appropriated for any fiscal year and available for expenditure under any grant awarded to the State under this section, to provide any assistance authorized under this subsection. Funds used pursuant to the authority provided under this paragraph shall be subject to the liability and reimbursement requirements described in paragraph (5).

(5) LIABILITY AND REIMBURSEMENT.—Nothing in this Act shall be construed to relieve liability, by a responsible party that is liable under Federal law, for any costs incurred by the United States under subsection (b)(1)(B) or this subsection, including the responsibility to provide reimbursement for such costs to the United States.

SEC. 171. YOUTHBUILD PROGRAM.

(a) STATEMENT OF PURPOSE.—The purposes of this section are—

(1) to enable disadvantaged youth to obtain the education and employment skills necessary to achieve economic self-sufficiency in occupations in demand and postsecondary education and training opportunities;

(2) to provide disadvantaged youth with opportunities for meaningful work and service to their communities;

(3) to foster the development of employment and leadership skills and commitment to community development among youth in low-income communities;

(4) to expand the supply of permanent affordable housing for homeless individuals and low-income families by utilizing the energies and talents of disadvantaged youth; and

(5) to improve the quality and energy efficiency of community and other nonprofit and public facilities, including those facilities that are used to serve homeless and low-income families.

(b) DEFINITIONS.—In this section:

(1) ADJUSTED INCOME.—The term ''adjusted income'' has the meaning given the term in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(2) APPLICANT.—The term ''applicant'' means an eligible entity that has submitted an application under subsection (c).

(3) ELIGIBLE ENTITY.—The term ''eligible entity'' means a public or private nonprofit agency or organization (including a consortium of such agencies or organizations), including—

(A) a community-based organization;

(B) a faith-based organization;

(C) an entity carrying out activities under this title, such as a local board;

(D) a community action agency;

(E) a State or local housing development agency;

(F) an Indian tribe or other agency primarily serving Indians;

(G) a community development corporation;

(H) a State or local youth service or conservation corps; and

(I) any other entity eligible to provide education or employment training under a Federal program (other than the program carried out under this section).

(4) HOMELESS INDIVIDUAL.—The term ''homeless individual'' means a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))) or a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))).

(5) HOUSING DEVELOPMENT AGENCY.—The term ''housing development agency'' means any agency of a State or local government, or any private nonprofit organization, that is engaged in providing housing for homeless individuals or low-income families.

(6) INCOME.—The term ''income'' has the meaning given the term in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(7) INDIAN; INDIAN TRIBE.—The terms ''Indian'' and ''Indian tribe'' have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(8) LOW-INCOME FAMILY.—The term ''low-income family'' means a family described in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)).

(9) QUALIFIED NATIONAL NONPROFIT AGENCY.—The term ''qualified national nonprofit agency'' means a nonprofit agency that—

(A) has significant national experience providing services consisting of training, information, technical assistance, and data management to YouthBuild programs or similar projects; and

(B) has the capacity to provide those services.

(10) REGISTERED APPRENTICESHIP PROGRAM.—The term ''registered apprenticeship program'' means an apprenticeship program—

(A) registered 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.); and

(B) that meets such other criteria as may be established by the Secretary under this section.

(11) TRANSITIONAL HOUSING.—The term ''transitional housing'' has the meaning given the term in section 401(29) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(29)).

(12) YOUTHBUILD PROGRAM.—The term ''YouthBuild program'' means any program that receives assistance under this section and provides disadvantaged youth with opportunities for employment, education, leadership development, and training through the rehabilitation (which, for purposes of this section, shall include energy efficiency enhancements) or construction of housing for homeless individuals and low-income families, and of public facilities.

(c) YOUTHBUILD GRANTS.—

(1) AMOUNTS OF GRANTS.—The Secretary is authorized to make grants to applicants for the purpose of carrying out YouthBuild programs approved under this section.

(2) ELIGIBLE ACTIVITIES.—An entity that receives a grant under this subsection shall use the funds made available through the grant to carry out a YouthBuild program, which may include the following activities:

(A) Education and workforce investment activities including—

(i) work experience and skills training (coordinated, to the maximum extent feasible, with preapprenticeship and registered apprenticeship programs) in the activities described in subparagraphs (B) and (C) related to rehabilitation or construction, and, if approved by the Secretary, in additional in-demand industry sectors or occupations in the region in which the program operates;

(ii) occupational skills training;

(iii) other paid and unpaid work experiences, including internships and job shadowing;

(iv) services and activities designed to meet the educational needs of participants, including—

(I) basic skills instruction and remedial education;

(II) language instruction educational programs for participants who are English language learners;

(III) secondary education services and activities, including tutoring, study skills training, and school dropout prevention and recovery activities, designed to lead to the attainment of a secondary school diploma or its recognized equivalent (including recognized certificates of attendance or similar documents for individuals with disabilities);

(IV) counseling and assistance in obtaining postsecondary education and required financial aid; and

(V) alternative secondary school services;

(v) counseling services and related activities, such as comprehensive guidance and counseling on drug and alcohol abuse and referral;

(vi) activities designed to develop employment and leadership skills, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors, and activities related to youth policy committees that participate in decision-making related to the program;

(vii) supportive services and provision of need-based stipends necessary to enable individuals to participate in the program and to assist individuals, for a period not to exceed 12 months after the completion of training, in obtaining or retaining employment, or applying for and transitioning to postsecondary education or training; and

(viii) job search and assistance.

(B) Supervision and training for participants in the rehabilitation or construction of housing, including residential housing for homeless individuals or low-income families, or transitional

housing for homeless individuals, and, if approved by the Secretary, in additional in-demand industry sectors or occupations in the region in which the program operates.

(C) Supervision and training for participants—

(i) in the rehabilitation or construction of community and other public facilities, except that not more than 15 percent of funds appropriated to carry out this section may be used for such supervision and training; and

(ii) if approved by the Secretary, in additional in-demand industry sectors or occupations in the region in which the program operates.

(D) Payment of administrative costs of the applicant, including recruitment and selection of participants, except that not more than 10 percent of the amount of assistance provided under this subsection to the grant recipient may be used for such costs.

(E) Adult mentoring.

(F) Provision of wages, stipends, or benefits to participants in the program.

(G) Ongoing training and technical assistance that are related to developing and carrying out the program.

(H) Follow-up services.

(3) APPLICATION.—

(A) FORM AND PROCEDURE.—To be qualified to receive a grant under this subsection, an eligible entity shall submit an application at such time, in such manner, and containing such information as the Secretary may require.

(B) MINIMUM REQUIREMENTS.—The Secretary shall require that the application contain, at a minimum—

(i) labor market information for the labor market area where the proposed program will be implemented, including both current data (as of the date of submission of the application) and projections on career opportunities in construction and in-demand industry sectors or occupations;

(ii) a request for the grant, specifying the amount of the grant requested and its proposed uses;

(iii) a description of the applicant and a statement of its qualifications, including a description of the applicant's relationship with local boards, one-stop operators, local unions, entities carrying out registered apprenticeship programs, other community groups, and employers, and the applicant's past experience, if any, with rehabilitation or construction of housing or public facilities, and with youth education and employment training programs;

(iv) a description of the proposed site for the proposed program;

(v) a description of the educational and job training activities, work opportunities, postsecondary education and training opportunities, and other services that will be provided to participants, and how those activities, opportunities, and services will prepare youth for employment in in-demand industry sectors or occupations in the labor market area described in clause (i);

(vi)(I) a description of the proposed activities to be undertaken under the grant related to rehabilitation or construction, and, in the case of an applicant requesting approval from the Secretary to also carry out additional activities related to in-demand industry sectors or occupations, a description of such additional proposed activities; and

(II) the anticipated schedule for carrying out all activities proposed under subclause (I);

(vii) a description of the manner in which eligible youth will be recruited and selected as participants, including a description of arrangements that will be made with local boards, one-stop operators, faith- and community-based organizations, State educational agencies or local educational agencies (including agencies of Indian tribes), public assistance agencies, the courts of jurisdiction, agencies operating shelters for homeless individuals and other agencies that serve youth who are homeless individuals, foster care agencies, and other appropriate public and private agencies;

(viii) a description of the special outreach efforts that will be undertaken to recruit eligible young women (including young women with dependent children) as participants;

(ix) a description of the specific role of employers in the proposed program, such as their role in developing the proposed program and assisting in service provision and in placement activities;

(x) a description of how the proposed program will be coordinated with other Federal, State, and local activities and activities conducted by Indian tribes, such as local workforce investment activities, career and technical education and training programs, adult and language instruction educational programs, activities conducted by public schools, activities conducted by community colleges, national service programs, and other job training provided with funds available under this title;

(xi) assurances that there will be a sufficient number of adequately trained supervisory personnel in the proposed program;

(xii) a description of the levels of performance to be achieved with respect to the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii);

(xiii) a description of the applicant's relationship with local building trade unions regarding their involvement in training to be provided through the proposed program, the relationship of the proposed program to established registered apprenticeship programs and employers, the ability of the applicant to grant an industry-recognized certificate or certification through the program, and the quality of the program leading to the certificate or certification;

(xiv) a description of activities that will be undertaken to develop the leadership skills of participants;

(xv) 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 proposed program;

(xvi) a description of the commitments for any additional resources (in addition to the funds made available through the grant) to be made available to the proposed program from—

(I) the applicant;

(II) recipients of other Federal, State, or local housing and community development assistance that will sponsor any part of the rehabilitation or construction, operation and maintenance, or other housing and community development activities undertaken as part of the proposed program; or

(III) entities carrying out other Federal, State, or local activities or activities conducted by Indian tribes, including career and technical education and training programs, adult and language instruction educational programs, and job training provided with funds available under this title;

(xvii) information identifying, and a description of, the financing proposed for any—

(I) rehabilitation of the property involved;

(II) acquisition of the property; or

(III) construction of the property;

(xviii) information identifying, and a description of, the entity that will operate and manage the property;

(xix) information identifying, and a description of, the data collection systems to be used;

(xx) a certification, by a public official responsible for the housing strategy for the State or unit of general local government within which the proposed program is located, that the proposed program is consistent with the housing strategy; and

(xxi) a certification that the applicant will comply with the requirements of the Fair Housing Act (42 U.S.C. 3601 et seq.) and will affirmatively further fair housing.

(4) SELECTION CRITERIA.—For an applicant to be eligible to receive a grant under this subsection, the applicant and the applicant's proposed program shall meet such selection criteria as the Secretary shall establish under this section, which shall include criteria relating to—

(A) the qualifications or potential capabilities of an applicant;

(B) an applicant's potential for developing a successful YouthBuild program;

(C) the need for an applicant's proposed program, as determined by the degree of economic distress of the community from which participants would be recruited (measured by indicators such as poverty, youth unemployment, and the number of individuals who have dropped out of secondary school) and of the community in which the housing and community and public facilities proposed to be rehabilitated or constructed is located (measured by indicators such as incidence of homelessness, shortage of affordable housing, and poverty);

(D) the commitment of an applicant to providing skills training, leadership development, and education to participants;

(E) the focus of a proposed program on preparing youth for in-demand industry sectors or occupations, or postsecondary education and training opportunities;

(F) the extent of an applicant's coordination of activities to be carried out through the proposed program with local boards, one-stop operators, and one-stop partners participating in the operation of the one-stop delivery system involved, or the extent of the applicant's good faith efforts in achieving such coordination;

(G) the extent of the applicant's coordination of activities with public education, criminal justice, housing and community development, national service, or postsecondary education or other systems that relate to the goals of the proposed program;

(H) the extent of an applicant's coordination of activities with employers in the local area involved;

(I) the extent to which a proposed program provides for inclusion of tenants who were previously homeless individuals in the rental housing provided through the program;

(J) the commitment of additional resources (in addition to the funds made available through the grant) to a proposed program by—

(i) an applicant;

(ii) recipients of other Federal, State, or local housing and community development assistance who will sponsor any part of the rehabilitation or construction, operation and maintenance, or other housing and community development activities undertaken as part of the proposed program; or

(iii) entities carrying out other Federal, State, or local activities or activities conducted by Indian tribes, including career and technical education and training programs, adult and language instruction educational programs, and job training provided with funds available under this title;

(K) the applicant's potential to serve different regions, including rural areas and States that have not previously received grants for YouthBuild programs; and

(L) such other factors as the Secretary determines to be appropriate for purposes of carrying out the proposed program in an effective and efficient manner.

(5) APPROVAL.—To the extent practicable, the Secretary shall notify each applicant, not later than 5 months after the date of receipt of the application by the Secretary, whether the application is approved or not approved.

(d) USE OF HOUSING UNITS.—Residential housing units rehabilitated or constructed using funds made available under subsection (c), shall be available solely—

(1) for rental by, or sale to, homeless individuals or low-income families; or

(2) for use as transitional or permanent housing, for the purpose of assisting in the movement of homeless individuals to independent living.

(e) ADDITIONAL PROGRAM REQUIREMENTS.—

(1) ELIGIBLE PARTICIPANTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), an individual may participate in a YouthBuild program only if such individual is—

(i) not less than age 16 and not more than age 24, on the date of enrollment;

(ii) a member of a low-income family, a youth in foster care (including youth aging out of foster care), a youth offender, a youth who is an individual with a disability, a child of incarcerated parents, or a migrant youth; and

(iii) a school dropout, or an individual who was a school dropout and has subsequently reenrolled.

(B) EXCEPTION FOR INDIVIDUALS NOT MEETING INCOME OR EDUCATIONAL NEED REQUIREMENTS.—Not more than 25 percent of the participants in such program may be individuals who do not meet the requirements of clause (ii) or (iii) of subparagraph (A), but who—

(i) are basic skills deficient, despite attainment of a secondary school diploma or its recognized equivalent (including recognized certificates of attendance or similar documents for individuals with disabilities); or

(ii) have been referred by a local secondary school for participation in a YouthBuild program leading to the attainment of a secondary school diploma.

(2) PARTICIPATION LIMITATION.—An eligible individual selected for participation in a YouthBuild program shall be offered full-time participation in the program for a period of not less than 6 months and not more than 24 months.

(3) MINIMUM TIME DEVOTED TO EDUCATIONAL SERVICES AND ACTIVITIES.—A YouthBuild program receiving assistance under subsection (c) shall be structured so that participants in the program are offered—

(A) education and related services and activities designed to meet educational needs, such as those specified in clauses (iv) through (vii) of subsection (c)(2)(A), during at least 50 percent of the time during which the participants participate in the program; and

(B) work and skill development activities, such as those specified in clauses (i), (ii), (iii), and (viii) of subsection (c)(2)(A), during at least 40 percent of the time during which the participants participate in the program.

(4) AUTHORITY RESTRICTION.—No provision of this section may be construed to authorize any agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution (including a school) or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

(5) STATE AND LOCAL STANDARDS.—All educational programs and activities supported with funds provided under subsection (c) shall be consistent with applicable State and local educational standards. Standards and procedures for the programs and activities that relate to awarding academic credit for and certifying educational attainment in such programs and activities shall be consistent with applicable State and local educational standards.

(f) LEVELS OF PERFORMANCE AND INDICATORS.—

(1) IN GENERAL.—The Secretary shall annually establish expected levels of performance for YouthBuild programs relating to each of the primary indicators of performance for eligible youth activities described in section 116(b)(2)(A)(ii).

(2) ADDITIONAL INDICATORS.—The Secretary may establish expected levels of performance for additional indicators for YouthBuild programs, as the Secretary determines appropriate.

(g) MANAGEMENT AND TECHNICAL ASSISTANCE.—

(1) SECRETARY ASSISTANCE.—The Secretary may enter into contracts with 1 or more entities to provide assistance to the Secretary in the management, supervision, and coordination of the program carried out under this section.

(2) TECHNICAL ASSISTANCE.—

(A) CONTRACTS AND GRANTS.—The Secretary shall enter into contracts with or make grants to 1 or more qualified national nonprofit agencies, in order to provide training, information, technical assistance, program evaluation, and data management to recipients of grants under subsection (c).

(B) RESERVATION OF FUNDS.—Of the amounts available under subsection (i) to carry out this section for a fiscal year, the Secretary shall reserve 5 percent to carry out subparagraph (A).

(3) CAPACITY BUILDING GRANTS.—

(A) IN GENERAL.—In each fiscal year, the Secretary may use not more than 3 percent of the amounts available under subsection (i) to award grants to 1 or more qualified national nonprofit agencies to pay for the Federal share of the cost of capacity building activities.

(B) FEDERAL SHARE.—The Federal share of the cost described in subparagraph (A) shall be 25 percent. The non-Federal share shall be provided from private sources.

(h) SUBGRANTS AND CONTRACTS.—Each recipient of a grant under subsection (c) to carry out a YouthBuild program shall provide the services and activities described in this section directly or through subgrants, contracts, or other arrangements with local educational agencies, institutions of higher education, State or local housing development agencies, other public agencies, including agencies of Indian tribes, or private organizations.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $77,534,000 for fiscal year 2015;
(2) $83,523,000 for fiscal year 2016;
(3) $85,256,000 for fiscal year 2017;
(4) $87,147,000 for fiscal year 2018;
(5) $89,196,000 for fiscal year 2019; and
(6) $91,087,000 for fiscal year 2020.

SEC. 172. AUTHORIZATION OF APPROPRIATIONS.

(a) NATIVE AMERICAN PROGRAMS.—There are authorized to be appropriated to carry out section 166 (not including subsection (k) of such section)—

(1) $46,082,000 for fiscal year 2015;
(2) $49,641,000 for fiscal year 2016;
(3) $50,671,000 for fiscal year 2017;
(4) $51,795,000 for fiscal year 2018;
(5) $53,013,000 for fiscal year 2019; and
(6) $54,137,000 for fiscal year 2020.

(b) MIGRANT AND SEASONAL FARMWORKER PROGRAMS.—There are authorized to be appropriated to carry out section 167—

(1) $81,896,000 for fiscal year 2015;
(2) $88,222,000 for fiscal year 2016;
(3) $90,052,000 for fiscal year 2017;
(4) $92,050,000 for fiscal year 2018;
(5) $94,214,000 for fiscal year 2019; and
(6) $96,211,000 for fiscal year 2020.

(c) TECHNICAL ASSISTANCE.—There are authorized to be appropriated to carry out section 168—

(1) $3,000,000 for fiscal year 2015;
(2) $3,232,000 for fiscal year 2016;
(3) $3,299,000 for fiscal year 2017;
(4) $3,372,000 for fiscal year 2018;
(5) $3,451,000 for fiscal year 2019; and
(6) $3,524,000 for fiscal year 2020.

(d) EVALUATIONS AND RESEARCH.—There are authorized to be appropriated to carry out section 169—

(1) $91,000,000 for fiscal year 2015;
(2) $98,029,000 for fiscal year 2016;
(3) $100,063,000 for fiscal year 2017;
(4) $102,282,000 for fiscal year 2018;
(5) $104,687,000 for fiscal year 2019; and
(6) $106,906,000 for fiscal year 2020.

(e) ASSISTANCE FOR VETERANS.—If, as of the date of enactment of this Act, any unobligated funds appropriated to carry out section 168 of the Workforce Investment Act of 1998, as in effect on the day before the date of enactment of this Act, remain available, the Secretary of Labor shall continue to use such funds to carry out such section, as in effect on such day, until all of such funds are expended.

(f) ASSISTANCE FOR ELIGIBLE WORKERS.—If, as of the date of enactment of this Act, any unobligated funds appropriated to carry out subsections (f) and (g) of section 173 of the Workforce Investment Act of 1998, as in effect on the day before the date of enactment of this Act, remain available, the Secretary of Labor shall continue to use such funds to carry out such subsections, as in effect on such day, until all of such funds are expended.

Subtitle E—Administration

SEC. 181. REQUIREMENTS AND RESTRICTIONS.

(a) BENEFITS.—

(1) WAGES.—

(A) IN GENERAL.—Individuals in on-the-job training or individuals employed in activities under this title shall be compensated at the same rates, including periodic increases, as trainees or employees who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills, and such rates shall be in accordance with applicable law, but in no event less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the applicable State or local minimum wage law.

(B) RULE OF CONSTRUCTION.—The reference in subparagraph (A) to section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) shall not be applicable for individuals in territorial jurisdictions in which section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) does not apply.

(2) TREATMENT OF ALLOWANCES, EARNINGS, AND PAYMENTS.—Allowances, earnings, and payments to individuals participating in programs under this title shall not be considered as income for the purposes of determining eligibility for and the amount of income transfer and in-kind aid furnished under any Federal or federally assisted program based on need, other than as provided under the Social Security Act (42 U.S.C. 301 et seq.).

(b) LABOR STANDARDS.—

(1) LIMITATIONS ON ACTIVITIES THAT IMPACT WAGES OF EMPLOYEES.—No funds provided under this title shall be used to pay the wages of incumbent employees during their participation in economic development activities provided through a statewide workforce development system.

(2) DISPLACEMENT.—

(A) PROHIBITION.—A participant in a program or activity authorized under this title (referred to in this section as a ''specified activity'') shall not displace (including a partial displacement, such as a reduction in the hours of nonovertime work, wages, or employment benefits) any currently employed employee (as of the date of the participation).

(B) PROHIBITION ON IMPAIRMENT OF CONTRACTS.—A specified activity shall not impair an existing contract for services or collective bargaining agreement, and no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization and employer concerned.

(3) OTHER PROHIBITIONS.—A participant in a specified activity shall not be employed in a job if—

(A) any other individual is on layoff from the same or any substantially equivalent job;

(B) the employer has terminated the employment of any regular employee or otherwise reduced the workforce of the employer with the intention of filling the vacancy so created with the participant; or

(C) the job is created in a promotional line that will infringe in any way upon the promotional opportunities of currently employed individuals (as of the date of the participation).

(4) HEALTH AND SAFETY.—Health and safety standards established under Federal and State law otherwise applicable to working conditions of employees shall be equally applicable to working conditions of participants engaged in specified activities. To the extent that a State workers' compensation law applies, workers' compensation shall be provided to participants on the same basis as the compensation is provided to other individuals in the State in similar employment.

(5) EMPLOYMENT CONDITIONS.—Individuals in on-the-job training or individuals employed in programs and activities under this title shall be provided benefits and working conditions at the same level and to the same extent as other trainees or employees working a similar length of time and doing the same type of work.

(6) OPPORTUNITY TO SUBMIT COMMENTS.—Interested members of the public, including representatives of businesses and of labor organizations, shall be provided an opportunity to submit comments to the Secretary with respect to programs and activities proposed to be funded under subtitle B.

(7) NO IMPACT ON UNION ORGANIZING.—Each recipient of funds under this title shall provide to the Secretary assurances that none of such funds will be used to assist, promote, or deter union organizing.

(c) GRIEVANCE PROCEDURE.—

(1) IN GENERAL.—Each State and local area receiving an allotment or allocation under this title shall establish and maintain a procedure for grievances or complaints alleging violations of the requirements of this title from participants and other interested or affected parties. Such procedure shall include an opportunity for a hearing and be completed within 60 days after the filing of the grievance or complaint.

(2) INVESTIGATION.—

(A) IN GENERAL.—The Secretary shall investigate an allegation of a violation described in paragraph (1) if—

(i) a decision relating to such violation has not been reached within 60 days after the date of the filing of the grievance or complaint and either party appeals to the Secretary; or

(ii) a decision relating to such violation has been reached within such 60 days and the party to which such decision is adverse appeals such decision to the Secretary.

(B) ADDITIONAL REQUIREMENT.—The Secretary shall make a final determination relating to an appeal made under subparagraph (A) no later than 120 days after receiving such appeal.

(3) REMEDIES.—Remedies that may be imposed under this section for a violation of any requirement of this title shall be limited—

(A) to suspension or termination of payments under this title;

(B) to prohibition of placement of a participant with an employer that has violated any requirement under this title;

(C) where applicable, to reinstatement of an employee, payment of lost wages and benefits, and reestablishment of other relevant terms, conditions, and privileges of employment; and

(D) where appropriate, to other equitable relief.

(4) RULE OF CONSTRUCTION.—Nothing in paragraph (3) shall be construed to prohibit a grievant or complainant from pursuing a remedy authorized under another Federal, State, or local law for a violation of this title.

(d) RELOCATION.—

(1) PROHIBITION ON USE OF FUNDS TO ENCOURAGE OR INDUCE RELOCATION.—No funds provided under this title shall be used, or proposed for use, to encourage or induce the relocation of a business or part of a business if such relocation would result in a loss of employment for any employee of such business at the original location and such original location is within the United States.

(2) PROHIBITION ON USE OF FUNDS AFTER RELOCATION.—No funds provided under this title for an employment or training activity shall be used for customized or skill training, on-the-job training, incumbent worker training, transitional employment, or company-specific assessments of job applicants or employees, for any business or part of a business that has relocated, until the date that is 120 days after the date on which such business commences operations at the new location, if the relocation of such business or part of a business results in a loss of employment for any employee of such business at the original location and such original location is within the United States.

(3) REPAYMENT.—If the Secretary determines that a violation of paragraph (1) or (2) has occurred, the Secretary shall require the State that has violated such paragraph (or that has provided funding to an entity that has violated such paragraph) to repay to the United States an amount equal to the amount expended in violation of such paragraph.

(e) LIMITATION ON USE OF FUNDS.—No funds available to carry out an activity under this title shall be used for employment generating activities, investment in revolving loan funds, capitalization of businesses, investment in contract bidding resource centers, economic development activities, or similar activities, that are not directly related to training for eligible individuals under this title. No funds received to carry out an activity under subtitle B shall be used for foreign travel.

(f) TESTING AND SANCTIONING FOR USE OF CONTROLLED SUBSTANCES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a State shall not be prohibited by the Federal Government from—

(A) testing participants in programs under subtitle B for the use of controlled substances; and

(B) sanctioning such participants who test positive for the use of such controlled substances.

(2) ADDITIONAL REQUIREMENTS.—

(A) PERIOD OF SANCTION.—In sanctioning participants in a program under subtitle B who test positive for the use of controlled substances—

(i) with respect to the first occurrence for which a participant tests positive, a State may exclude the participant from the program for a period not to exceed 6 months; and

(ii) with respect to the second occurrence and each subsequent occurrence for which a participant tests positive, a State may exclude the participant from the program for a period not to exceed 2 years.

(B) APPEAL.—The testing of participants and the imposition of sanctions under this subsection shall be subject to expeditious appeal in accordance with due process procedures established by the State.

(C) PRIVACY.—A State shall establish procedures for testing participants for the use of controlled substances that ensure a maximum degree of privacy for the participants.

(3) FUNDING REQUIREMENT.—In testing and sanctioning of participants for the use of controlled substances in accordance with this subsection, the only Federal funds that a State may use are the amounts made available for the administration of statewide workforce investment activities under section 134(a)(3)(B).

(g) SUBGRANT AUTHORITY.—A recipient of grant funds under this title shall have the authority to enter into subgrants in order to carry out the grant, subject to such conditions as the Secretary may establish.

SEC. 182. PROMPT ALLOCATION OF FUNDS.

(a) ALLOTMENTS BASED ON LATEST AVAILABLE DATA.—All allotments to States and grants to outlying areas under this title shall be based on the latest available data and estimates satisfactory to the Secretary. All data relating to disadvantaged adults and disadvantaged youth shall be based on the most recent satisfactory data from the Bureau of the Census.

(b) PUBLICATION IN FEDERAL REGISTER RELATING TO FORMULA FUNDS.—Whenever the Secretary allots funds required to be allotted under this title, the Secretary shall publish in a timely fashion in the Federal Register the amount proposed to be distributed to each recipient of the funds.

(c) REQUIREMENT FOR FUNDS DISTRIBUTED BY FORMULA.—All funds required to be allotted under section 127 or 132 shall be allotted within 45 days after the date of enactment of the Act appropriating the funds, except that, if such funds are appropriated in advance as authorized by section 189(g), such funds shall be allotted or allocated not later than the March 31 preceding the program year for which such funds are to be available for obligation.

(d) PUBLICATION IN FEDERAL REGISTER RELATING TO DISCRETIONARY FUNDS.—Whenever the Secretary utilizes a formula to allot or allocate funds made available for distribution at the Secretary's discretion under this title, the Secretary shall, not later than 30 days prior to such allotment or allocation, publish for comment in the Federal Register the formula, the rationale for the formula, and the proposed amounts to be distributed to each State and local area. After consideration of any comments received, the Secretary shall publish final allotments and allocations in the Federal Register.

(e) AVAILABILITY OF FUNDS.—Funds shall be made available under section 128, and funds shall be made available under section 133, for a local area not later than 30 days after the date the funds are made available to the Governor involved, under section 127 or 132 (as the case may be), or 7 days after the date the local plan for the area is approved, whichever is later.

SEC. 183. MONITORING.

(a) IN GENERAL.—The Secretary is authorized to monitor all recipients of financial assistance under this title to determine whether the recipients are complying with the provisions of this title, including the regulations issued under this title.

(b) INVESTIGATIONS.—The Secretary may investigate any matter the Secretary determines to be necessary to determine the compliance of the recipients with this title, including the regulations issued under this title. The investigations authorized by this subsection may include examining records (including making certified copies of the records), questioning employees, and entering any premises or onto any site in which any part of a program or activity of such a recipient is conducted or in which any of the records of the recipient are kept.

(c) ADDITIONAL REQUIREMENT.—For the purpose of any investigation or hearing conducted under this title by the Secretary, the provisions of section 9 of the Federal Trade Commission Act (15 U.S.C. 49) (relating to the attendance of witnesses and the production of documents) apply to the Secretary, in the same manner and to the same extent as the provisions apply to the Federal Trade Commission.

SEC. 184. FISCAL CONTROLS; SANCTIONS.

(a) ESTABLISHMENT OF FISCAL CONTROLS BY STATES.—

(1) IN GENERAL.—Each State shall establish such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursal of, and accounting for, Federal funds allocated to local areas under subtitle B. Such procedures shall ensure that all financial transactions carried out under subtitle B are conducted and records maintained in accordance with generally accepted accounting principles applicable in each State.

(2) COST PRINCIPLES.—

(A) IN GENERAL.—Each State (including the Governor of the State), local area (including the chief elected official for the area), and provider receiving funds under this title shall comply with the applicable uniform cost principles included in appropriate circulars or rules of the Office of Management and Budget for the type of entity receiving the funds.

(B) EXCEPTION.—The funds made available to a State for administration of statewide workforce investment activities in accordance with section 134(a)(3)(B) shall be allocable to the overall administration of workforce investment activities, but need not be specifically allocable to—

(i) the administration of adult employment and training activities;

(ii) the administration of dislocated worker employment and training activities; or

(iii) the administration of youth workforce investment activities.

(3) UNIFORM ADMINISTRATIVE REQUIREMENTS.—

(A) IN GENERAL.—Each State (including the Governor of the State), local area (including the chief elected official for the area), and provider receiving funds under this title shall comply with the appropriate uniform administrative requirements for grants and agreements applicable for the type of entity receiving the funds, as promulgated in circulars or rules of the Office of Management and Budget.

(B) ADDITIONAL REQUIREMENT.—Procurement transactions under this title between local boards and units of State or local governments shall be conducted only on a cost-reimbursable basis.

(4) MONITORING.—Each Governor of a State shall conduct on an annual basis onsite monitoring of each local area within the State to ensure compliance with the uniform administrative requirements referred to in paragraph (3).

(5) ACTION BY GOVERNOR.—If the Governor determines that a local area is not in compliance with the uniform administrative requirements referred to in paragraph (3), the Governor shall—

(A) require corrective action to secure prompt compliance with the requirements; and

(B) impose the sanctions provided under subsection (b) in the event of failure to take the required corrective action.

(6) CERTIFICATION.—The Governor shall, every 2 years, certify to the Secretary that—

(A) the State has implemented the uniform administrative requirements referred to in paragraph (3);

(B) the State has monitored local areas to ensure compliance with the uniform administrative requirements as required under paragraph (4); and

(C) the State has taken appropriate action to secure compliance with the requirements pursuant to paragraph (5).

(7) ACTION BY THE SECRETARY.—If the Secretary determines that the Governor has not fulfilled the requirements of this subsection, the Secretary shall—

(A) require corrective action to secure prompt compliance with the requirements of this subsection; and

(B) impose the sanctions provided under subsection (e) in the event of failure of the Governor to take the required appropriate action to secure compliance with the requirements.

(b) SUBSTANTIAL VIOLATION.—

(1) ACTION BY GOVERNOR.—If, as a result of financial and compliance audits or otherwise, the Governor determines that there is a substantial violation of a specific provision of this title, and corrective action has not been taken, the Governor shall—

(A) issue a notice of intent to revoke approval of all or part of the local plan affected; or

(B) impose a reorganization plan, which may include—

(i) decertifying the local board involved;

(ii) prohibiting the use of eligible providers;

(iii) selecting an alternative entity to administer the program for the local area involved;

(iv) merging the local area into one or more other local areas; or

(v) making such other changes as the Secretary or Governor determines to be necessary to secure compliance with the provision.

(2) APPEAL.—

(A) IN GENERAL.—The actions taken by the Governor pursuant to subparagraphs (A) and (B) of paragraph (1) may be appealed to the Secretary and shall not become effective until—

(i) the time for appeal has expired; or

(ii) the Secretary has issued a decision.

(B) ADDITIONAL REQUIREMENT.—The Secretary shall make a final decision under subparagraph (A) not later than 45 days after the receipt of the appeal.

(3) ACTION BY THE SECRETARY.—If the Governor fails to take promptly an action required under paragraph (1), the Secretary shall take such action.

(c) REPAYMENT OF CERTAIN AMOUNTS TO THE UNITED STATES.—

(1) IN GENERAL.—Every recipient of funds under this title shall repay to the United States amounts found not to have been expended in accordance with this title.

(2) OFFSET OF REPAYMENT AMOUNT.—If the Secretary determines that a State has expended funds received under this title in a manner contrary to the requirements of this title, the Secretary may require repayment by offsetting the amount of such expenditures against any other amount to which the State is or may be entitled under this title, except as provided under subsection (d)(1).

(3) REPAYMENT FROM DEDUCTION BY STATE.—If the Secretary requires a State to repay funds as a result of a determination that a local area of the State has expended funds in a manner contrary to the requirements of this title, the Governor of the State may use an amount deducted under paragraph (4) to repay the funds, except as provided under subsection (e).

(4) DEDUCTION BY STATE.—The Governor may deduct an amount equal to the misexpenditure described in paragraph (3) from subsequent program year (subsequent to the program year for which the determination was made) allocations to the local area from funds reserved for the administrative costs of the local programs involved, as appropriate.

(5) LIMITATIONS.—A deduction made by a State as described in paragraph (4) shall not be made until such time as the Governor has taken appropriate corrective action to ensure full compliance with this title within such local area with regard to appropriate expenditures of funds under this title.

(d) REPAYMENT OF AMOUNTS.—

(1) IN GENERAL.—Each recipient of funds under this title shall be liable to repay the amounts described in subsection (c)(1), from funds other than funds received under this title, upon a determination by the Secretary that the misexpenditure of the amounts was due to willful disregard of the requirements of this title, gross negligence, failure to observe accepted standards of administration, or a pattern of misexpenditure described in subsection (c)(1). No such determination shall be made under this subsection or subsection (c) until notice and opportunity for a fair hearing have been given to the recipient.

(2) FACTORS IN IMPOSING SANCTIONS.—In determining whether to impose any sanction authorized by this section against a recipient of funds under this title for violations of this title (including applicable regulations) by a subgrantee or contractor of such recipient, the Secretary shall first determine whether such recipient has adequately demonstrated that the recipient has—

(A) established and adhered to an appropriate system, for entering into and monitoring subgrant agreements and contracts with subgrantees and contractors, that contains acceptable standards for ensuring accountability;

(B) entered into a written subgrant agreement or contract with such a subgrantee or contractor that established clear goals and obligations in unambiguous terms;

(C) acted with due diligence to monitor the implementation of the subgrant agreement or contract, including carrying out the appropriate monitoring activities (including audits) at reasonable intervals; and

(D) taken prompt and appropriate corrective action upon becoming aware of any evidence of a violation of this title, including regulations issued under this title, by such subgrantee or contractor.

(3) WAIVER.—If the Secretary determines that the recipient has demonstrated substantial compliance with the requirements of paragraph (2), the Secretary may waive the imposition of sanctions authorized by this section upon such recipient. The Secretary is authorized to impose any sanction consistent with the provisions of this title and with any applicable Federal or State law directly against any subgrantee or contractor for violation of this title, including regulations issued under this title.

(e) IMMEDIATE TERMINATION OR SUSPENSION OF ASSISTANCE IN EMERGENCY SITUATIONS.—In emergency situations, if the Secretary determines it is necessary to protect the integrity of the funds or ensure the proper operation of the program or activity involved, the Secretary may immediately terminate or suspend financial assistance, in whole or in part, to the recipient if the recipient is given prompt notice and the opportunity for a subsequent hearing within 30 days after such termination or suspension. The Secretary shall not delegate any of the functions or authority specified in this subsection, other than to an officer whose appointment is required to be made by and with the advice and consent of the Senate.

(f) DISCRIMINATION AGAINST PARTICIPANTS.—If the Secretary determines that any recipient under this title has discharged or in any other manner discriminated against a participant or against any individual in connection with the administration of the program involved, or against any individual because such individual has filed any complaint or instituted or caused to be instituted any proceeding under or related to this title, or has testified or is about to testify in any such proceeding or an investigation under or related to this title, or otherwise unlawfully denied to any individual a benefit to which that individual is entitled under the provisions of this title, including regulations issued under this title, the Secretary shall, within 30 days, take such action or order such corrective measures, as necessary, with respect to the recipient or the aggrieved individual, or both.

(g) REMEDIES.—The remedies described in this section shall not be considered to be the exclusive remedies available for violations described in this section.

SEC. 185. REPORTS; RECORDKEEPING; INVESTIGATIONS.

(a) RECIPIENT RECORDKEEPING AND REPORTS.—

(1) IN GENERAL.—Recipients of funds under this title shall keep records that are sufficient to permit the preparation of reports required by this title and to permit the tracing of funds to a level of expenditure adequate to ensure that the funds have not been spent unlawfully.

(2) RECORDS AND REPORTS REGARDING GENERAL PERFORMANCE.—Every such recipient shall maintain such records and submit such reports, in such form and containing such information, as the Secretary may require regarding the performance of programs and activities carried out under this title. Such records and reports shall be submitted to the Secretary but shall not be required to be submitted more than once each quarter unless specifically requested by Congress or a committee of Congress, in which case an estimate regarding such information may be provided.

(3) MAINTENANCE OF STANDARDIZED RECORDS.—In order to allow for the preparation of the reports required under subsection (c), such recipients shall maintain standardized records for all individual participants and provide to the Secretary a sufficient number of such records to provide for an adequate analysis of the records.

(4) AVAILABILITY TO THE PUBLIC.—

(A) IN GENERAL.—Except as provided in subparagraph (B), records maintained by such recipients pursuant to this subsection shall be made available to the public upon request.

(B) EXCEPTION.—Subparagraph (A) shall not apply to—

(i) information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; and

(ii) trade secrets, or commercial or financial information, that is—

(I) obtained from a person; and

(II) privileged or confidential.

(C) FEES TO RECOVER COSTS.—Such recipients may charge fees sufficient to recover costs applicable to the processing of requests for records under subparagraph (A).

(b) INVESTIGATIONS OF USE OF FUNDS.—

(1) IN GENERAL.—

(A) SECRETARY.—In order to evaluate compliance with the provisions of this title, the Secretary shall conduct, in several States, in each fiscal year, investigations of the use of funds received by recipients under this title.

(B) COMPTROLLER GENERAL OF THE UNITED STATES.—In order to ensure compliance with the provisions of this title, the Comptroller General of the United States may conduct investigations of the use of funds received under this title by any recipient.

(2) PROHIBITION.—In conducting any investigation under this title, the Secretary or the Comptroller General of the United States may not request the compilation of any information that the recipient is not otherwise required to compile and that is not readily available to such recipient.

(3) AUDITS.—

(A) IN GENERAL.—In carrying out any audit under this title (other than any initial audit survey or any audit investigating possible criminal or fraudulent conduct), either directly or through grant or contract, the Secretary, the Inspector General of the Department of Labor, or the Comptroller General of the United States shall furnish to the State, recipient, or other entity to be audited, advance notification of the overall objectives and purposes of the audit, and any extensive recordkeeping or data requirements to be met, not later than 14 days (or as soon as practicable) prior to the commencement of the audit.

(B) NOTIFICATION REQUIREMENT.—If the scope, objectives, or purposes of the audit change substantially during the course of the audit, the entity being audited shall be notified of the change as soon as practicable.

(C) ADDITIONAL REQUIREMENT.—The reports on the results of such audits shall cite the law, regulation, policy, or other criteria applicable to any finding contained in the reports.

(D) RULE OF CONSTRUCTION.—Nothing contained in this title shall be construed so as to be inconsistent with the Inspector General Act of 1978 (5 U.S.C. App.) or government auditing standards issued by the Comptroller General of the United States.

(c) GRANTEE INFORMATION RESPONSIBILITIES.—Each State, each local board, and each recipient (other than a subrecipient, subgrantee, or contractor of a recipient) receiving funds under this title—

(1) shall make readily accessible such reports concerning its operations and expenditures as shall be prescribed by the Secretary;

(2) shall prescribe and maintain comparable management information systems, in accordance with guidelines that shall be prescribed by the Secretary, designed to facilitate the uniform compilation, cross tabulation, and analysis of programmatic, participant, and financial data, on statewide, local area, and other appropriate bases, necessary for reporting, monitoring, and evaluating purposes, including data necessary to comply with section 188;

(3) shall monitor the performance of providers in complying with the terms of grants, contracts, or other agreements made pursuant to this title; and

(4) shall, to the extent practicable, submit or make available (including through electronic means) any reports, records, plans, or any other data that are required to be submitted or made available, respectively, under this title.

(d) INFORMATION TO BE INCLUDED IN REPORTS.—

(1) IN GENERAL.—The reports required in subsection (c) shall include information regarding programs and activities carried out under this title pertaining to—

(A) the relevant demographic characteristics (including race, ethnicity, sex, and age) and other related information regarding participants;

(B) the programs and activities in which participants are enrolled, and the length of time that participants are engaged in such programs and activities;

(C) outcomes of the programs and activities for participants, including the occupations of participants, and placement for participants in nontraditional employment;

(D) specified costs of the programs and activities; and

(E) information necessary to prepare reports to comply with section 188.

(2) ADDITIONAL REQUIREMENT.—The Secretary shall ensure that all elements of the information required for the reports described in paragraph (1) are defined and that the information is reported uniformly.

(e) QUARTERLY FINANCIAL REPORTS.—

(1) IN GENERAL.—Each local board in a State shall submit quarterly financial reports to the Governor with respect to programs and activities carried out under this title. Such reports shall include information identifying all program and activity costs by cost category in accordance with generally accepted accounting principles and by year of the appropriation involved.

(2) ADDITIONAL REQUIREMENT.—Each State shall submit to the Secretary, and the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, on a quarterly basis, a summary of the reports submitted to the Governor pursuant to paragraph (1).

(f) MAINTENANCE OF ADDITIONAL RECORDS.—Each State and local board shall maintain records with respect to programs and activities carried out under this title that identify—

(1) any income or profits earned, including such income or profits earned by subrecipients; and

(2) any costs incurred (such as stand-in costs) that are otherwise allowable except for funding limitations.

(g) COST CATEGORIES.—In requiring entities to maintain records of costs by cost category under this title, the Secretary shall require only that the costs be categorized as administrative or programmatic costs.

SEC. 186. ADMINISTRATIVE ADJUDICATION.

(a) IN GENERAL.—Whenever any applicant for financial assistance under this title is dissatisfied because the Secretary has made a determination not to award financial assistance in whole or in part to such applicant, the applicant may request a hearing before an administrative law judge of the Department of Labor. A similar hearing may also be requested by any recipient for whom a corrective action has been required or a sanction has been imposed by the Secretary under section 184.

(b) APPEAL.—The decision of the administrative law judge shall constitute final action by the Secretary unless, within 20 days after receipt of the decision of the administrative law judge, a party dissatisfied with the decision or any part of the decision has filed exceptions with the Secretary specifically identifying the procedure, fact, law, or policy to which exception is taken. Any exception not specifically urged during the 20-day period shall be deemed to have been waived. After the 20-day period the decision of the administrative law judge shall become the final decision of the Secretary unless the Secretary, within 30 days after such filing, notifies the parties that the case involved has been accepted for review.

(c) TIME LIMIT.—Any case accepted for review by the Secretary under subsection (b) shall be decided within 180 days after such acceptance. If the case is not decided within the 180-day period, the decision of the administrative law judge shall become the final decision of the Secretary at the end of the 180-day period.

(d) ADDITIONAL REQUIREMENT.—The provisions of section 187 shall apply to any final action of the Secretary under this section.

SEC. 187. JUDICIAL REVIEW.

(a) REVIEW.—

(1) PETITION.—With respect to any final order by the Secretary under section 186 by which the Secretary awards, declines to award, or only conditionally awards, financial assistance under this title, or any final order of the Secretary under section 186 with respect to a corrective action or sanction imposed under section 184, any party to a proceeding that resulted in such final order may obtain review of such final order in the United States Court of Appeals having jurisdiction over the applicant for or recipient of the funds involved, by filing a review petition within 30 days after the date of issuance of such final order.

(2) ACTION ON PETITION.—The clerk of the court shall transmit a copy of the review petition to the Secretary, who shall file the record on which the final order was entered as provided in section 2112 of title 28, United States Code. The filing of a review petition shall not stay the order of the Secretary, unless the court orders a stay. Petitions filed under this subsection shall be heard expeditiously, if possible within 10 days after the date of filing of a reply to the petition.

(3) STANDARD AND SCOPE OF REVIEW.—No objection to the order of the Secretary shall be considered by the court unless the objection was specifically urged, in a timely manner, before the Secretary. The review shall be limited to questions of law and the findings of fact of the Secretary shall be conclusive if supported by substantial evidence.

(b) JUDGMENT.—The court shall have jurisdiction to make and enter a decree affirming, modifying, or setting aside the order of the Secretary in whole or in part. The judgment of the court regarding the order shall be final, subject to certiorari review by the Supreme Court as provided in section 1254(1) of title 28, United States Code.

SEC. 188. NONDISCRIMINATION.

(a) IN GENERAL.—

(1) FEDERAL FINANCIAL ASSISTANCE.—For the purpose of applying the prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), on the basis of disability under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), on the basis of sex under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), or on the basis of race, color, or national origin under title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), programs and activities funded or otherwise financially assisted in whole or in part under this Act are considered to be programs and activities receiving Federal financial assistance.

(2) PROHIBITION OF DISCRIMINATION REGARDING PARTICIPATION, BENEFITS, AND EMPLOYMENT.—No individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with, any such program or activity because of race, color, religion, sex (except as otherwise permitted under title IX of the Education Amendments of 1972), national origin, age, disability, or political affiliation or belief.

(3) PROHIBITION ON ASSISTANCE FOR FACILITIES FOR SECTARIAN INSTRUCTION OR RELIGIOUS WORSHIP.—Participants shall not be employed under this title to carry out the construction, operation, or maintenance of any part of any facility that is used or to be used for sectarian instruction or as a place for religious worship (except with respect to the maintenance of a facility that is not primarily or inherently devoted to sectarian instruction or religious worship, in a case in which the organization operating the facility is part of a program or activity providing services to participants).

(4) PROHIBITION ON DISCRIMINATION ON BASIS OF PARTICIPANT STATUS.—No person may discriminate against an individual who is a participant in a program or activity that receives funds under this title, with respect to the terms and conditions affecting, or rights provided to, the individual, solely because of the status of the individual as a participant.

(5) PROHIBITION ON DISCRIMINATION AGAINST CERTAIN NONCITIZENS.—Participation in programs and activities or receiving funds under this title shall be available to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States.

(b) ACTION OF SECRETARY.—Whenever the Secretary finds that a State or other recipient of funds under this title has failed to comply with a provision of law referred to in subsection (a)(1), or with paragraph (2), (3), (4), or (5) of subsection (a), including an applicable regulation prescribed to carry out such provision or paragraph, the Secretary shall notify such State or recipient and shall request that the State or recipient comply. If within a reasonable period of time, not to exceed 60 days, the State or recipient fails or refuses to comply, the Secretary may—

(1) refer the matter to the Attorney General with a recommendation that an appropriate civil action be instituted; or

(2) take such other action as may be provided by law.

(c) ACTION OF ATTORNEY GENERAL.—When a matter is referred to the Attorney General pursuant to subsection (b)(1), or whenever the Attorney General has reason to believe that a State or other recipient of funds under this title is engaged in a pattern or practice of discrimination in violation of a provision of law referred to in subsection (a)(1) or in violation of paragraph (2), (3), (4), or (5) of subsection (a), the Attorney General may bring a civil action in any appropriate district court of the United States for such relief as may be appropriate, including injunctive relief.

(d) JOB CORPS.—For the purposes of this section, Job Corps members shall be considered to be the ultimate beneficiaries of Federal financial assistance.

(e) REGULATIONS.—The Secretary shall issue regulations necessary to implement this section not later than 1 year after the date of enactment of the Workforce Innovation and Opportunity Act. Such regulations shall adopt standards for determining discrimination and procedures for enforcement that are consistent with the Acts referred to in subsection (a)(1), as well as procedures to ensure that complaints filed under this section and such Acts are processed in a manner that avoids duplication of effort.

SEC. 189. SECRETARIAL ADMINISTRATIVE AUTHORITIES AND RESPONSIBILITIES.

(a) IN GENERAL.—In accordance with chapter 5 of title 5, United States Code, the Secretary may prescribe rules and regulations to carry out this title, only to the extent necessary to administer and ensure compliance with the requirements of this title. Such rules and regulations may include provisions making adjustments authorized by section 6504 of title 31, United States Code. All such rules and regulations shall be published in the Federal Register at least 30 days prior to their effective dates. Copies of each such rule or regulation shall be transmitted to the appropriate committees of Congress on the date of such publication and shall contain, with respect to each material provision of such rule or regulation, a citation to the particular substantive section of law that is the basis for the provision.

(b) ACQUISITION OF CERTAIN PROPERTY AND SERVICES.—The Secretary is authorized, in carrying out this title, to accept, purchase, or lease in the name of the Department of Labor, and employ or dispose of in furtherance of the purposes of this title, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise, and to accept voluntary and uncompensated services notwithstanding the provisions of section 1342 of title 31, United States Code.

(c) AUTHORITY TO ENTER INTO CERTAIN AGREEMENTS AND TO MAKE CERTAIN EXPENDITURES.—The Secretary may make such grants, enter into such contracts or agreements, establish such procedures, and make such payments, in installments and in advance or by way of reimbursement, or otherwise allocate or expend such funds under this title, as may be necessary to carry out this title, including making expenditures for construction, repairs, and capital improvements, and including making necessary adjustments in payments on account of overpayments or underpayments.

(d) ANNUAL REPORT.—The Secretary shall prepare 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 an annual report regarding the programs and activities funded under this title. The Secretary shall include in such report—

(1) a summary of the achievements, failures, and challenges of the programs and activities in meeting the objectives of this title;

(2) a summary of major findings from research, evaluations, pilot projects, and experiments conducted under this title in the fiscal year prior to the submission of the report;

(3) recommendations for modifications in the programs and activities based on analysis of such findings; and

(4) such other recommendations for legislative or administrative action as the Secretary determines to be appropriate.

(e) UTILIZATION OF SERVICES AND FACILITIES.—The Secretary is authorized, in carrying out this title, under the same procedures as are applicable under subsection (c) or to the extent permitted by law other than this title, to accept and use the services and facilities of departments, agencies, and establishments of the United States. The Secretary is also authorized, in carrying out this title, to accept and use the services and facilities of the agencies of any State or political subdivision of a State, with the consent of the State or political subdivision.

(f) OBLIGATIONAL AUTHORITY.—Notwithstanding any other provision of this title, the Secretary shall have no authority to enter into contracts, grant agreements, or other financial assistance agreements under this title, except to such extent and in such amounts as are provided in advance in appropriations Acts.

(g) PROGRAM YEAR.—

(1) IN GENERAL.—

(A) PROGRAM YEAR.—Except as provided in subparagraph (B), appropriations for any fiscal year for programs and activities funded under this title shall be available for obligation only on the basis of a program year. The program year shall begin on July 1 in the fiscal year for which the appropriation is made.

(B) YOUTH WORKFORCE INVESTMENT ACTIVITIES.—The Secretary may make available for obligation, beginning April 1 of any fiscal year, funds appropriated for such fiscal year to carry out youth workforce investment activities under subtitle B and activities under section 171.

(2) AVAILABILITY.—

(A) IN GENERAL.—Funds obligated for any program year for a program or activity funded under subtitle B may be expended by each State receiving such funds during that program year and the 2 succeeding program years. Funds received by local areas from States under subtitle B during a program year may be expended during that program year and the succeeding program year.

(B) CERTAIN NATIONAL ACTIVITIES.—

(i) IN GENERAL.—Funds obligated for any program year for any program or activity carried out under section 169 shall remain available until expended.

(ii) INCREMENTAL FUNDING BASIS.—A contract or arrangement entered into under the authority of subsection (a) or (b) of section 169 (relating to evaluations, research projects, studies and reports, and multistate projects), including a long-term, nonseverable services contract, may be funded on an incremental basis with annual appropriations or other available funds.

(C) SPECIAL RULE.—No amount of the funds obligated for a program year for a program or activity funded under this title shall be deobligated on account of a rate of expenditure that is consistent with a State plan, an operating plan described in section 151, or a plan, grant agreement, contract, application, or other agreement described in subtitle D, as appropriate.

(D) FUNDS FOR PAY-FOR-PERFORMANCE CONTRACT STRATEGIES.—Funds used to carry out pay-for-performance contract strategies by local areas shall remain available until expended.

(h) ENFORCEMENT OF MILITARY SELECTIVE SERVICE ACT.—The Secretary shall ensure that each individual participating in any program or activity established under this title, or receiving any assistance or benefit under this title, has not violated section 3 of the Military Selective Service Act (50 U.S.C. App. 453) by not presenting and submitting to registration as required pursuant to such section. The Director of the Selective Service System shall cooperate with the Secretary to enable the Secretary to carry out this subsection.

(i) WAIVERS.—

(1) SPECIAL RULE REGARDING DESIGNATED AREAS.—A State that has enacted, not later than December 31, 1997, a State law providing for the designation of service delivery areas for the delivery of workforce investment activities, may use such areas as local areas under this title, notwithstanding section 106.

(2) SPECIAL RULE REGARDING SANCTIONS.—A State that has enacted, not later than December 31, 1997, a State law providing for the sanctioning of such service delivery areas for failure to meet performance accountability measures for workforce investment activities, may use the State law to sanction local areas for failure to meet State performance accountability measures under this title.

(3) GENERAL WAIVERS OF STATUTORY OR REGULATORY REQUIREMENTS.—

(A) GENERAL AUTHORITY.—Notwithstanding any other provision of law, the Secretary may waive for a State, or a local area in a State, pursuant to a request submitted by the Governor of the State (in consultation with appropriate local elected officials) with a plan that meets the requirements of subparagraph (B)—

(i) any of the statutory or regulatory requirements of subtitle A, subtitle B, or this subtitle (except for requirements relating to wage and labor standards, including nondisplacement protections, worker rights, participation and protection of workers and participants, grievance procedures and judicial review, nondiscrimination, allocation of funds to local areas, eligibility of providers or participants, the establishment and functions of local areas and local boards, the funding of infrastructure costs for one-stop centers, and procedures for review and approval of plans, and other requirements relating to the basic purposes of this title); and

(ii) any of the statutory or regulatory requirements of sections 8 through 10 of the Wagner-

Peyser Act (29 U.S.C. 49g through 49i) (excluding requirements relating to the provision of services to unemployment insurance claimants and veterans, and requirements relating to universal access to basic labor exchange services without cost to jobseekers).

(B) REQUESTS.—A Governor requesting a waiver under subparagraph (A) shall submit a plan to the Secretary to improve the statewide workforce development system that—

(i) identifies the statutory or regulatory requirements that are requested to be waived and the goals that the State or local area in the State, as appropriate, intends to achieve as a result of the waiver;

(ii) describes the actions that the State or local area, as appropriate, has undertaken to remove State or local statutory or regulatory barriers;

(iii) describes the goals of the waiver and the expected programmatic outcomes if the request is granted;

(iv) describes the individuals impacted by the waiver; and

(v) describes the process used to monitor the progress in implementing such a waiver, and the process by which notice and, in the case of a waiver for a local area, an opportunity to comment on such request has been provided to the local board for the local area for which the waiver is requested.

(C) CONDITIONS.—Not later than 90 days after the date of the original submission of a request for a waiver under subparagraph (A), the Secretary shall provide a waiver under this subsection if and only to the extent that—

(i) the Secretary determines that the requirements requested to be waived impede the ability of the State or local area, as appropriate, to implement the plan described in subparagraph (B); and

(ii) the State has executed a memorandum of understanding with the Secretary requiring such State to meet, or ensure that the local area for which the waiver is requested meets, agreed-upon outcomes and to implement other appropriate measures to ensure accountability.

(D) EXPEDITED DETERMINATION REGARDING PROVISION OF WAIVERS.—If the Secretary has approved a waiver of statutory or regulatory requirements for a State or local area pursuant to this subsection, the Secretary shall expedite the determination regarding the provision of that waiver, for another State or local area if such waiver is in accordance with the approved State or local plan, as appropriate.

SEC. 190. WORKFORCE FLEXIBILITY PLANS.

(a) PLANS.—A State may submit to the Secretary, and the Secretary may approve, a workforce flexibility plan under which the State is authorized to waive, in accordance with the plan—

(1) any of the statutory or regulatory requirements applicable under this title to local areas, pursuant to applications for such waivers from the local areas, except for requirements relating to the basic purposes of this title, wage and labor standards, grievance procedures and judicial review, nondiscrimination, eligibility of participants, allocation of funds to local areas, establishment and functions of local areas and local boards, procedures for review and approval of local plans, and worker rights, participation, and protection;

(2) any of the statutory or regulatory requirements applicable under sections 8 through 10 of the Wagner-Peyser Act (29 U.S.C. 49g through 49i) to the State (excluding requirements relating to the provision of services to unemployment insurance claimants and veterans, and requirements relating to universal access to basic labor exchange services without cost to jobseekers); and

(3) any of the statutory or regulatory requirements applicable under the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) to State agencies on aging with respect to activities carried out using funds allotted under section 506(b) of such Act (42 U.S.C. 3056d(b)), except for requirements relating to the basic purposes of such Act, wage and labor standards, eligibility of participants in the activities, and standards for grant agreements.

(b) CONTENT OF PLANS.—A workforce flexibility plan implemented by a State under subsection (a) shall include descriptions of—

(1)(A) the process by which local areas in the State may submit and obtain approval by the State of applications for waivers of requirements applicable under this title; and

(B) the requirements described in subparagraph (A) that are likely to be waived by the State under the plan;

(2) the requirements applicable under sections 8 through 10 of the Wagner-Peyser Act that are proposed to be waived, if any;

(3) the requirements applicable under the Older Americans Act of 1965 that are proposed to be waived, if any;

(4) the outcomes to be achieved by the waivers described in paragraphs (1) through (3); and

(5) other measures to be taken to ensure appropriate accountability for Federal funds in connection with the waivers.

(c) PERIODS.—The Secretary may approve a workforce flexibility plan for a period of not more than 5 years.

(d) OPPORTUNITY FOR PUBLIC COMMENTS.—Prior to submitting a workforce flexibility plan to the Secretary for approval, the State shall provide to all interested parties and to the general public adequate notice of and a reasonable opportunity for comment on the waiver requests proposed to be implemented pursuant to such plan.

SEC. 191. STATE LEGISLATIVE AUTHORITY.

(a) AUTHORITY OF STATE LEGISLATURE.—Nothing in this title shall be interpreted to preclude the enactment of State legislation providing for the implementation, consistent with the provisions of this title, of the activities assisted under this title. Any funds received by a State under this title shall be subject to appropriation by the State legislature, consistent with the terms and conditions required under this title.

(b) INTERSTATE COMPACTS AND COOPERATIVE AGREEMENTS.—In the event that compliance with provisions of this title would be enhanced by compacts and cooperative agreements between States, the consent of Congress is given to States to enter into such compacts and agreements to facilitate such compliance, subject to the approval of the Secretary.

SEC. 192. TRANSFER OF FEDERAL EQUITY IN STATE EMPLOYMENT SECURITY AGENCY REAL PROPERTY TO THE STATES.

(a) TRANSFER OF FEDERAL EQUITY.—Notwithstanding any other provision of law, any Federal equity acquired in real property through grants to States awarded under title III of the Social Security Act (42 U.S.C. 501 et seq.) or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) is transferred to the States that used the grants for the acquisition of such equity. The portion of any real property that is attributable to the Federal equity transferred under this section shall be used to carry out activities authorized under this Act, title III of the Social Security Act, or the Wagner-Peyser Act. Any disposition of such real property shall be carried out in accordance with the procedures prescribed by the Secretary and the portion of the proceeds from the disposition of such real property that is attributable to the Federal equity transferred under this section shall be used to carry out activities authorized under this Act, title III of the Social Security Act, or the Wagner-Peyser Act.

(b) LIMITATION ON USE.—A State shall not use funds awarded under this Act, title III of the Social Security Act, or the Wagner-Peyser Act to amortize the costs of real property that is purchased by any State on or after the date of enactment of the Revised Continuing Appropriations Resolution, 2007.

SEC. 193. CONTINUATION OF STATE ACTIVITIES AND POLICIES.

(a) IN GENERAL.—Notwithstanding any other provision of this title, the Secretary may not deny approval of a State plan for a covered State, or an application of a covered State for financial assistance, under this title, or find a covered State (including a State board or Governor), or a local area (including a local board or chief elected official) in a covered State, in violation of a provision of this title, on the basis that—

(1)(A) the State proposes to allocate or disburse, allocates, or disburses, within the State, funds made available to the State under section 127 or 132 in accordance with the allocation formula for the type of activities involved, or in accordance with a disbursal procedure or process, used by the State under prior consistent State laws; or

(B) a local board in the State proposes to disburse, or disburses, within the local area, funds made available to the State under section 127 or 132 in accordance with a disbursal procedure or process used by a private industry council under prior consistent State law;

(2) the State proposes to carry out or carries out a State procedure through which local areas use, as fiscal agents for funds made available to the State under section 127 or 132 and allocated within the State, fiscal agents selected in accordance with a process established under prior consistent State laws;

(3) the State proposes to carry out or carries out a State procedure through which the local boards in the State (or the local boards, the chief elected officials in the State, and the Governor) designate or select the one-stop partners and one-stop operators of the statewide system in the State under prior consistent State laws, in lieu of making the designation or certification described in section 121 (regardless of the date the one-stop delivery systems involved have been established);

(4) the State proposes to carry out or carries out a State procedure through which the persons responsible for selecting eligible providers for purposes of subtitle B are permitted to determine that a provider shall not be selected to provide both intake services under section 134(c)(2) and training services under section 134(c)(3), under prior consistent State laws;

(5) the State proposes to designate or designates a State board, or proposes to assign or assigns functions and roles of the State board (including determining the time periods for development and submission of a State plan required under section 102 or 103), for purposes of subtitle A in accordance with prior consistent State laws; or

(6) a local board in the State proposes to use or carry out, uses, or carries out a local plan (including assigning functions and roles of the local board) for purposes of subtitle A in accordance with the authorities and requirements applicable to local plans and private industry councils under prior consistent State laws.

(b) DEFINITION.—In this section:

(1) COVERED STATE.—The term ''covered State'' means a State that enacted State laws described in paragraph (2).

(2) PRIOR CONSISTENT STATE LAWS.—The term ''prior consistent State laws'' means State laws, not inconsistent with the Job Training Partnership Act or any other applicable Federal law, that took effect on September 1, 1993, September 1, 1995, and September 1, 1997.

SEC. 194. GENERAL PROGRAM REQUIREMENTS.

Except as otherwise provided in this title, the following conditions apply to all programs under this title:

(1) Each program under this title shall provide employment and training opportunities to those who can benefit from, and who are most in need of, such opportunities. In addition, the recipients of Federal funding for programs under this title shall make efforts to develop programs that contribute to occupational development, upward

mobility, development of new careers, and opportunities for nontraditional employment.

(2) Funds provided under this title shall only be used for activities that are in addition to activities that would otherwise be available in the local area in the absence of such funds.

(3)(A) Any local area may enter into an agreement with another local area (including a local area that is a city or county within the same labor market) to pay or share the cost of educating, training, or placing individuals participating in programs assisted under this title, including the provision of supportive services.

(B) Such agreement shall be approved by each local board for a local area entering into the agreement and shall be described in the local plan under section 108.

(4) On-the-job training contracts under this title, shall not be entered into with employers who have received payments under previous contracts under this Act or the Workforce Investment Act of 1998 and have exhibited a pattern of failing to provide on-the-job training participants with continued long-term employment as regular employees with wages and employment benefits (including health benefits) and working conditions at the same level and to the same extent as other employees working a similar length of time and doing the same type of work.

(5) No person or organization may charge an individual a fee for the placement or referral of the individual in or to a workforce investment activity under this title.

(6) The Secretary shall not provide financial assistance for any program under this title that involves political activities.

(7)(A) Income under any program administered by a public or private nonprofit entity may be retained by such entity only if such income is used to continue to carry out the program.

(B) Income subject to the requirements of subparagraph (A) shall include—

(i) receipts from goods or services (including conferences) provided as a result of activities funded under this title;

(ii) funds provided to a service provider under this title that are in excess of the costs associated with the services provided; and

(iii) interest income earned on funds received under this title.

(C) For purposes of this paragraph, each entity receiving financial assistance under this title shall maintain records sufficient to determine the amount of such income received and the purposes for which such income is expended.

(8)(A) The Secretary shall notify the Governor and the appropriate local board and chief elected official of, and consult with the Governor and such board and official concerning, any activity to be funded by the Secretary under this title within the corresponding State or local area.

(B) The Governor shall notify the appropriate local board and chief elected official of, and consult with such board and official concerning, any activity to be funded by the Governor under this title within the corresponding local area.

(9)(A) All education programs for youth supported with funds provided under chapter 2 of subtitle B shall be consistent with applicable State and local educational standards.

(B) Standards and procedures with respect to awarding academic credit and certifying educational attainment in programs conducted under such chapter shall be consistent with the requirements of applicable State and local law, including regulation.

(10) No funds available under this title may be used for public service employment except as specifically authorized under this title.

(11) The Federal requirements governing the title, use, and disposition of real property, equipment, and supplies purchased with funds provided under this title shall be the corresponding Federal requirements generally applicable to such items purchased through Federal grants to States and local governments.

(12) Nothing in this title shall be construed to provide an individual with an entitlement to a service under this title.

(13) Services, facilities, or equipment funded under this title may be used, as appropriate, on a fee-for-service basis, by employers in a local area in order to provide employment and training activities to incumbent workers—

(A) when such services, facilities, or equipment are not in use for the provision of services for eligible participants under this title;

(B) if such use for incumbent workers would not have an adverse effect on the provision of services to eligible participants under this title; and

(C) if the income derived from such fees is used to carry out the programs authorized under this title.

(14) Funds provided under this title shall not be used to establish or operate a stand-alone fee-for-service enterprise in a situation in which a private sector employment agency (as defined in section 701 of the Civil Rights Act of 1964 (42 U.S.C. 2000e)) is providing full access to similar or related services in such a manner as to fully meet the identified need. For purposes of this paragraph, such an enterprise does not include a one-stop delivery system described in section 121(e).

(15)(A) None of the funds available 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 annual rate of basic pay prescribed for level II of the Executive Schedule under section 5313 of title 5, United States Code.

(B) The limitation described in subparagraph (A) shall not apply to vendors providing goods and services as defined in Office of Management and Budget Circular A–133. In a case in which a State is a recipient of such funds, the State may establish a lower limit than is provided in subparagraph (A) 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.

SEC. 195. RESTRICTIONS ON LOBBYING ACTIVITIES.

(a) PUBLICITY RESTRICTIONS.—

(1) IN GENERAL.—No funds provided under this Act shall be used for—

(A) publicity or propaganda purposes; or

(B) the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat—

(i) the enactment of legislation before Congress or any State or local legislature or legislative body; or

(ii) any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government.

(2) EXCEPTION.—Paragraph (1) shall not apply to—

(A) normal and recognized executive-legislative relationships;

(B) the preparation, distribution, or use of the materials described in paragraph (1)(B) in presentation to Congress or any State or local legislature or legislative body; or

(C) such preparation, distribution, or use of such materials in presentation to the executive branch of any State or local government.

(b) SALARY RESTRICTIONS.—

(1) IN GENERAL.—No funds provided under this Act shall be used 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 Congress or any State government, or a State or local legislature or legislative body.

(2) EXCEPTION.—Paragraph (1) shall not apply to—

(A) normal and recognized executive-legislative relationships; or

(B) 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.

TITLE II—ADULT EDUCATION AND LITERACY

SEC. 201. SHORT TITLE.

This title may be cited as the ''Adult Education and Family Literacy Act''.

SEC. 202. PURPOSE.

It is the purpose of this title to create a partnership among the Federal Government, States, and localities to provide, on a voluntary basis, adult education and literacy activities, in order to—

(1) assist adults to become literate and obtain the knowledge and skills necessary for employment and economic self-sufficiency;

(2) assist adults who are parents or family members to obtain the education and skills that—

(A) are necessary to becoming full partners in the educational development of their children; and

(B) lead to sustainable improvements in the economic opportunities for their family;

(3) assist adults in attaining a secondary school diploma and in the transition to postsecondary education and training, including through career pathways; and

(4) assist immigrants and other individuals who are English language learners in—

(A) improving their—

(i) reading, writing, speaking, and comprehension skills in English; and

(ii) mathematics skills; and

(B) acquiring an understanding of the American system of Government, individual freedom, and the responsibilities of citizenship.

SEC. 203. DEFINITIONS.

In this title:

(1) ADULT EDUCATION.—The term ''adult education'' means academic instruction and education services below the postsecondary level that increase an individual's ability to—

(A) read, write, and speak in English and perform mathematics or other activities necessary for the attainment of a secondary school diploma or its recognized equivalent;

(B) transition to postsecondary education and training; and

(C) obtain employment.

(2) ADULT EDUCATION AND LITERACY ACTIVITIES.—The term ''adult education and literacy activities'' means programs, activities, and services that include adult education, literacy, workplace adult education and literacy activities, family literacy activities, English language acquisition activities, integrated English literacy and civics education, workforce preparation activities, or integrated education and training.

(3) ELIGIBLE AGENCY.—The term ''eligible agency'' means the sole entity or agency in a State or an outlying area responsible for administering or supervising policy for adult education and literacy activities in the State or outlying area, respectively, consistent with the law of the State or outlying area, respectively.

(4) ELIGIBLE INDIVIDUAL.—The term ''eligible individual'' means an individual—

(A) who has attained 16 years of age;

(B) who is not enrolled or required to be enrolled in secondary school under State law; and

(C) who—

(i) is basic skills deficient;

(ii) does not have a secondary school diploma or its recognized equivalent, and has not achieved an equivalent level of education; or

(iii) is an English language learner.

(5) ELIGIBLE PROVIDER.—The term ''eligible provider'' means an organization that has demonstrated effectiveness in providing adult education and literacy activities that may include —

(A) a local educational agency;

(B) a community-based organization or faith-based organization;

(C) a volunteer literacy organization;

(D) an institution of higher education;

(E) a public or private nonprofit agency;

(F) a library;

(G) a public housing authority;

(H) a nonprofit institution that is not described in any of subparagraphs (A) through (G) and has the ability to provide adult education and literacy activities to eligible individuals;

(I) a consortium or coalition of the agencies, organizations, institutions, libraries, or authorities described in any of subparagraphs (A) through (H); and

(J) a partnership between an employer and an entity described in any of subparagraphs (A) through (I).

(6) ENGLISH LANGUAGE ACQUISITION PROGRAM.—The term ''English language acquisition program'' means a program of instruction—

(A) designed to help eligible individuals who are English language learners achieve competence in reading, writing, speaking, and comprehension of the English language; and

(B) that leads to—

(i)(I) attainment of a secondary school diploma or its recognized equivalent; and

(II) transition to postsecondary education and training; or

(ii) employment.

(7) ENGLISH LANGUAGE LEARNER.—The term ''English language learner'' when used with respect to an eligible individual, means an eligible individual who has limited ability in reading, writing, speaking, or comprehending 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.

(8) ESSENTIAL COMPONENTS OF READING INSTRUCTION.—The term ''essential components of reading instruction'' has the meaning given the term in section 1208 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368).

(9) FAMILY LITERACY ACTIVITIES.—The term ''family literacy activities'' means activities that are of sufficient intensity and quality, to make sustainable improvements in the economic prospects for a family and that better enable parents or family members to support their children's learning needs, and that integrate all of the following activities:

(A) Parent or family adult education and literacy activities that lead to readiness for postsecondary education or training, career advancement, and economic self-sufficiency.

(B) Interactive literacy activities between parents or family members and their children.

(C) Training for parents or family members regarding how to be the primary teacher for their children and full partners in the education of their children.

(D) An age-appropriate education to prepare children for success in school and life experiences.

(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 (20 U.S.C. 1001).

(11) INTEGRATED EDUCATION AND TRAINING.—The term ''integrated education and training'' means a service approach that provides adult education and literacy activities concurrently and contextually with workforce preparation activities and workforce training for a specific occupation or occupational cluster for the purpose of educational and career advancement.

(12) INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION.—The term ''integrated English literacy and civics education'' means education services provided to English language learners who are adults, including professionals with degrees and credentials in their native countries, that enables such adults to achieve competency in the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens in the United States. Such services shall include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation, and may include workforce training.

(13) LITERACY.—The term ''literacy'' means an individual's ability to read, write, and speak in English, compute, and solve problems, at levels of proficiency necessary to function on the job, in the family of the individual, and in society.

(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 college or university; 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) WORKPLACE ADULT EDUCATION AND LITERACY ACTIVITIES.—The term ''workplace adult education and literacy activities'' means adult education and literacy activities offered by an eligible provider in collaboration with an employer or employee organization at a workplace or an off-site location that is designed to improve the productivity of the workforce.

(17) WORKFORCE PREPARATION ACTIVITIES.—The term ''workforce preparation activities'' means activities, programs, or services designed to help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of postsecondary education or training, or employment.

SEC. 204. HOME SCHOOLS.

Nothing in this title shall be construed to affect home schools, whether a home school is treated as a home school or a private school under State law, or to compel a parent or family member engaged in home schooling to participate in adult education and literacy activities.

SEC. 205. RULE OF CONSTRUCTION REGARDING POSTSECONDARY TRANSITION AND CONCURRENT ENROLLMENT ACTIVITIES.

Nothing in this title shall be construed to prohibit or discourage the use of funds provided under this title for adult education and literacy activities that help eligible individuals transition to postsecondary education and training or employment, or for concurrent enrollment activities.

SEC. 206. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title $577,667,000 for fiscal year 2015, $622,286,000 for fiscal year 2016, $635,198,000 for fiscal year 2017, $649,287,000 for fiscal year 2018, $664,552,000 for fiscal year 2019, and $678,640,000 for fiscal year 2020.

Subtitle A—Federal Provisions

SEC. 211. RESERVATION OF FUNDS; GRANTS TO ELIGIBLE AGENCIES; ALLOTMENTS.

(a) RESERVATION OF FUNDS.—From the sum appropriated under section 206 for a fiscal year, the Secretary—

(1) shall reserve 2 percent to carry out section 242, except that the amount so reserved shall not exceed $15,000,000; and

(2) shall reserve 12 percent of the amount that remains after reserving funds under paragraph (1) to carry out section 243.

(b) GRANTS TO ELIGIBLE AGENCIES.—

(1) IN GENERAL.—From the sum appropriated under section 206 and not reserved under subsection (a) for a fiscal year, the Secretary shall award a grant to each eligible agency having a unified State plan approved under section 102 or a combined State plan approved under section 103 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), to enable the eligible agency to carry out the activities assisted under this title.

(2) PURPOSE OF GRANTS.—The Secretary may award a grant under paragraph (1) only if the eligible entity involved agrees to expend the grant for adult education and literacy activities in accordance with the provisions of this title.

(c) ALLOTMENTS.—

(1) INITIAL ALLOTMENTS.—From the sum appropriated under section 206 and not reserved under subsection (a) for a fiscal year, the Secretary shall allot to each eligible agency having a unified State plan approved under section 102 or a combined State plan approved under section 103—

(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 sum appropriated under section 206, 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 sum 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) AWARD BASIS.—The Secretary shall award grants pursuant to paragraph (1) on a competitive basis and pursuant to the recommendations from the Pacific Region Educational Laboratory in Honolulu, Hawaii.

(3) TERMINATION OF ELIGIBILITY.—Notwithstanding any other provision of law, the Republic of Palau shall be eligible to receive a grant under this title except during the period described in section 3(45).

(4) ADMINISTRATIVE COSTS.—The Secretary may provide not more than 5 percent of the funds made available for grants under this subsection to pay the administrative costs of the Pacific Region Educational Laboratory regarding activities assisted under this subsection.

(f) HOLD-HARMLESS PROVISIONS.—

(1) IN GENERAL.—Notwithstanding subsection (c), for fiscal year 2015 and each succeeding fiscal year, no eligible agency shall receive an allotment under this section that is less than 90 percent of the allotment the eligible agency received for the preceding fiscal year under this section.

(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 ratably 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 reallotment 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 in this title are subject to the performance accountability provisions described in section 116.

Subtitle B—State Provisions

SEC. 221. STATE ADMINISTRATION.

Each eligible agency shall be responsible for the State or outlying area administration of activities under this title, including—

(1) the development, implementation, and monitoring of the relevant components of the unified State plan in section 102 or the combined State plan in section 103;

(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; and

(3) coordination and nonduplication 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 section 211(b) 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 20 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 $85,000, 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 literacy activities 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 literacy activities 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 literacy activities 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 literacy activities in a manner that is consistent with the purpose of this title.

SEC. 223. STATE LEADERSHIP ACTIVITIES.

(a) ACTIVITIES.—

(1) REQUIRED.—Each eligible agency shall use funds made available under section 222(a)(2) for the following adult education and literacy activities to develop or enhance the adult education system of the State or outlying area:

(A) The alignment of adult education and literacy activities with other core programs and one-stop partners, including eligible providers, to implement the strategy identified in the unified State plan under section 102 or the combined State plan under section 103, including the development of career pathways to provide access to employment and training services for individuals in adult education and literacy activities.

(B) The establishment or operation of high quality professional development programs to improve the instruction provided pursuant to local activities required under section 231(b), including instruction incorporating the essential components of reading instruction as such components relate to adults, instruction related to the specific needs of adult learners, instruction provided by volunteers or by personnel of a State or outlying area, and dissemination of information about models and promising practices related to such programs.

(C) The provision of technical assistance to eligible providers of adult education and literacy activities receiving funds under this title, including—

(i) the development and dissemination of instructional and programmatic practices based on the most rigorous or scientifically valid research available and appropriate, in reading, writing, speaking, mathematics, English language acquisition programs, distance education, and staff training;

(ii) the role of eligible providers as a one-stop partner to provide access to employment, education, and training services; and

(iii) assistance in the use of technology, including for staff training, to eligible providers, especially the use of technology to improve system efficiencies.

(D) The monitoring and evaluation of the quality of, and the improvement in, adult education and literacy activities and the dissemination of information about models and proven or promising practices within the State.

(2) PERMISSIBLE ACTIVITIES.—Each eligible agency may use funds made available under section 222(a)(2) for 1 or more of the following adult education and literacy activities:

(A) The support of State or regional networks of literacy resource centers.

(B) The development and implementation of technology applications, translation technology, or distance education, including professional development to support the use of instructional technology.

(C) Developing and disseminating curricula, including curricula incorporating the essential components of reading instruction as such components relate to adults.

(D) Developing content and models for integrated education and training and career pathways.

(E) The provision of assistance to eligible providers in developing and implementing programs that achieve the objectives of this title and in measuring the progress of those programs in achieving such objectives, including meeting the State adjusted levels of performance described in section 116(b)(3).

(F) The development and implementation of a system to assist in the transition from adult education to postsecondary education, including linkages with postsecondary educational institutions or institutions of higher education.

(G) Integration of literacy and English language instruction with occupational skill training, including promoting linkages with employers.

(H) Activities to promote workplace adult education and literacy activities.

(I) Identifying curriculum frameworks and aligning rigorous content standards that—

(i) specify what adult learners should know and be able to do in the areas of reading and language arts, mathematics, and English language acquisition; and

(ii) take into consideration the following:

(I) State adopted academic standards.

(II) The current adult skills and literacy assessments used in the State or outlying area.

(III) The primary indicators of performance described in section 116.

(IV) Standards and academic requirements for enrollment in nonremedial, for-credit courses in postsecondary educational institutions or institutions of higher education supported by the State or outlying area.

(V) Where appropriate, the content of occupational and industry skill standards widely used by business and industry in the State or outlying area.

(J) Developing and piloting of strategies for improving teacher quality and retention.

(K) The development and implementation of programs and services to meet the needs of adult learners with learning disabilities or English language learners, which may include new and promising assessment tools and strategies that are based on scientifically valid research, where appropriate, and identify the needs and capture the gains of such students at the lowest achievement levels.

(L) Outreach to instructors, students, and employers.

(M) Other activities of statewide significance that promote the purpose of this title.

(b) COLLABORATION.—In carrying out this section, eligible agencies shall collaborate 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.

Each State desiring to receive funds under this title for any fiscal year shall submit and have approved a unified State plan in accordance with section 102 or a combined State plan in accordance with section 103.

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) adult education and literacy activities;

(2) special education, as determined by the eligible agency;

(3) secondary school credit;

(4) integrated education and training;

(5) career pathways;

(6) concurrent enrollment;

(7) peer tutoring; and

(8) transition to re-entry initiatives and other postrelease services with the goal of reducing recidivism.

(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) REPORT.—In addition to any report required under section 116, each eligible agency that receives assistance provided under this section shall annually prepare and submit to the Secretary a report on the progress, as described in section 116, of the eligible agency with respect

to the programs and activities carried out under this section, including the relative rate of recidivism for the criminal offenders served.

(e) 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 multiyear grants or contracts, on a competitive basis, to eligible providers within the State or outlying area to enable the eligible providers to develop, implement, and improve adult education and literacy activities within the State.

(b) REQUIRED LOCAL ACTIVITIES.—The eligible agency shall require that each eligible provider receiving a grant or contract under subsection (a) use the grant or contract to establish or operate programs that provide adult education and literacy activities, including programs that provide such activities concurrently.

(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 and compete 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) SPECIAL RULE.—Each eligible agency awarding a grant or contract under this section shall not use any funds made available under this title for adult education and literacy activities for the purpose of supporting or providing programs, services, or activities for individuals who are not individuals described in subparagraphs (A) and (B) of section 203(4), except that such agency may use such funds for such purpose if such programs, services, or activities are related to family literacy activities. In providing family literacy activities under this title, an eligible provider shall attempt to coordinate with programs and services that are not assisted under this title prior to using funds for adult education and literacy activities under this title for activities other than activities for eligible individuals.

(e) CONSIDERATIONS.—In awarding grants or contracts under this section, the eligible agency shall consider—

(1) the degree to which the eligible provider would be responsive to—

(A) regional needs as identified in the local plan under section 108; and

(B) serving individuals in the community who were identified in such plan as most in need of adult education and literacy activities, including individuals—

(i) who have low levels of literacy skills; or

(ii) who are English language learners;

(2) the ability of the eligible provider to serve eligible individuals with disabilities, including eligible individuals with learning disabilities;

(3) past effectiveness of the eligible provider in improving the literacy of eligible individuals, to meet State-adjusted levels of performance for the primary indicators of performance described in section 116, especially with respect to eligible individuals who have low levels of literacy;

(4) the extent to which the eligible provider demonstrates alignment between proposed activities and services and the strategy and goals of the local plan under section 108, as well as the activities and services of the one-stop partners;

(5) whether the eligible provider's program—

(A) is of sufficient intensity and quality, and based on the most rigorous research available so that participants achieve substantial learning gains; and

(B) uses instructional practices that include the essential components of reading instruction;

(6) whether the eligible provider's activities, including whether reading, writing, speaking, mathematics, and English language acquisition instruction delivered by the eligible provider, are based on the best practices derived from the most rigorous research available and appropriate, including scientifically valid research and effective educational practice;

(7) whether the eligible provider's activities effectively use technology, services, and delivery systems, including distance education in a manner sufficient to increase the amount and quality of learning and how such technology, services, and systems lead to improved performance;

(8) whether the eligible provider's activities provide learning in context, including through integrated education and training, so that an individual acquires the skills needed to transition to and complete postsecondary education and training programs, obtain and advance in employment leading to economic self-sufficiency, and to exercise the rights and responsibilities of citizenship;

(9) whether the eligible provider's activities are delivered by well-trained instructors, counselors, and administrators who meet any minimum qualifications established by the State, where applicable, and who have access to high quality professional development, including through electronic means;

(10) whether the eligible provider's activities coordinate with other available education, training, and social service resources in the community, such as by establishing strong links with elementary schools and secondary schools, postsecondary educational institutions, institutions of higher education, local workforce investment boards, one-stop centers, job training programs, and social service agencies, business, industry, labor organizations, community-based organizations, nonprofit organizations, and intermediaries, for the development of career pathways;

(11) whether the eligible provider's activities offer flexible schedules and coordination with Federal, State, and local support services (such as child care, transportation, mental health services, and career planning) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs;

(12) whether the eligible provider maintains a high-quality information management system that has the capacity to report measurable participant outcomes (consistent with section 116) and to monitor program performance; and

(13) whether the local areas in which the eligible provider is located have a demonstrated need for additional English language acquisition programs and civics education programs.

SEC. 232. LOCAL APPLICATION.

Each eligible provider desiring a grant or contract from an eligible agency 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 literacy activities;

(3) a description of how the eligible provider will provide services in alignment with the local plan under section 108, including how such provider will promote concurrent enrollment in programs and activities under title I, as appropriate;

(4) a description of how the eligible provider will meet the State adjusted levels of performance described in section 116(b)(3), including how such provider will collect data to report on such performance indicators;

(5) a description of how the eligible provider will fulfill one-stop partner responsibilities as described in section 121(b)(1)(A), as appropriate;

(6) a description of how the eligible provider will provide services in a manner that meets the needs of eligible individuals; and

(7) information that addresses the considerations described under section 231(e), as applicable.

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) not less than 95 percent shall be expended for carrying out adult education and literacy activities; and

(2) the remaining amount, not to exceed 5 percent, shall be used for planning, administration (including carrying out the requirements of section 116), professional development, and the activities described in paragraphs (3) and (5) of section 232.

(b) SPECIAL RULE.—In cases where the cost limits described in subsection (a) are too restrictive to allow for the activities described in subsection (a)(2), the eligible provider shall 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.

(a) SUPPLEMENT NOT SUPPLANT.—Funds made available for adult education and literacy activities under this title shall supplement and not supplant other State or local public funds expended for adult education and literacy activities.

(b) MAINTENANCE OF EFFORT.—

(1) IN GENERAL.—

(A) DETERMINATION.—An eligible agency may receive funds under this title for any fiscal year if the Secretary finds that the fiscal effort per student or the aggregate expenditures of such eligible agency for activities under this title, in the second preceding fiscal year, were not less than 90 percent of the fiscal effort per student or the aggregate expenditures of such eligible agency for adult education and literacy activities in the third preceding fiscal year.

(B) PROPORTIONATE REDUCTION.—Subject to paragraphs (2), (3), and (4), for any fiscal year with respect to which the Secretary determines under subparagraph (A) that the fiscal effort or the aggregate expenditures of an eligible agency for the preceding program year were less than such effort or expenditures for the second preceding program year, the Secretary—

(i) shall determine the percentage decreases in such effort or in such expenditures; and

(ii) shall decrease the payment made under this title for such program year to the agency for adult education and literacy activities by the lesser of such percentages.

(2) COMPUTATION.—In computing the fiscal effort and aggregate expenditures under paragraph (1), the Secretary shall exclude capital expenditures and special one-time project costs.

(3) DECREASE IN FEDERAL SUPPORT.—If the amount made available for adult education and literacy activities under this title for a fiscal year is less than the amount made available for adult education and literacy activities under this title for the preceding fiscal year, then the fiscal effort per student and the aggregate expenditures of an eligible agency required in order to avoid a reduction under paragraph (1)(B) shall be decreased by the same percentage as the percentage decrease in the amount so made available.

(4) WAIVER.—The Secretary may waive the requirements of this subsection for not more than 1 fiscal year, if the Secretary determines that a waiver would be equitable due to exceptional or uncontrollable circumstances, such as a natural disaster or an unforeseen and precipitous decline in the financial resources of the State or outlying area of the eligible agency. If the Secretary grants a waiver under the preceding sentence for a fiscal year, the level of effort required under paragraph (1) shall not be reduced in the subsequent fiscal year because of the waiver.

SEC. 242. NATIONAL LEADERSHIP ACTIVITIES.

(a) IN GENERAL.—The Secretary shall establish and carry out a program of national leadership activities to enhance the quality and outcomes of adult education and literacy activities and programs nationwide.

(b) REQUIRED ACTIVITIES.—The national leadership activities described in subsection (a) shall include technical assistance, including—

(1) assistance to help States meet the requirements of section 116;

(2) upon request by a State, assistance provided to eligible providers in using performance accountability measures based on indicators described in section 116, and data systems for the improvement of adult education and literacy activities;

(3) carrying out rigorous research and evaluation on effective adult education and literacy activities, as well as estimating the number of adults functioning at the lowest levels of literacy proficiency, which shall be coordinated across relevant Federal agencies, including the Institute of Education Sciences; and

(4) carrying out an independent evaluation at least once every 4 years of the programs and activities under this title, taking into consideration the evaluation subjects referred to in section 169(a)(2).

(c) ALLOWABLE ACTIVITIES.—The national leadership activities described in subsection (a) may include the following:

(1) Technical assistance, including—

(A) assistance related to professional development activities, and assistance for the purposes of developing, improving, identifying, and disseminating the most successful methods and techniques for providing adult education and literacy activities, based on scientifically valid research where available;

(B) assistance in distance education and promoting and improving the use of technology in the classroom, including instruction in English language acquisition for English language learners;

(C) assistance in the development and dissemination of proven models for addressing the digital literacy needs of adults, including older adults; and

(D) supporting efforts aimed at strengthening programs at the State and local levels, such as technical assistance in program planning, assessment, evaluation, and monitoring of activities carried out under this title.

(2) Funding national leadership activities either directly or through grants, contracts, or cooperative agreements awarded on a competitive basis to or with postsecondary educational institutions, institutions of higher education, public or private organizations or agencies (including public libraries), or consortia of such institutions, organizations, or agencies, which may include—

(A) developing, improving, and identifying the most successful methods and techniques for addressing the education needs of adults, including instructional practices using the essential components of reading instruction based on the work of the National Institute of Child Health and Human Development;

(B) supporting national, regional, or local networks of private nonprofit organizations, public libraries, or institutions of higher education to strengthen the ability of such networks' members to meet the performance requirements described in section 116 of eligible providers;

(C) increasing the effectiveness, and improving the quality, of adult education and literacy activities, which may include—

(i) carrying out rigorous research;

(ii) carrying out demonstration programs;

(iii) accelerating learning outcomes for eligible individuals with the lowest literacy levels;

(iv) developing and promoting career pathways for eligible individuals;

(v) promoting concurrent enrollment programs in adult education and credit bearing postsecondary coursework;

(vi) developing high-quality professional development activities for eligible providers; and

(vii) developing, replicating, and disseminating information on best practices and innovative programs, such as—

(I) the identification of effective strategies for working with adults with learning disabilities and with adults who are English language learners;

(II) integrated education and training programs;

(III) workplace adult education and literacy activities; and

(IV) postsecondary education and training transition programs;

(D) providing for the conduct of an independent evaluation and assessment of adult education and literacy activities through grants and contracts awarded on a competitive basis, which shall include descriptions of—

(i) the effect of performance accountability measures and other measures of accountability on the delivery of adult education and literacy activities;

(ii) the extent to which the adult education and literacy activities increase the literacy skills of eligible individuals, lead to involvement in education and training, enhance the employment and earnings of such participants, and, if applicable, lead to other positive outcomes, such as success in re-entry and reductions in recidivism in the case of prison-based adult education and literacy activities;

(iii) the extent to which the provision of support services to eligible individuals enrolled in adult education and literacy activities increase the rate of enrollment in, and successful completion of, such programs; and

(iv) the extent to which different types of providers measurably improve the skills of eligible individuals in adult education and literacy activities;

(E) collecting data, such as data regarding the improvement of both local and State data systems, through technical assistance and development of model performance data collection systems;

(F) determining how participation in adult education and literacy activities prepares eligible individuals for entry into postsecondary education and employment and, in the case of programs carried out in correctional institutions, has an effect on recidivism; and

(G) other activities designed to enhance the quality of adult education and literacy activities nationwide.

SEC. 243. INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION.

(a) IN GENERAL.—From funds made available under section 211(a)(2) for each fiscal year, the Secretary shall award grants to States, from allotments under subsection (b), for integrated English literacy and civics education, in combination with integrated education and training activities.

(b) ALLOTMENT.—

(1) IN GENERAL.—Subject to paragraph (2), from amounts made available under section 211(a)(2) for a fiscal year, the Secretary shall allocate—

(A) 65 percent to the States on the basis of a State's need for integrated English literacy and civics education, as determined by calculating each State's share of a 10-year average of the data of the Office of Immigration Statistics of the Department of Homeland Security for immigrants admitted for legal permanent residence for the 10 most recent years; and

(B) 35 percent to the States on the basis of whether the State experienced growth, as measured by the average of the 3 most recent years for which the data of the Office of Immigration Statistics of the Department of Homeland Security for immigrants admitted for legal permanent residence are available.

(2) MINIMUM.—No State shall receive an allotment under paragraph (1) in an amount that is less than $60,000.

(c) GOAL.—Each program that receives funding under this section shall be designed to—

(1) prepare adults who are English language learners for, and place such adults in, unsubsidized employment in in-demand industries and occupations that lead to economic self-sufficiency; and

(2) integrate with the local workforce development system and its functions to carry out the activities of the program.

(d) REPORT.—The Secretary shall prepare 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 and make available to the public, a report on the activities carried out under this section.

TITLE III—AMENDMENTS TO THE WAGNER-PEYSER ACT

SEC. 301. EMPLOYMENT SERVICE OFFICES.

Section 1 of the Wagner-Peyser Act (29 U.S.C. 49) is amended by inserting ''service'' before ''offices''.

SEC. 302. DEFINITIONS.

Section 2 of the Wagner-Peyser Act (29 U.S.C. 49a) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) the terms 'chief elected official', 'institution of higher education', 'one-stop center', 'one-stop partner', 'training services', 'workforce development activity', and 'workplace learning advisor', have the meaning given the terms in section 3 of the Workforce Innovation and Opportunity Act;'';

(2) in paragraph (2)—

(A) by striking ''investment board'' each place it appears and inserting ''development board''; and

(B) by striking ''section 117 of the Workforce Investment Act of 1998'' and inserting ''section 107 of the Workforce Innovation and Opportunity Act'';

(3) in paragraph (3)—

(A) by striking ''134(c)'' and inserting ''121(e)''; and

(B) by striking ''Workforce Investment Act of 1998'' and inserting ''Workforce Innovation and Opportunity Act''; and

(4) in paragraph (4), by striking ''and'' at the end;

(5) in paragraph (5), by striking the period and inserting ''; and''; and

(6) by adding at the end the following:

''(6) the term 'employment service office' means a local office of a State agency; and

''(7) except in section 15, the term 'State agency', used without further description, means an agency designated or authorized under section 4.''.

SEC. 303. FEDERAL AND STATE EMPLOYMENT SERVICE OFFICES.

(a) COORDINATION.—Section 3(a) of the Wagner-Peyser Act (29 U.S.C. 49b(a)) is amended by striking ''services'' and inserting ''service offices''.

(b) PUBLIC LABOR EXCHANGE SERVICES SYSTEM.—Section 3(c) of the Wagner-Peyser Act (29 U.S.C. 49b(c)) is amended—

(1) in paragraph (2), by striking the semicolon and inserting '', and identify and disseminate information on best practices for such system; and''; and

(2) by adding at the end the following:

''(4) in coordination with the State agencies and the staff of such agencies, assist in the planning and implementation of activities to enhance the professional development and career advancement opportunities of such staff, in order to strengthen the provision of a broad range of career guidance services, the identification of job openings (including providing intensive outreach to small and medium-sized employers and enhanced employer services), the provision of technical assistance and training to other providers of workforce development activities (including workplace learning advisors) relating to counseling and employment-related services, and the development of new strategies for coordinating counseling and technology.''.

(c) ONE-STOP CENTERS.—Section 3 of the Wagner-Peyser Act (29 U.S.C. 49b) is amended by inserting after subsection (c) the following:

''(d) In order to improve service delivery, avoid duplication of services, and enhance coordination of services, including location of staff to ensure access to services under section 7(a) statewide in underserved areas, employment service offices in each State shall be colocated with one-stop centers.

''(e) The Secretary, in consultation with States, is authorized to assist the States in the development of national electronic tools that may be used to improve access to workforce information for individuals through—

''(1) the one-stop delivery systems established as described in section 121(e) of the Workforce Innovation and Opportunity Act; and

''(2) such other delivery systems as the Secretary determines to be appropriate.''.

SEC. 304. ALLOTMENT OF SUMS.

Section 6 of the Wagner-Peyser Act (29 U.S.C. 49e) is amended—

(1) in subsection (a), by striking ''amounts appropriated pursuant to section 5'' and inserting ''funds appropriated and (except for Guam) certified under section 5 and made available for allotments under this section''; and

(2) in subsection (b)(1)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting before ''the Secretary'' the following ''after making the allotments required by subsection (a),''; and

(ii) by striking ''sums'' and all that follows through ''this Act'' and inserting ''funds described in subsection (a)'';

(B) in each of subparagraphs (A) and (B), by striking ''sums'' and inserting ''remainder''; and

(C) by adding at the end the following: ''For purposes of this paragraph, the term 'State' does not include Guam or the Virgin Islands.''.

SEC. 305. USE OF SUMS.

(a) IMPROVED COORDINATION.—Section 7(a)(1) of the Wagner-Peyser Act (29 U.S.C. 49f(a)(1)) is amended by inserting '', including unemployment insurance claimants,'' after ''seekers''.

(b) RESOURCES FOR UNEMPLOYMENT INSURANCE CLAIMANTS.—Section 7(a)(3) of the Wagner-Peyser Act (29 U.S.C. 49f(a)(3)) is amended—

(1) by striking ''and'' at the end of subparagraph (E);

(2) in subparagraph (F)—

(A) by inserting '', including making eligibility assessments,'' after ''system''; and

(B) by striking the period at the end and inserting ''; and''; and

(3) by inserting after subparagraph (F) the following:

''(G) providing unemployment insurance claimants with referrals to, and application assistance for, training and education resources and programs, including Federal Pell Grants under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.), educational assistance under chapter 30 of title 38, United States Code (commonly referred to as the Montgomery GI Bill), and chapter 33 of that title (Post-9/11 Veterans Educational Assistance), student assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), State student higher education assistance, and training and education programs provided under titles I and II of the Workforce Innovation and Opportunity Act, and title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.).''.

(c) STATE ACTIVITIES.—Section 7(b) of the Wagner-Peyser Act (29 U.S.C. 49f(b)) is amended—

(1) in paragraph (1), by striking ''performance standards established by the Secretary'' and inserting ''the performance accountability measures that are based on indicators described in section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act'';

(2) in paragraph (2), by inserting ''offices'' after ''employment service''; and

(3) in paragraph (3), by inserting '', and models for enhancing professional development and career advancement opportunities of State agency staff, as described in section 3(c)(4)'' after ''subsection (a)''.

(d) PROVIDING ADDITIONAL FUNDS.—Subsections (c)(2) and (d) of section 7 of the Wagner-Peyser Act (29 U.S.C. 49f) are amended by striking ''the Workforce Investment Act of 1998'' and inserting ''the Workforce Innovation and Opportunity Act''.

(e) CONFORMING AMENDMENT.—Section 7(e) of the Wagner-Peyser Act (29 U.S.C. 49f(e)) is amended by striking ''labor employment statistics'' and inserting ''workforce and labor market information''.

SEC. 306. STATE PLAN.

Section 8 of the Wagner-Peyser Act (29 U.S.C. 49g) is amended to read as follows:

''SEC. 8. Any State desiring to receive assistance under section 6 shall prepare and submit to, and have approved by, the Secretary and the Secretary of Education, a State plan in accordance with section 102 or 103 of the Workforce Innovation and Opportunity Act.''.

SEC. 307. PERFORMANCE MEASURES.

Section 13(a) of the Wagner-Peyser Act (29 U.S.C. 49l(a)) is amended to read as follows:

''(a) The activities carried out pursuant to section 7 shall be subject to the performance accountability measures that are based on indicators described in section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act.''.

SEC. 308. WORKFORCE AND LABOR MARKET INFORMATION SYSTEM.

(a) HEADING.—The section heading for section 15 of the Wagner-Peyser Act (29 U.S.C. 49l–2) is amended by striking ***"EMPLOYMENT STATISTICS"*** *and inserting* ***"WORKFORCE AND LABOR MARKET INFORMATION SYSTEM"****.*

(b) NAME OF SYSTEM.—Section 15(a)(1) of the Wagner-Peyser Act (29 U.S.C. 49l–2(a)(1)) is amended by striking ''employment statistics system of employment statistics'' and inserting ''workforce and labor market information system''.

(c) SYSTEM RESPONSIBILITIES.—Section 15(b) of the Wagner-Peyser Act (29 U.S.C. 49l–2(b)) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—

''(A) STRUCTURE.—The workforce and labor market information system described in subsection (a) shall be evaluated and improved by the Secretary, in consultation with the Workforce Information Advisory Council established in subsection (d).

''(B) GRANTS AND RESPONSIBILITIES.—

''(i) IN GENERAL.—The Secretary shall carry out the provisions of this section in a timely manner, through grants to or agreements with States.

''(ii) DISTRIBUTION OF FUNDS.—Using amounts appropriated under subsection (g), the Secretary shall provide funds through those grants and agreements. In distributing the funds (relating to workforce and labor market information funding) for fiscal years 2015 through 2020, the Secretary shall continue to distribute the funds to States in the manner in which the Secretary distributed funds to the States under this section for fiscal years 2004 through 2008.''; and

(2) by striking paragraph (2) and inserting the following:

''(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 the statistical and administrative data collected is consistent with appropriate Bureau of Labor Statistics standards and definitions, and that the information is accessible and understandable to users of such data.

''(B) Actively seek the cooperation of heads 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) Solicit, receive, and evaluate the recommendations from the Workforce Information Advisory Council established in subsection (d) concerning the evaluation and improvement of the workforce and labor market information system described in subsection (a) and respond in writing to the Council regarding the recommendations.

''(D) Eliminate gaps and duplication in statistical undertakings.

''(E) Through the Bureau of Labor Statistics and the Employment and Training Administration, and in collaboration with 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).

''(F) Establish procedures for the system to ensure that—

''(i) such data and information are timely; and

''(ii) paperwork and reporting for the system are reduced to a minimum.''.

(d) TWO-YEAR PLAN.—Section 15 of the Wagner-Peyser Act (29 U.S.C. 49l–2) is amended by striking subsection (c) and inserting the following:

''(c) TWO-YEAR PLAN.—The Secretary, acting through the Commissioner of Labor Statistics and the Assistant Secretary for Employment and Training, and in consultation with the Workforce Information Advisory Council described in subsection (d) and heads of other appropriate Federal agencies, shall prepare a 2-year plan for the workforce and labor market information system. The plan shall be developed and implemented in a manner that takes into account the activities described in State plans submitted by States under section 102 or 103 of the Workforce Innovation and Opportunity Act and shall be submitted 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. The plan shall include—

''(1) a description of how the Secretary will work with the States to manage the nationwide workforce and labor market information system described in subsection (a) and the statewide workforce and labor market information systems that comprise the nationwide system;

''(2) a description of the steps to be taken in the following 2 years to carry out the duties described in subsection (b)(2);

''(3) an evaluation of the performance of the system, with particular attention to the improvements needed at the State and local levels;

''(4) a description of the involvement of States in the development of the plan, through consultation by the Secretary with the Workforce

Information Advisory Council in accordance with subsection (d); and

''(5) a description of the written recommendations received from the Workforce Information Advisory Council established under subsection (d), and the extent to which those recommendations were incorporated into the plan.''.

(e) WORKFORCE INFORMATION ADVISORY COUNCIL.—Section 15 of the Wagner-Peyser Act (29 U.S.C. 49l–2) is amended by striking subsection (d) and inserting the following:

''(d) WORKFORCE INFORMATION ADVISORY COUNCIL.—

''(1) IN GENERAL.—The Secretary, through the Commissioner of Labor Statistics and the Assistant Secretary for Employment and Training, shall formally consult at least twice annually with the Workforce Information Advisory Council established in accordance with paragraph (2). Such consultations shall address the evaluation and improvement of the nationwide workforce and labor market information system described in subsection (a) and the statewide workforce and labor market information systems that comprise the nationwide system and how the Department of Labor and the States will cooperate in the management of such systems. The Council shall provide written recommendations to the Secretary concerning the evaluation and improvement of the nationwide system, including any recommendations regarding the 2-year plan described in subsection (c).

''(2) ESTABLISHMENT OF COUNCIL.—

''(A) ESTABLISHMENT.—The Secretary shall establish an advisory council that shall be known as the Workforce Information Advisory Council (referred to in this section as the 'Council') to participate in the consultations and provide the recommendations described in paragraph (1).

''(B) MEMBERSHIP.—The Secretary shall appoint the members of the Council, which shall consist of—

''(i) 4 members who are representatives of lead State agencies with responsibility for workforce investment activities, or State agencies described in section 4, who have been nominated by such agencies or by a national organization that represents such agencies;

''(ii) 4 members who are representatives of the State workforce and labor market information directors affiliated with the State agencies that perform the duties described in subsection (e)(2), who have been nominated by the directors;

''(iii) 1 member who is a representative of providers of training services under section 122 of the Workforce Innovation and Opportunity Act;

''(iv) 1 member who is a representative of economic development entities;

''(v) 1 member who is a representative of businesses, who has been nominated by national business organizations or trade associations;

''(vi) 1 member who is a representative of labor organizations, who has been nominated by a national labor federation;

''(vii) 1 member who is a representative of local workforce development boards, who has been nominated by a national organization representing such boards; and

''(viii) 1 member who is a representative of research entities that utilize workforce and labor market information.

''(C) GEOGRAPHIC DIVERSITY.—The Secretary shall ensure that the membership of the Council is geographically diverse and that no 2 of the members appointed under clauses (i), (ii), and (vii) represent the same State.

''(D) PERIOD OF APPOINTMENT; VACANCIES.—

''(i) IN GENERAL.—Each member of the Council shall be appointed for a term of 3 years, except that the initial terms for members may be 1, 2, or 3 years in order to establish a rotation in which one-third of the members are selected each year. Any such member may be appointed for not more than 2 consecutive terms.

''(ii) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.

''(E) TRAVEL EXPENSES.—The members of the Council shall not receive compensation for the performance of services for the Council, but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Council. Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept the voluntary and uncompensated services of members of the Council.

''(F) PERMANENT COUNCIL.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.''.

(f) STATE RESPONSIBILITIES.—Section 15(e) of the Wagner-Peyser Act (29 U.S.C. 49l–2(e)) is amended—

(1) by striking ''employment statistics'' each place it appears and inserting ''workforce and labor market information'';

(2) in paragraph (1)(A) by striking ''annual plan'' and inserting ''plan described in subsection (c)'';

(3) in paragraph (2)—

(A) in subparagraph (G), by inserting ''and'' at the end;

(B) by striking subparagraph (H);

(C) in subparagraph (I), by striking ''section 136(f)(2) of the Workforce Investment Act of 1998'' and inserting ''section 116(i)(2) of the Workforce Innovation and Opportunity Act''; and

(D) by redesignating subparagraph (I) as subparagraph (H).

(g) AUTHORIZATION OF APPROPRIATIONS.—Section 15(g) of the Wagner-Peyser Act (29 U.S.C. 49l–2(g)) is amended by striking ''such sums as may be necessary for each of the fiscal years 1999 through 2004'' and inserting ''$60,153,000 for fiscal year 2015, $64,799,000 for fiscal year 2016, $66,144,000 for fiscal year 2017, $67,611,000 for fiscal year 2018, $69,200,000 for fiscal year 2019, and $70,667,000 for fiscal year 2020''.

TITLE IV—AMENDMENTS TO THE REHABILITATION ACT OF 1973

Subtitle A—Introductory Provisions

SEC. 401. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the amendment or repeal shall be considered to be made to a provision of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

SEC. 402. FINDINGS, PURPOSE, POLICY.

(a) FINDINGS.—Section 2(a) (29 U.S.C. 701(a)) is amended—

(1) in paragraph (4), by striking ''workforce investment systems under title I of the Workforce Investment Act of 1998'' and inserting ''workforce development systems defined in section 3 of the Workforce Innovation and Opportunity Act'';

(2) in paragraph (5), by striking ''and'' at the end;

(3) in paragraph (6), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(7)(A) a high proportion of students with disabilities is leaving secondary education without being employed in competitive integrated employment, or being enrolled in postsecondary education; and

''(B) there is a substantial need to support such students as they transition from school to postsecondary life.''.

(b) PURPOSE.—Section 2(b) (29 U.S.C. 701(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''workforce investment systems implemented in accordance with title I of the Workforce Investment Act of 1998'' and inserting ''workforce development systems defined in section 3 of the Workforce Innovation and Opportunity Act''; and

(B) at the end of subparagraph (F), by striking ''and'';

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following:

''(2) to maximize opportunities for individuals with disabilities, including individuals with significant disabilities, for competitive integrated employment;'';

(4) in paragraph (3), as redesignated by paragraph (2), by striking the period at the end and inserting a semicolon; and

(5) by adding at the end the following:

''(4) to increase employment opportunities and employment outcomes for individuals with disabilities, including through encouraging meaningful input by employers and vocational rehabilitation service providers on successful and prospective employment and placement strategies; and

''(5) to ensure, to the greatest extent possible, that youth with disabilities and students with disabilities who are transitioning from receipt of special education services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) and receipt of services under section 504 of this Act have opportunities for postsecondary success.''.

SEC. 403. REHABILITATION SERVICES ADMINISTRATION.

Section 3 (29 U.S.C. 702) is amended—

(1) in subsection (a)—

(A) in the first sentence, by inserting ''in the Department of Education'' after ''Secretary'';

(B) by striking the second sentence and inserting ''Such Administration shall be the principal agency, and the Commissioner shall be the principal officer, of the Department for purposes of carrying out titles I, III, VI, and chapter 2 of title VII.''; and

(C) in the fourth and sixth sentences, by inserting ''of Education'' after ''Secretary'' the first place it appears; and

(2) in subsection (b), by inserting ''of Education'' after ''Secretary''.

SEC. 404. DEFINITIONS.

Section 7 (29 U.S.C. 705) is amended—

(1) in paragraph (2)(B)—

(A) in clause (iii), by striking ''and'' at the end;

(B) in clause (iv), by striking the semicolon and inserting ''; and''; and

(C) by adding at the end the following:

''(v) to the maximum extent possible, relies on information obtained from experiences in integrated employment settings in the community, and other integrated community settings;'';

(2) by striking paragraphs (3) and (4) and inserting the following:

''(3) ASSISTIVE TECHNOLOGY TERMS.—

''(A) ASSISTIVE TECHNOLOGY.—The term 'assistive technology' has the meaning given such term in section 3 of the Assistive Technology Act of 1998 (29 U.S.C. 3002).

''(B) ASSISTIVE TECHNOLOGY DEVICE.—The term 'assistive technology device' has the meaning given such term in section 3 of the Assistive Technology Act of 1998, except that the reference in such section to the term 'individuals with disabilities' shall be deemed to mean more than 1 individual with a disability as defined in paragraph (20)(A)).

''(C) ASSISTIVE TECHNOLOGY SERVICE.—The term 'assistive technology service' has the meaning given such term in section 3 of the Assistive Technology Act of 1998, except that the reference in such section—

''(i) to the term 'individual with a disability' shall be deemed to mean an individual with a disability, as defined in paragraph (20)(A); and

''(ii) to the term 'individuals with disabilities' shall be deemed to mean more than 1 such individual.'';

(3) by redesignating paragraph (5) as paragraph (4);

(4) in paragraph (4), as redesignated by paragraph (3)—

(A) by redesignating subparagraphs (O) through (Q) as subparagraphs (P) through (R), respectively;

(B) by inserting after subparagraph (N) the following:

''(O) customized employment;''; and

(C) in subparagraph (R), as redesignated by subparagraph (A) of this paragraph, by striking ''(P)'' and inserting ''(Q)'';

(5) by inserting before paragraph (6) the following:

''(5) COMPETITIVE INTEGRATED EMPLOYMENT.—The term 'competitive integrated employment' means work that is performed on a full-time or part-time basis (including self-employment)—

''(A) for which an individual—

''(i) is compensated at a rate that—

''(I)(aa) shall be not less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the rate specified in the applicable State or local minimum wage law; and

''(bb) is not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities, and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills; or

''(II) in the case of an individual who is self-employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities, and who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills; and

''(ii) is eligible for the level of benefits provided to other employees;

''(B) that is at a location where the employee interacts with other persons who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that individuals who are not individuals with disabilities and who are in comparable positions interact with other persons; and

''(C) that, as appropriate, presents opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions.'';

(6) in paragraph (6)(B), by striking ''includes'' and all that follows through ''fees'' and inserting ''includes architects' fees'';

(7) by inserting after paragraph (6) the following:

''(7) CUSTOMIZED EMPLOYMENT.—The term 'customized employment' means competitive integrated employment, for an individual with a significant disability, that is based on an individualized determination of the strengths, needs, and interests of the individual with a significant disability, is designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer, and is carried out through flexible strategies, such as—

''(A) job exploration by the individual;

''(B) working with an employer to facilitate placement, including—

''(i) customizing a job description based on current employer needs or on previously unidentified and unmet employer needs;

''(ii) developing a set of job duties, a work schedule and job arrangement, and specifics of supervision (including performance evaluation and review), and determining a job location;

''(iii) representation by a professional chosen by the individual, or self-representation of the individual, in working with an employer to facilitate placement; and

''(iv) providing services and supports at the job location.'';

(8) in paragraph (11)—

(A) in subparagraph (C)—

(i) by inserting ''of Education'' after ''Secretary''; and

(ii) by inserting ''customized employment,'' before ''self-employment,'';

(9) in paragraph (12), by inserting ''of Education'' after ''Secretary'' each place it appears;

(10) in paragraph (14)(C), by inserting ''of Education'' after ''Secretary'';

(11) in paragraph (17)—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(E) services that—

''(i) facilitate the transition of individuals with significant disabilities from nursing homes and other institutions to home and community-based residences, with the requisite supports and services;

''(ii) provide assistance to individuals with significant disabilities who are at risk of entering institutions so that the individuals may remain in the community; and

''(iii) facilitate the transition of youth who are individuals with significant disabilities, who were eligible for individualized education programs under section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)), and who have completed their secondary education or otherwise left school, to postsecondary life.'';

(12) in paragraph (18), by striking ''term'' and all that follows through ''includes—'' and inserting ''term 'independent living services' includes—'';

(13) in paragraph (19)—

(A) in subparagraph (A), by inserting before the period the following: ''and includes a Native and a descendant of a Native, as such terms are defined in subsections (b) and (r) of section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)''; and

(B) in subparagraph (B), by inserting before the period the following: ''and a tribal organization (as defined in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l)))'';

(14) in paragraph (23), by striking ''section 101'' and inserting ''section 102'';

(15) by striking paragraph (25) and inserting the following:

''(25) LOCAL WORKFORCE DEVELOPMENT BOARD.—The term 'local workforce development board' means a local board, as defined in section 3 of the Workforce Innovation and Opportunity Act.'';

(16) by striking paragraph (37);

(17) by redesignating paragraphs (29) through (39) as paragraphs (31) through (36), and (38) through (41), respectively;

(18) by inserting after paragraph (28) the following:

''(30) PRE-EMPLOYMENT TRANSITION SERVICES.—The term 'pre-employment transition services' means services provided in accordance with section 113.'';

(19) by striking paragraph (33), as redesignated by paragraph (17), and inserting the following:

''(33) SECRETARY.—Unless where the context otherwise requires, the term 'Secretary'—

''(A) used in title I, III, IV, V, VI, or chapter 2 of title VII, means the Secretary of Education; and

''(B) used in title II or chapter 1 of title VII, means the Secretary of Health and Human Services.'';

(20) by striking paragraphs (35) and (36), as redesignated by paragraph (17), and inserting the following:

''(35) STATE WORKFORCE DEVELOPMENT BOARD.—The term 'State workforce development board' means a State board, as defined in section 3 of the Workforce Innovation and Opportunity Act.

''(36) STATEWIDE WORKFORCE DEVELOPMENT SYSTEM.—The term 'statewide workforce development system' means a workforce development system, as defined in section 3 of the Workforce Innovation and Opportunity Act.'';

(21) by inserting after that paragraph (36) the following:

''(37) STUDENT WITH A DISABILITY.—

''(A) IN GENERAL.—The term 'student with a disability' means an individual with a disability who—

''(i)(I)(aa) is not younger than the earliest age for the provision of transition services under section 614(d)(1)(A)(i)(VIII) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)(i)(VIII)); or

''(bb) if the State involved elects to use a lower minimum age for receipt of pre-employment transition services under this Act, is not younger than that minimum age; and

''(II)(aa) is not older than 21 years of age; or

''(bb) if the State law for the State provides for a higher maximum age for receipt of services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), is not older than that maximum age; and

''(ii)(I) is eligible for, and receiving, special education or related services 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) STUDENTS WITH DISABILITIES.—The term 'students with disabilities' means more than 1 student with a disability.'';

(22) by striking paragraphs (38) and (39), as redesignated by paragraph (17), and inserting the following:

''(38) SUPPORTED EMPLOYMENT.—The term 'supported employment' means competitive integrated employment, including customized employment, or employment in an integrated work setting in which individuals are working on a short-term basis toward competitive integrated employment, that is individualized and customized consistent with the strengths, abilities, interests, and informed choice of the individuals involved, for individuals with the most significant disabilities—

''(A)(i) for whom competitive integrated employment has not historically occurred; or

''(ii) for whom competitive integrated employment has been interrupted or intermittent as a result of a significant disability; and

''(B) who, because of the nature and severity of their disability, need intensive supported employment services and extended services after the transition described in paragraph (13)(C), in order to perform the work involved.

''(39) SUPPORTED EMPLOYMENT SERVICES.—The term 'supported employment services' means ongoing support services, including customized employment, needed to support and maintain an individual with a most significant disability in supported employment, that—

''(A) are provided singly or in combination and are organized and made available in such a way as to assist an eligible individual to achieve competitive integrated employment;

''(B) are based on a determination of the needs of an eligible individual, as specified in an individualized plan for employment; and

''(C) are provided by the designated State unit for a period of not more than 24 months, except that period may be extended, if necessary, in order to achieve the employment outcome identified in the individualized plan for employment.'';

(23) in paragraph (41), as redesignated by paragraph (17), by striking ''as defined in section 101 of the Workforce Investment Act of 1998'' and inserting ''as defined in section 3 of the Workforce Innovation and Opportunity Act''; and

(24) by inserting after paragraph (41), as redesignated by paragraph (17), the following:

''(42) YOUTH WITH A DISABILITY.—

''(A) IN GENERAL.—The term 'youth with a disability' means an individual with a disability who—

''(i) is not younger than 14 years of age; and

''(ii) is not older than 24 years of age.

''(B) YOUTH WITH DISABILITIES.—The term 'youth with disabilities' means more than 1 youth with a disability.''.

SEC. 405. ADMINISTRATION OF THE ACT.

(a) PROMULGATION.—Section 8(a)(2) (29 U.S.C. 706(a)(2)) is amended by inserting ''of Education'' after ''Secretary''.

(b) PRIVACY.—Section 11 (29 U.S.C. 708) is amended—

(1) by inserting ''(a)'' before ''The provisions''; and

(2) by adding at the end the following:

''(b) Section 501 of the Workforce Innovation and Opportunity Act shall apply, as specified in that section, to amendments to this Act that were made by the Workforce Innovation and Opportunity Act.''.

(c) ADMINISTRATION.—Section 12 (29 U.S.C. 709) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''(1)'' and inserting ''(1)(A)''; and

(ii) by adding at the end the following:

''(B) provide technical assistance to the designated State units on developing successful partnerships with local and multi-State businesses in an effort to increase the employment of individuals with disabilities;

''(C) provide technical assistance to providers and organizations on developing self-employment opportunities and outcomes for individuals with disabilities; and

''(D) provide technical assistance to entities carrying out community rehabilitation programs to build their internal capacity to provide individualized services and supports leading to competitive integrated employment, and to transition individuals with disabilities away from nonintegrated settings;''; and

(B) in paragraph (2), by striking '', centers for independent living,'';

(2) in subsection (c), by striking ''Commissioner'' the first place it appears and inserting ''Secretary of Education'';

(3) in subsection (d), by inserting ''of Education'' after ''Secretary'';

(4) in subsection (e)—

(A) by striking ''Rehabilitation Act Amendments of 1998'' each place it appears and inserting ''Workforce Innovation and Opportunity Act''; and

(B) by inserting ''of Education'' after ''Secretary'';

(5) in subsection (f), by inserting ''of Education'' after ''Secretary'';

(6)(A) in subsection (c), by striking ''(c)'' and inserting ''(c)(1)'';

(B) in subsection (d), by striking ''(d)'' and inserting ''(d)(1)'';

(C) in subsection (e), by striking ''(e)'' and inserting ''(2)'';

(D) in subsection (f), by striking ''(f)'' and inserting ''(2)''; and

(E) by moving paragraph (2) (as redesignated by subparagraph (D)) to the end of subsection (c); and

(7) by inserting after subsection (d) the following:

''(e)(1) The Administrator of the Administration for Community Living (referred to in this subsection as the 'Administrator') may carry out the authorities and shall carry out the responsibilities of the Commissioner described in paragraphs (1)(A) and (2) through (4) of subsection (a), and subsection (b), except that, for purposes of applying subsections (a) and (b), a reference in those subsections—

''(A) to facilitating meaningful and effective participation shall be considered to be a reference to facilitating meaningful and effective collaboration with independent living programs, and promoting a philosophy of independent living for individuals with disabilities in community activities; and

''(B) to training for personnel shall be considered to be a reference to training for the personnel of centers for independent living and Statewide Independent Living Councils.

''(2) The Secretary of Health and Human Services may carry out the authorities and shall carry out the responsibilities of the Secretary of Education described in subsections (c) and (d).

''(f)(1) In subsections (a) through (d), a reference to 'this Act' means a provision of this Act that the Secretary of Education has authority to carry out; and

''(2) In subsection (e), for purposes of applying subsections (a) through (d), a reference in those subsections to 'this Act' means a provision of this Act that the Secretary of Health and Human Services has authority to carry out.''.

SEC. 406. REPORTS.

Section 13 (29 U.S.C. 710) is amended—

(1) in section (c)—

(A) by striking ''(c)'' and inserting ''(c)(1)''; and

(B) in the second sentence, by striking ''section 136(d) of the Workforce Investment Act of 1998'' and inserting ''section 116(d)(2) of the Workforce Innovation and Opportunity Act''; and

(2) by adding at the end the following:

''(d) The Commissioner shall ensure that the report described in this section is made publicly available in a timely manner, including through electronic means, in order to inform the public about the administration and performance of programs under this Act.''.

SEC. 407. EVALUATION AND INFORMATION.

(a) EVALUATION.—Section 14 (29 U.S.C. 711) is amended—

(1) by inserting ''of Education'' after ''Secretary'' each place it appears;

(2) in subsection (f)(2), by inserting ''competitive'' before ''integrated employment'';

(3)(A) in subsection (b), by striking ''(b)'' and inserting ''(b)(1)'';

(B) in subsection (c), by striking ''(c)'' and inserting ''(2)'';

(C) in subsection (d), by striking ''(d)'' and inserting ''(3)''; and

(D) by redesignating subsections (e) and (f) as subsections (c) and (d), respectively;

(4) by inserting after subsection (d), as redesignated by paragraph (3)(D), the following:

''(e)(1) The Secretary of Health and Human Services may carry out the authorities and shall carry out the responsibilities of the Secretary of Education described in subsections (a) and (b).

''(2) The Administrator of the Administration for Community Living may carry out the authorities and shall carry out the responsibilities of the Commissioner described in subsections (a) and (d)(1), except that, for purposes of applying those subsections, a reference in those subsections to exemplary practices shall be considered to be a reference to exemplary practices concerning independent living services and centers for independent living.

''(f)(1) In subsections (a) through (d), a reference to 'this Act' means a provision of this Act that the Secretary of Education has authority to carry out; and

''(2) In subsection (e), for purposes of applying subsections (a), (b), and (d), a reference in those subsections to 'this Act' means a provision of this Act that the Secretary of Health and Human Services has authority to carry out.''.

(b) INFORMATION.—Section 15 (29 U.S.C. 712) is amended—

(1) in subsection (a)—

(A) by inserting ''of Education'' after ''Secretary'' each place it appears; and

(B) in paragraph (1), by striking ''State workforce investment boards'' and inserting ''State workforce development boards''; and

(2) in subsection (b), by striking ''Secretary'' and inserting ''Secretary of Education''.

SEC. 408. CARRYOVER.

Section 19(a)(1) (29 U.S.C. 716(a)(1)) is amended by striking ''part B of title VI'' and inserting ''title VI''.

SEC. 409. TRADITIONALLY UNDERSERVED POPULATIONS.

Section 21 (29 U.S.C. 718) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the first sentence, by striking ''racial'' and inserting ''demographic'';

(ii) in the second sentence—

(I) by striking ''rate of increase'' the first place it appears and inserting ''percentage increase from 2000 to 2010'';

(II) by striking ''is 3.2'' and inserting ''was 9.7'';

(III) by striking ''rate of increase'' and inserting ''percentage increase'';

(IV) by striking ''is much'' and inserting ''was much'';

(V) by striking ''38.6'' and inserting ''43.0'';

(VI) by striking ''14.6'' and inserting ''12.3'';

(VII) by striking ''40.1'' and inserting ''43.2''; and

(VIII) by striking ''and other ethnic groups''; and

(iii) by striking the last sentence; and

(B) in paragraph (2), by striking the second and third sentences and inserting the following: ''In 2011—

''(A) among Americans ages 16 through 64, the rate of disability was 12.1 percent;

''(B) among African-Americans in that age range, the disability rate was more than twice as high, at 27.1 percent; and

''(C) for American Indians and Alaska Natives in the same age range, the disability rate was also more than twice as high, at 27.0 percent.'';

(2) in subsection (b)(1), by striking ''National Institute on Disability and Rehabilitation Research'' and inserting ''National Institute on Disability, Independent Living, and Rehabilitation Research''; and

(3) in subsection (c), by striking ''Director'' and inserting ''Director of the National Institute on Disability, Independent Living, and Rehabilitation Research''.

Subtitle B—Vocational Rehabilitation Services

SEC. 411. DECLARATION OF POLICY; AUTHORIZATION OF APPROPRIATIONS.

(a) FINDINGS; PURPOSE; POLICY.—Section 100(a) (29 U.S.C. 720(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking ''integrated'' and inserting ''competitive integrated employment'';

(B) in subparagraph (D)(iii), by striking ''medicare and medicaid'' and inserting ''Medicare and Medicaid'';

(C) in subparagraph (F), by striking ''investment'' and inserting ''development''; and

(D) in subparagraph (G)—

(i) by striking ''workforce investment systems'' and inserting ''workforce development systems''; and

(ii) by striking ''workforce investment activities'' and inserting ''workforce development activities'';

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''workforce investment system'' and inserting ''workforce development system''; and

(B) in subparagraph (B), by striking ''and informed choice,'' and inserting ''informed choice, and economic self-sufficiency,''; and

(3) in paragraph (3)—

(A) in subparagraph (B), by striking ''gainful employment in integrated settings'' and inserting ''competitive integrated employment''; and

(B) in subparagraph (E), by inserting ''should'' before ''facilitate''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 100(b)(1) (29 U.S.C. 720(b)(1)) is amended by striking ''such sums as may be necessary for fiscal years 1999 through 2003'' and inserting ''$3,302,053,000 for each of the fiscal years 2015 through 2020''.

SEC. 412. STATE PLANS.

(a) PLAN REQUIREMENTS.—Section 101(a) (29 U.S.C. 721(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''to participate'' and all that follows and inserting ''to receive funds under this title for a fiscal year, a State shall submit, and have approved by the Secretary and the Secretary of Labor, a unified State plan in accordance with section 102, or a combined State plan in accordance with section 103, of the Workforce Innovation and Opportunity Act. The unified or combined State plan shall include, in the portion of the plan described in section 102(b)(2)(D) of such Act (referred to in this subsection as the 'vocational rehabilitation services portion'), the provisions of a State plan for vocational rehabilitation services, described in this subsection.''; and

(B) in subparagraph (B)—

(i) by striking ''in the State plan for vocational rehabilitation services,'' and inserting ''as part of the vocational rehabilitation services portion of the unified or combined State plan submitted in accordance with subparagraph (A),''; and

(ii) by striking ''Rehabilitation Act Amendments of 1998'' and inserting ''Workforce Innovation and Opportunity Act''; and

(C) in subparagraph (C)—

(i) by striking ''The State plan shall remain in effect subject to the submission of such modifications'' and inserting ''The vocational rehabilitation services portion of the unified or combined State plan submitted in accordance with subparagraph (A) shall remain in effect until the State submits and receives approval of a new State plan in accordance with subparagraph (A), or until the submission of such modifications''; and

(ii) by striking '', until the State submits and receives approval of a new State plan'';

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''The State plan'' and inserting ''The State plan for vocational rehabilitation services''; and

(B) in subparagraph (B)(ii)—

(i) in subclause (II), by inserting ''who is responsible for the day-to-day operation of the vocational rehabilitation program'' before the semicolon;

(ii) in subclause (III), by striking ''and'' at the end;

(iii) in subclause (IV), by striking the period and inserting ''; and''; and

(iv) by adding at the end the following:

''(V) has the sole authority and responsibility within the designated State agency described in subparagraph (A) to expend funds made available under this title in a manner that is consistent with the purposes of this title.'';

(3) in paragraph (5)—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

''(D) notwithstanding subparagraph (C), permit the State, in its discretion, to elect to serve eligible individuals (whether or not receiving vocational rehabilitation services) who require specific services or equipment to maintain employment; and'';

(4) in paragraph (7)—

(A) in subparagraph (A)(v)—

(i) in subclause (I), after ''rehabilitation technology'' insert the following: '', including training implemented in coordination with entities carrying out State programs under section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003)''; and

(ii) in subclause (II), by striking ''Rehabilitation Act Amendments of 1998'' and inserting ''Workforce Innovation and Opportunity Act''; and

(B) in subparagraph (B), by striking clause (ii) and inserting the following:

''(ii) the establishment and maintenance of education and experience requirements, to ensure that the personnel have a 21st century understanding of the evolving labor force and the needs of individuals with disabilities, including requirements for—

''(I)(aa) attainment of a baccalaureate degree in a field of study reasonably related to vocational rehabilitation, to indicate a level of competency and skill demonstrating basic preparation in a field of study such as vocational rehabilitation counseling, social work, psychology, disability studies, business administration, human resources, special education, supported employment, customized employment, economics, or another field that reasonably prepares individuals to work with consumers and employers; and

''(bb) demonstrated paid or unpaid experience, for not less than 1 year, consisting of—

''(AA) direct work with individuals with disabilities in a setting such as an independent living center;

''(BB) direct service or advocacy activities that provide such individual with experience and skills in working with individuals with disabilities; or

''(CC) direct experience as an employer, as a small business owner or operator, or in self-employment, or other experience in human resources, recruitment, or experience in supervising employees, training, or other activities that provide experience in competitive integrated employment environments; or

''(II) attainment of a master's or doctoral degree in a field of study such as vocational rehabilitation counseling, law, social work, psychology, disability studies, business administration, human resources, special education, management, public administration, or another field that reasonably provides competence in the employment sector, in a disability field, or in both business-related and rehabilitation-related fields; and'';

(5) in paragraph (8)—

(A) in subparagraph (A)(i)—

(i) by inserting ''an accommodation or auxiliary aid or service or'' after ''prior to providing''; and

(ii) by striking ''(5)(D)'' and inserting ''(5)(E)'';

(B) in subparagraph (B)—

(i) in the matter preceding clause (i)—

(I) by striking ''medicaid'' and inserting ''Medicaid'';

(II) by striking ''workforce investment system'' and inserting ''workforce development system'';

(III) by striking ''(5)(D)'' and inserting ''(5)(E)'';

(IV) by inserting ''and, if appropriate, accommodations or auxiliary aids and services,'' before ''that are included''; and

(V) by striking ''provision of such vocational rehabilitation services'' and inserting ''provision of such vocational rehabilitation services (including, if appropriate, accommodations or auxiliary aids and services)''; and

(ii) in clause (iv)—

(I) by striking ''(5)(D)'' and inserting ''(5)(E)''; and

(II) by inserting '', and accommodations or auxiliary aids and services'' before the period; and

(C) in subparagraph (C)(i), by striking ''(5)(D)'' and inserting ''(5)(E)'';

(6) in paragraph (10)—

(A) in subparagraph (B), by striking ''annual'' and all that follows through ''of 1998'' and inserting ''annual reporting of information, on eligible individuals receiving the services, that is necessary to assess the State's performance on the standards and indicators described in section 106(a)'';

(B) in subparagraph (C)—

(i) in the matter preceding clause (i), by inserting '', from each State,'' after ''additional data'';

(ii) by striking clause (i) and inserting:

''(i) the number of applicants and the number of individuals determined to be eligible or ineligible for the program carried out under this title, including the number of individuals determined to be ineligible (disaggregated by type of disability and age);'';

(iii) in clause (ii)—

(I) in subclause (I), by striking ''(5)(D)'' and inserting ''(5)(E)'';

(II) in subclause (II), by striking ''and'' at the end; and

(III) by adding at the end the following:

''(IV) the number of individuals with open cases (disaggregated by those who are receiving training and those who are in postsecondary education), and the type of services the individuals are receiving (including supported employment);

''(V) the number of students with disabilities who are receiving pre-employment transition services under this title: and

''(VI) the number of individuals referred to State vocational rehabilitation programs by one-stop operators (as defined in section 3 of the Workforce Innovation and Opportunity Act), and the number of individuals referred to such one-stop operators by State vocational rehabilitation programs;''; and

(iv) in clause (iv)(I), by inserting before the semicolon the following: ''and, for those who achieved employment outcomes, the average length of time to obtain employment'';

(C) in subparagraph (D)(i), by striking ''title I of the Workforce Investment Act of 1998'' and inserting ''title I of the Workforce Innovation and Opportunity Act'';

(D) in subparagraph (E)(ii), by striking ''of the State'' and all that follows and inserting ''of the State in meeting the standards and indicators established pursuant to section 106.''; and

(E) by adding at the end the following:

''(G) RULES FOR REPORTING OF DATA.—The disaggregation of data under this Act shall not be required within a category if the number of individuals in a category is insufficient to yield statistically reliable information, or if the results would reveal personally identifiable information about an individual.

''(H) COMPREHENSIVE REPORT.—The State plan shall specify that the Commissioner will provide an annual comprehensive report that includes the reports and data required under this section, as well as a summary of the reports and data, for each fiscal year. The Commissioner shall submit the report to the Committee on Education and the Workforce of the House of Representatives, the Committee on Appropriations of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Appropriations of the Senate, not later than 90 days after the end of the fiscal year involved.'';

(7) in paragraph (11)—

(A) in subparagraph (A)—

(i) in the subparagraph header, by striking ''WORKFORCE INVESTMENT SYSTEMS'' and inserting ''WORKFORCE DEVELOPMENT SYSTEMS'';

(ii) in the matter preceding clause (i), by striking ''workforce investment system'' and inserting ''workforce development system'';

(iii) in clause (i)(II)—

(I) by striking ''investment'' and inserting ''development''; and

(II) by inserting ''(including programmatic accessibility and physical accessibility)'' after ''program accessibility'';

(iv) in clause (ii), by striking ''workforce investment system'' and inserting ''workforce development system''; and

(v) in clause (v), by striking ''workforce investment system'' and inserting ''workforce development system'';

(B) in subparagraph (B), by striking ''workforce investment system'' and inserting ''workforce development system'';

(C) in subparagraph (C)—

(i) by inserting ''the State programs carried out under section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003),'' after ''including'';

(ii) by inserting '', noneducational agencies serving out-of-school youth,'' after ''Agriculture''; and

(iii) by striking ''such agencies and programs'' and inserting ''such Federal, State, and local agencies and programs''; and

(iv) by striking ''workforce investment system'' and inserting ''workforce development system'';

(D) in subparagraph (D)—

(i) in the matter preceding clause (i), by inserting '', including pre-employment transition services,'' before ''under this title'';

(ii) in clause (i), by inserting '', which may be provided using alternative means for meeting participation (such as video conferences and conference calls),'' after ''consultation and technical assistance''; and

(iii) in clause (ii), by striking ''completion'' and inserting ''implementation'';

(E) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (H), respectively;

(F) by inserting after subparagraph (D) the following:

''(E) COORDINATION WITH EMPLOYERS.—The State plan shall describe how the designated State unit will work with employers to identify competitive integrated employment opportunities and career exploration opportunities, in order to facilitate the provision of—

''(i) vocational rehabilitation services; and

''(ii) transition services for youth with disabilities and students with disabilities, such as pre-employment transition services.'';

(G) in subparagraph (F), as redesignated by subparagraph (E) of this paragraph—

(i) by inserting ''chapter 1 of'' after ''part C of''; and

(ii) by inserting '', as appropriate'' before the period;

(H) by inserting after subparagraph (F), as redesignated by subparagraph (E) of this paragraph, the following:

''(G) COOPERATIVE AGREEMENT REGARDING INDIVIDUALS ELIGIBLE FOR HOME AND COMMUNITY-BASED WAIVER PROGRAMS.—The State plan shall include an assurance that the designated State unit has entered into a formal cooperative agreement with the State agency responsible for administering the State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and the State agency with primary responsibility for providing services and supports for individuals with intellectual disabilities and individuals with developmental disabilities, with respect to the delivery of vocational rehabilitation services, including extended services, for individuals with the most significant disabilities who have been determined to be eligible for home and community-based services under a Medicaid waiver, Medicaid State plan amendment, or other authority related to a State Medicaid program.'';

(I) in subparagraph (H), as redesignated by subparagraph (E) of this paragraph—

(i) in clause (ii)—

(I) by inserting ''on or'' before ''near''; and

(II) by striking ''and'' at the end;

(ii) by redesignating clause (iii) as clause (iv); and

(iii) by inserting after clause (ii) the following:

''(iii) strategies for the provision of transition planning, by personnel of the designated State unit, the State educational agency, and the recipient of funds under part C, that will facilitate the development and approval of the individualized plans for employment under section 102; and''; and

(J) by adding at the end the following:

''(I) COORDINATION WITH ASSISTIVE TECHNOLOGY PROGRAMS.—The State plan shall include an assurance that the designated State unit, and the lead agency and implementing entity (if any) designated by the Governor of the State under section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003), have developed working relationships and will enter into agreements for the coordination of their activities, including the referral of individuals with disabilities to programs and activities described in that section.

''(J) COORDINATION WITH TICKET TO WORK AND SELF-SUFFICIENCY PROGRAM.—The State plan shall include an assurance that the designated State unit will coordinate activities with any other State agency that is functioning as an employment network under the Ticket to Work and Self-Sufficiency Program established under section 1148 of the Social Security Act (42 U.S.C. 1320b–19).

''(K) INTERAGENCY COOPERATION.—The State plan shall describe how the designated State agency or agencies (if more than 1 agency is designated under paragraph (2)(A)) will collaborate with the State agency responsible for administering the State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), the State agency responsible for providing services for individuals with developmental disabilities, and the State agency responsible for providing mental health services, to develop opportunities for community-based employment in integrated settings, to the greatest extent practicable.'';

(8) in paragraph (14)—

(A) in the paragraph header, by striking ''ANNUAL'' and inserting ''SEMIANNUAL'';

(B) in subparagraph (A)—

(i) by striking ''an annual'' and inserting ''a semiannual'';

(ii) by striking ''has achieved an employment outcome'' and inserting ''is employed'';

(iii) by striking ''achievement of the outcome'' and all that follows through ''representative)'' and inserting ''beginning of such employment, and annually thereafter'';

(iv) by striking ''to competitive'' and all that follows and inserting the following: ''to competitive integrated employment or training for competitive integrated employment;'';

(C) in subparagraph (B), by striking ''and'' at the end;

(D) in subparagraph (C), by striking ''the individuals described'' and all that follows and inserting ''individuals described in subparagraph (A) in attaining competitive integrated employment; and''; and

(E) by adding at the end the following:

''(D) an assurance that the State will report the information generated under subparagraphs (A), (B), and (C), for each of the individuals, to the Administrator of the Wage and Hour Division of the Department of Labor for each fiscal year, not later than 60 days after the end of the fiscal year.'';

(9) 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)—

(aa) by striking ''workforce investment system'' and inserting ''workforce development system''; and

(bb) by adding ''and'' at the end; and

(III) by adding at the end the following:

''(IV) youth with disabilities, and students with disabilities, including their need for pre-employment transition services or other 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 needs of individuals with disabilities for transition services and pre-employment transition services, and the extent to which such services provided under this Act are coordinated with transition services provided under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) in order to meet the needs of individuals with disabilities.'';

(B) in subparagraph (B)—

(i) in clause (ii)—

(I) by striking ''part B of title VI'' and inserting ''title VI''; and

(II) by striking ''and'' at the end;

(ii) by redesignating clause (iii) as clause (iv); and

(iii) by inserting after clause (ii) the following:

''(iii) the number of individuals who are eligible for services under this title, but are not receiving such services due to an order of selection; and''; and

(C) in subparagraph (D)—

(i) by redesignating clauses (iii) through (v) as clauses (iv) through (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 postsecondary life (including the receipt of vocational rehabilitation services under this title, postsecondary education, employment, and pre-employment transition services);''; and

(iii) in clause (vi), as redesignated by clause (i) of this subparagraph, by striking ''workforce investment system'' and inserting ''workforce development system'';

(10) in paragraph (20), in subparagraphs (A) and (B)(i), by striking ''workforce investment system'' and inserting ''workforce development system'';

(11) in paragraph (22), by striking ''part B of title VI'' and inserting ''title VI''; and

(12) by adding at the end the following:

''(25) SERVICES FOR STUDENTS WITH DISABILITIES.—The State plan shall provide an assurance that, with respect to students with disabilities, the State—

''(A) has developed and will implement—

''(i) strategies to address the needs identified in the assessments described in paragraph (15); and

''(ii) strategies to achieve the goals and priorities identified by the State, in accordance with paragraph (15), to improve and expand vocational rehabilitation services for students with disabilities on a statewide basis; and

''(B) has developed and will implement strategies to provide pre-employment transition services.

''(26) JOB GROWTH AND DEVELOPMENT.—The State plan shall provide an assurance describing how the State will utilize initiatives involving in-demand industry sectors or occupations under sections 106(c) and 108 of the Workforce Innovation and Opportunity Act to increase competitive integrated employment opportunities for individuals with disabilities.''.

(b) APPROVAL.—Section 101(b) (29 U.S.C. 721(b)) is amended to read as follows:

''(b) SUBMISSION; APPROVAL; MODIFICATION.—The State plan for vocational rehabilitation services shall be subject to—

''(1) subsection (c) of section 102 of the Workforce Innovation and Opportunity Act, in a case in which that plan is a portion of the unified State plan described in that section 102; and

''(2) subsection (b), and paragraphs (1), (2), and (3) of subsection (c), of section 103 of such Act in a case in which that State plan for vocational rehabilitation services is a portion of the combined State plan described in that section 103.''.

(c) CONSTRUCTION.—Section 101 (29 U.S.C. 721) is amended by adding at the end the following:

''(c) CONSTRUCTION.—Nothing in this part shall be construed to reduce the obligation under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) of a local educational agency or any other agency to provide or pay for any transition services that are also considered special education or related services and that are necessary for ensuring a free appropriate public education to children with disabilities within the State involved.''.

SEC. 413. ELIGIBILITY AND INDIVIDUALIZED PLAN FOR EMPLOYMENT.

(a) ELIGIBILITY.—Section 102(a) (29 U.S.C. 722(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''is an'' and inserting ''has undergone an assessment for determining eligibility and vocational rehabilitation needs and as a result has been determined to be an'';

(B) in subparagraph (B), by striking ''or regain employment.'' and inserting ''advance in, or regain employment that is consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.''; and

(C) by adding at the end the following: ''For purposes of an assessment for determining eligibility and vocational rehabilitation needs under this Act, an individual shall be presumed to have a goal of an employment outcome.'';

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) in the subparagraph header, by striking ''DEMONSTRATION'' and inserting ''APPLICANTS''; and

(ii) by striking '', unless'' and all that follows and inserting a period; and

(B) in subparagraph (B)—

(i) in the subparagraph header, by striking ''METHODS'' and inserting ''RESPONSIBILITIES'';

(ii) in the first sentence—

(I) by striking ''In making the demonstration required under subparagraph (A),'' and inserting ''Prior to determining under this subsection that an applicant described in subparagraph (A) is unable to benefit due to the severity of the individual's disability or that the individual is ineligible for vocational rehabilitation services,''; and

(II) by striking '', except under'' and all that follows and inserting a period; and

(iii) in the second sentence, by striking ''individual or to determine'' and all that follows and inserting ''individual. In providing the trial experiences, the designated State unit shall provide the individual with the opportunity to try different employment experiences, including supported employment, and the opportunity to become employed in competitive integrated employment.'';

(3) in paragraph (3)(A)(ii), by striking ''outcome from'' and all that follows and inserting ''outcome due to the severity of the individual's disability (as of the date of the determination).''; and

(4) in paragraph (5)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''If an individual'' and inserting ''If, after the designated State unit carries out the activities described in paragraph (2)(B), a review of existing data, and, to the extent necessary, the assessment activities described in section 7(2)(A)(ii), an individual''; and

(ii) by striking ''title is determined'' and all that follows through ''not to be'' and inserting ''title is determined not to be'';

(B) by redesignating subparagraphs (A) through (D) as subparagraphs (B) through (E), respectively;

(C) by inserting before subparagraph (B), as redesignated by subparagraph (B) of this paragraph, the following:

''(A) the ineligibility determination shall be an individualized one, based on the available data, and shall not be based on assumptions about broad categories of disabilities;''; and

(D) in clause (i) of subparagraph (C), as redesignated by subparagraph (B) of this paragraph, by inserting after ''determination'' the following: '', including the clear and convincing evidence that forms the basis for the determination of ineligibility''.

(b) DEVELOPMENT OF AN INDIVIDUALIZED PLAN FOR EMPLOYMENT, AND RELATED INFORMATION.—Section 102(b) (29 U.S.C. 722(b)) is amended—

(1) in paragraph (1)(A)—

(A) by striking '', to the extent determined to be appropriate by the eligible individual,''; and

(B) by inserting ''or, as appropriate, a disability advocacy organization'' after ''counselor'';

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following:

''(2) INDIVIDUALS DESIRING TO ENTER THE WORKFORCE.—For an individual entitled to benefits under title II or XVI of the Social Security Act (42 U.S.C. 401 et seq., 1381 et seq.) on the basis of a disability or blindness, the designated State unit shall provide to the individual general information on additional supports and assistance for individuals with disabilities desiring to enter the workforce, including assistance with benefits planning.'';

(4) in paragraph (3), as redesignated by paragraph (2) of this subsection—

(A) in subparagraph (E)—

(i) in clause (i), by striking ''and'' at the end;

(ii) in clause (ii), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) amended, as necessary, to include the postemployment services and service providers that are necessary for the individual to maintain or regain employment, consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.''; and

(B) by adding at the end the following:

''(F) TIMEFRAME FOR COMPLETING THE INDIVIDUALIZED PLAN FOR EMPLOYMENT.—The individualized plan for employment shall be developed as soon as possible, but not later than a deadline of 90 days after the date of the determination of eligibility described in paragraph (1), unless the designated State unit and the eligible individual agree to an extension of that deadline to a specific date by which the individualized plan for employment shall be completed.''; and

(5) in paragraph (4), as redesignated by paragraph (2) of this subsection—

(A) in subparagraph (A), by striking ''choice of the'' and all that follows and inserting ''choice of the eligible individual, consistent with the general goal of competitive integrated employment (except that in the case of an eligible individual who is a student, the description may be a description of the student's projected postschool employment outcome);'';

(B) in subparagraph (B)(i)—

(i) by redesignating subclause (II) as subclause (III); and

(ii) by striking subclause (I) and inserting the following:

''(I) needed to achieve the employment outcome, including, as appropriate—

''(aa) the provision of assistive technology devices and assistive technology services (including referrals described in section 103(a)(3) to the device reutilization programs and demonstrations described in subparagraphs (B) and (D) of section 4(e)(2) of the Assistive Technology Act of 1998 (29 U.S.C. 3003(e)(2)) through agreements developed under section 101(a)(11)(I); and

''(bb) personal assistance services (including training in the management of such services);

''(II) in the case of a plan for an eligible individual that is a student, the specific transition services and supports needed to achieve the student's employment outcome or projected postschool employment outcome; and'';

(C) in subparagraph (F), by striking ''and'' at the end;

(D) in subparagraph (G), by striking the period and inserting ''; and''; and

(E) by adding at the end the following:

''(H) for an individual who also is receiving assistance from an employment network under the Ticket to Work and Self-Sufficiency Program established under section 1148 of the Social Security Act (42 U.S.C. 1320b–19), a description of how responsibility for service delivery will be divided between the employment network and the designated State unit.''.

(c) PROCEDURES.—Section 102(c) (29 U.S.C. 722(c)) is amended—

(1) in paragraph (1), by adding at the end the following: ''The procedures shall allow an applicant or an eligible individual the opportunity to request mediation, an impartial due process hearing, or both procedures.'';

(2) in paragraph (2)(A)—

(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) any applicable State limit on the time by which a request for mediation under paragraph (4) or a hearing under paragraph (5) shall be made, and any required procedure by which the request shall be made.''; and

(3) in paragraph (5)—

(A) by striking subparagraph (A) and inserting the following:

''(A) OFFICER.—A due process hearing described in paragraph (2) shall be conducted by an impartial hearing officer who, on reviewing the evidence presented, shall issue a written decision based on the provisions of the approved State plan, requirements specified in this Act (including regulations implementing this Act), and State regulations and policies that are consistent with the Federal requirements specified in this title. The officer shall provide the written decision to the applicant or eligible individual, or, as appropriate, the applicant's representative or individual's representative, and to the designated State unit. The impartial hearing officer shall have the authority to render a decision and require actions regarding the applicant's or eligible individual's vocational rehabilitation services under this title.''; and

(B) in subparagraph (B), by striking ''in laws'' and inserting ''about Federal laws''.

SEC. 414. VOCATIONAL REHABILITATION SERVICES.

Section 103 (29 U.S.C. 723) is amended—

(1) in subsection (a)—

(A) in paragraph (13), by striking ''workforce investment system'' and inserting ''workforce development system'';

(B) by striking paragraph (15) and inserting the following:

''(15) transition services for students with disabilities, that facilitate the transition from school to postsecondary life, such as achievement of an employment outcome in competitive integrated employment, or pre-employment transition services;'';

(C) by redesignating paragraphs (17) and (18) as paragraphs (19) and (20), respectively; and

(D) by inserting after paragraph (16) the following:

''(17) customized employment;

''(18) encouraging qualified individuals who are eligible to receive services under this title to pursue advanced training in a science, technology, engineering, or mathematics (including computer science) field, medicine, law, or business;''.

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''(A)''; and

(II) by striking the second sentence and inserting ''Such programs shall be used to provide services described in this section that promote integration into the community and that prepare individuals with disabilities for competitive integrated employment, including supported employment and customized employment.''; and

(ii) by striking subparagraph (B);

(B) by striking paragraph (5) and inserting the following:

''(5) Technical assistance to businesses that are seeking to employ individuals with disabilities.''; and

(C) by striking paragraph (6) and inserting the following:

''(6) Consultation and technical assistance services to assist State educational agencies and local educational agencies in planning for the transition of students with disabilities from school to postsecondary life, including employment.

''(7) Transition services to youth with disabilities and students with disabilities, for which a vocational rehabilitation counselor works in

concert with educational agencies, providers of job training programs, providers of services under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), entities designated by the State to provide services for individuals with developmental disabilities, centers for independent living (as defined in section 702), housing and transportation authorities, workforce development systems, and businesses and employers.

''(8) 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.

''(9) Support (including, as appropriate, tuition) for advanced training in a science, technology, engineering, or mathematics (including computer science) field, medicine, law, or business, provided after an individual eligible to receive services under this title, demonstrates—

''(A) such eligibility;

''(B) previous completion of a bachelor's degree program at an institution of higher education or scheduled completion of such degree program prior to matriculating in the program for which the individual proposes to use the support; and

''(C) acceptance by a program at an institution of higher education in the United States that confers a master's degree in a science, technology, engineering, or mathematics (including computer science) field, a juris doctor degree, a master of business administration degree, or a doctor of medicine degree,

except that the limitations of subsection (a)(5) that apply to training services shall apply to support described in this paragraph, and nothing in this paragraph shall prevent any designated State unit from providing similar support to individuals with disabilities within the State who are eligible to receive support under this title and who are not served under this paragraph.''.

SEC. 415. STATE REHABILITATION COUNCIL.

Section 105 (29 U.S.C. 725) is amended—

(1) in subsection (b)(1)(A)—

(A) by striking clause (ix) and inserting the following:

''(ix) in a State in which one or more projects are funded under section 121, at least one representative of the directors of the projects located in such State;''; and

(B) in clause (xi), by striking ''State workforce investment board'' and inserting ''State workforce development board''; and

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''State workforce investment board'' and inserting ''State workforce development board''; and

(B) in paragraph (6), by striking ''Service Act'' and all that follows and inserting ''Service Act (42 U.S.C. 300x–3(a)) and the State workforce development board, and with the activities of entities carrying out programs under the Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.);''.

SEC. 416. EVALUATION STANDARDS AND PERFORMANCE INDICATORS.

Section 106 (29 U.S.C. 726) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—

''(1) STANDARDS AND INDICATORS.—The evaluation standards and performance indicators for the vocational rehabilitation program carried out under this title shall be subject to the performance accountability provisions described in section 116(b) of the Workforce Innovation and Opportunity Act.

''(2) ADDITIONAL PERFORMANCE ACCOUNTABILITY INDICATORS.—A State may establish and provide information on additional performance accountability indicators, which shall be identified in the State plan submitted under section 101.''; and

(2) in subsection (b)(2)(B)(i), by striking ''review the program'' and all that follows through ''request the State'' and inserting ''on a biannual basis, review the program improvement efforts of the State and, if the State has not improved its performance to acceptable levels, as determined by the Commissioner, direct the State''.

SEC. 417. MONITORING AND REVIEW.

(a) IN GENERAL.—Section 107 (29 U.S.C. 727) is amended—

(1) in subsection (a)—

(A) in paragraph (3)(E), by inserting before the period the following: '', including personnel of a client assistance program under section 112, and past or current recipients of vocational rehabilitation services''; and

(B) in paragraph (4)—

(i) by striking subparagraphs (A) and (B) and inserting the following:

''(A) the eligibility process, including the process related to the determination of ineligibility under section 102(a)(5);

''(B) the provision of services, including supported employment services and pre-employment transition services, and, if applicable, the order of selection;'';

(ii) in subparagraph (C), by striking ''and'' at the end;

(iii) by redesignating subparagraph (D) as subparagraph (E); and

(iv) by inserting after subparagraph (C) the following:

''(D) data reported under section 101(a)(10)(C)(i); and''; and

(2) in subsection (b)—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(3) provide technical assistance to programs under this title to—

''(A) promote high-quality employment outcomes for individuals with disabilities;

''(B) integrate veterans who are individuals with disabilities into their communities and to support the veterans to obtain and retain competitive integrated employment;

''(C) develop, improve, and disseminate information on procedures, practices, and strategies, including for the preparation of personnel, to better enable individuals with intellectual disabilities and other individuals with disabilities to participate in postsecondary educational experiences and to obtain and retain competitive integrated employment; and

''(D) apply evidence-based findings to facilitate systemic improvements in the transition of youth with disabilities to postsecondary life.''.

(b) TECHNICAL AMENDMENT.—Section 108(a) (29 U.S.C. 728(a)) is amended by striking ''part B of title VI'' and inserting ''title VI''.

SEC. 418. TRAINING AND SERVICES FOR EMPLOYERS.

Section 109 (29 U.S.C. 728a) is amended to read as follows:

''SEC. 109. TRAINING AND SERVICES FOR EMPLOYERS.

''A State may expend payments received under section 111 to educate and provide services to employers who have hired or are interested in hiring individuals with disabilities under programs carried out under this title, including—

''(1) providing training and technical assistance to employers regarding the employment of individuals with disabilities, including disability awareness, and the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and other employment-related laws;

''(2) working with employers to—

''(A) provide opportunities for work-based learning experiences (including internships, short-term employment, apprenticeships, and fellowships), and opportunities for pre-employment transition services;

''(B) recruit qualified applicants who are individuals with disabilities;

''(C) train employees who are individuals with disabilities; and

''(D) promote awareness of disability-related obstacles to continued employment;

''(3) providing consultation, technical assistance, and support to employers on workplace accommodations, assistive technology, and facilities and workplace access through collaboration with community partners and employers, across States and nationally, to enable the employers to recruit, job match, hire, and retain qualified individuals with disabilities who are recipients of vocational rehabilitation services under this title, or who are applicants for such services; and

''(4) assisting employers with utilizing available financial support for hiring or accommodating individuals with disabilities.''.

SEC. 419. STATE ALLOTMENTS.

Section 110 (29 U.S.C. 730) is amended—

(1) in subsection (a)(1), by striking ''Subject to the provisions of subsection (c)'' and inserting ''Subject to the provisions of subsections (c) and (d),'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''1987'' and inserting ''2015''; and

(B) in paragraph (2)—

(i) by striking ''Secretary'' and all that follows through ''(B)'' and inserting ''Secretary,''; and

(ii) by striking ''2000 through 2003'' and inserting ''2015 through 2020''; and

(3) by adding at the end the following:

''(d)(1) From any State allotment under subsection (a) for a fiscal year, the State shall reserve not less than 15 percent of the allotted funds for the provision of pre-employment transition services.

''(2) Such reserved funds shall not be used to pay for the administrative costs of providing pre-employment transition services.''.

SEC. 420. PAYMENTS TO STATES.

Section 111(a)(2)(B) (29 U.S.C. 731(a)(2)(B)) is amended—

(1) by striking ''For fiscal year 1994 and each fiscal year thereafter, the'' and inserting ''The'';

(2) by striking ''this title for the previous'' and inserting ''this title for any previous''; and

(3) by striking ''year preceding the previous'' and inserting ''year preceding that previous''.

SEC. 421. CLIENT ASSISTANCE PROGRAM.

Section 112 (29 U.S.C. 732) is amended—

(1) in subsection (a), in the first sentence, by inserting ''including under sections 113 and 511,'' after ''all available benefits under this Act,'';

(2) in subsection (b), by striking ''not later than October 1, 1984,'';

(3) in subsection (e)(1)—

(A) in subparagraph (A), by striking ''The Secretary shall allot'' and inserting ''After reserving funds under subparagraphs (E) and (F), the Secretary shall allot the remainder of''; and

(B) by adding at the end the following:

''(E)(i) The Secretary shall reserve funds appropriated under subsection (h) to make a grant to the protection and advocacy system serving the American Indian Consortium to provide services in accordance with this section. The amount of such a grant shall be the same amount as is provided to a territory under this subsection.

''(ii) In this subparagraph:

''(I) The term 'American Indian Consortium' has the meaning given the term in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002).

''(II) The term 'protection and advocacy system' means a protection and advocacy system established under subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.).

''(F) For any fiscal year for which the amount appropriated under subsection (h) equals or exceeds $14,000,000, the Secretary may reserve not less than 1.8 percent and not more than 2.2 percent of such amount to provide a grant for training and technical assistance for the programs established under this section. Such training and technical assistance shall be coordinated with activities provided under section 509(c)(1)(A).''; and

(4) by striking subsection (h) and inserting the following:

''(h) There are authorized to be appropriated to carry out the provisions of this section—

''(1) $12,000,000 for fiscal year 2015;

''(2) $12,927,000 for fiscal year 2016;

''(3) $13,195,000 for fiscal year 2017;

''(4) $13,488,000 for fiscal year 2018;

''(5) $13,805,000 for fiscal year 2019; and

''(6) $14,098,000 for fiscal year 2020.''.

SEC. 422. PRE-EMPLOYMENT TRANSITION SERVICES.

Part B of title I (29 U.S.C. 730 et seq.) is further amended by adding at the end the following:

''SEC. 113. PROVISION OF PRE-EMPLOYMENT TRANSITION SERVICES.

''(a) IN GENERAL.—From the funds reserved under section 110(d), and any funds made available from State, local, or private funding sources, each State shall ensure that the designated State unit, in collaboration with the local educational agencies involved, shall provide, or arrange for the provision of, pre-employment transition services for all students with disabilities in need of such services who are eligible or potentially eligible for services under this title.

''(b) REQUIRED ACTIVITIES.—Funds available under subsection (a) shall be used to make available to students with disabilities described in subsection (a)—

''(1) job exploration counseling;

''(2) work-based learning experiences, which may include in-school or after school opportunities, or experience outside the traditional school setting (including internships), that is provided in an integrated environment to the maximum extent possible;

''(3) counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education;

''(4) workplace readiness training to develop social skills and independent living; and

''(5) instruction in self-advocacy, which may include peer mentoring.

''(c) AUTHORIZED ACTIVITIES.—Funds available under subsection (a) and remaining after the provision of the required activities described in subsection (b) may be used to improve the transition of students with disabilities described in subsection (a) from school to postsecondary education or an employment outcome by—

''(1) implementing effective strategies to increase the likelihood of independent living and inclusion in communities and competitive integrated workplaces;

''(2) developing and improving strategies for individuals with intellectual disabilities and individuals with significant disabilities to live independently, participate in postsecondary education experiences, and obtain and retain competitive integrated employment;

''(3) providing instruction to vocational rehabilitation counselors, school transition personnel, and other persons supporting students with disabilities;

''(4) disseminating information about innovative, effective, and efficient approaches to achieve the goals of this section;

''(5) coordinating activities with transition services provided by local educational agencies under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

''(6) applying evidence-based findings to improve policy, procedure, practice, and the preparation of personnel, in order to better achieve the goals of this section;

''(7) developing model transition demonstration projects;

''(8) establishing or supporting multistate or regional partnerships involving States, local educational agencies, designated State units, developmental disability agencies, private businesses, or other participants to achieve the goals of this section; and

''(9) disseminating information and strategies to improve the transition to postsecondary activities of individuals who are members of traditionally unserved populations.

''(d) PRE-EMPLOYMENT TRANSITION COORDINATION.—Each local office of a designated State unit shall carry out responsibilities consisting of—

''(1) attending individualized education program meetings for students with disabilities, when invited;

''(2) working with the local workforce development boards, one-stop centers, and employers to develop work opportunities for students with disabilities, including internships, summer employment and other employment opportunities available throughout the school year, and apprenticeships;

''(3) work with schools, including those carrying out activities under section 614(d)(1)(A)(i)(VIII) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)(i)(VIII)), to coordinate and ensure the provision of pre-employment transition services under this section; and

''(4) when invited, attend person-centered planning meetings for individuals receiving services under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

''(e) NATIONAL PRE-EMPLOYMENT TRANSITION COORDINATION.—The Secretary shall support designated State agencies providing services under this section, highlight best State practices, and consult with other Federal agencies to advance the goals of this section.

''(f) SUPPORT.—In carrying out this section, States shall address the transition needs of all students with disabilities, including such students with physical, sensory, intellectual, and mental health disabilities.''.

SEC. 423. AMERICAN INDIAN VOCATIONAL REHABILITATION SERVICES.

Section 121 (29 U.S.C. 741) is amended—

(1) in subsection (a), in the first sentence, by inserting before the period the following: ''(referred to in this section as 'eligible individuals'), consistent with such eligible individuals' strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, so that such individuals may prepare for, and engage in, high-quality employment that will increase opportunities for economic self-sufficiency'';

(2) in subsection (b)(1)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(D) contains assurances that—

''(i) all decisions affecting eligibility for vocational rehabilitation services, the nature and scope of available vocational rehabilitation services and the provision of such services will, consistent with this title, be made by a representative of the tribal vocational rehabilitation program funded through the grant; and

''(ii) such decisions will not be delegated to another agency or individual.'';

(3) by redesignating subsection (c) as subsection (d); and

(4) by inserting after subsection (b) the following:

''(c)(1) From the funds appropriated and made available to carry out this part for any fiscal year, beginning with fiscal year 2015, the Commissioner shall first reserve not less than 1.8 percent and not more than 2 percent of the funds to provide training and technical assistance to governing bodies described in subsection (a) for such fiscal year.

''(2) From the funds reserved under paragraph (1), the Commissioner shall make grants to, or enter into contracts or other cooperative agreements with, entities that have experience in the operation of vocational rehabilitation services programs under this section to provide such training and technical assistance with respect to developing, conducting, administering, and evaluating such programs.

''(3) The Commissioner shall conduct a survey of the governing bodies regarding training and technical assistance needs in order to determine funding priorities for such grants, contracts, or cooperative agreements.

''(4) To be eligible to receive a grant or enter into a contract or cooperative agreement under this section, such an entity shall submit an application to the Commissioner at such time, in such manner, and containing a proposal to provide such training and technical assistance, and containing such additional information as the Commissioner may require. The Commissioner shall provide for peer review of applications by panels that include persons who are not government employees and who have experience in the operation of vocational rehabilitation services programs under this section.''.

SEC. 424. VOCATIONAL REHABILITATION SERVICES CLIENT INFORMATION.

Section 131(a)(2) (29 U.S.C. 751(a)(2)) is amended by striking ''title I of the Workforce Investment Act of 1998'' and inserting ''title I of the Workforce Innovation and Opportunity Act''.

Subtitle C—Research and Training

SEC. 431. PURPOSE.

Section 200 (29 U.S.C. 760) is amended—

(1) in paragraph (1), by inserting ''technical assistance,'' after ''training,'';

(2) in paragraph (2), by inserting ''technical assistance,'' after ''training,'';

(3) in paragraph (3), in the matter preceding subparagraph (A)—

(A) by inserting ''and use'' after ''transfer''; and

(B) by inserting '', in a timely and efficient manner,'' after ''disabilities''; and

(4) in paragraph (4), by striking ''distribution'' and inserting ''dissemination'';

(5) in paragraph (5)—

(A) by inserting '', including individuals with intellectual and psychiatric disabilities,'' after ''disabilities''; and

(B) by striking ''and'' after the semicolon;

(6) by redesignating paragraph (6) as paragraph (7);

(7) by inserting after paragraph (5) the following:

''(6) identify strategies for effective coordination of services to job seekers with disabilities available through programs of one-stop partners, as defined in section 3 of the Workforce Innovation and Opportunity Act;'';

(8) in paragraph (7), as redesignated by paragraph (6), by striking the period and inserting ''; and''; and

(9) by adding at the end the following:

''(8) identify effective strategies for supporting the employment of individuals with disabilities in competitive integrated employment.''.

SEC. 432. AUTHORIZATION OF APPROPRIATIONS.

Section 201 (29 U.S.C. 761) is amended to read as follows:

''SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this title $103,970,000 for fiscal year 2015, $112,001,000 for fiscal year 2016, $114,325,000 for fiscal year 2017, $116,860,000 for fiscal year 2018, $119,608,000 for fiscal year 2019, and $122,143,000 for fiscal year 2020.''.

SEC. 433. NATIONAL INSTITUTE ON DISABILITY, INDEPENDENT LIVING, AND REHABILITATION RESEARCH.

Section 202 (29 U.S.C. 762) is amended—

(1) in the section heading, by inserting '', INDEPENDENT LIVING,'' after ''DISABILITY'';

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''Department of Education'' and all that follows through ''which'' and inserting ''Administration for Community Living of the Department of Health and Human Services a National Institute on Disability, Independent Living, and Rehabilitation Research (referred to in this title as the 'Institute'), which''; and

(ii) in subparagraph (A)—

(I) in clause (ii), by striking ''and training; and'' and inserting '', training, and technical assistance;'';

(II) by redesignating clause (iii) as clause (iv); and

(III) by inserting after clause (ii) the following:

''(iii) outreach and information that clarifies research implications for policy and practice; and''; and

(B) in paragraph (2), by striking ''directly'' and all that follows through the period and inserting ''directly responsible to the Administrator for the Administration for Community Living of the Department of Health and Human Services.'';

(3) in subsection (b)—

(A) in paragraph (2), by striking subparagraph (B) and inserting the following:

''(B) private organizations engaged in research relating to—

''(i) independent living;

''(ii) rehabilitation; or

''(iii) providing rehabilitation or independent living services;'';

(B) in paragraph (3), by striking ''in rehabilitation'' and inserting ''on disability, independent living, and rehabilitation'';

(C) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting ''education, health and wellness,'' after ''independent living,''; and

(ii) by striking subparagraphs (A) through (D) and inserting the following:

''(A) public and private entities, including—

''(i) elementary schools and secondary schools (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)); and

''(ii) institutions of higher education;

''(B) rehabilitation practitioners;

''(C) employers and organizations representing employers with respect to employment-based educational materials or research;

''(D) individuals with disabilities (especially such individuals who are members of minority groups or of populations that are unserved or underserved by programs under this Act);

''(E) the individuals' representatives for the individuals described in subparagraph (D); and

''(F) the Committee on Education and the Workforce of the House of Representatives, the Committee on Appropriations of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Appropriations of the Senate;'';

(D) in paragraph (6)—

(i) by striking ''advances in rehabilitation'' and inserting ''advances in disability, independent living, and rehabilitation''; and

(ii) by inserting ''education, health and wellness,'' after ''employment, independent living,'';

(E) by striking paragraph (7);

(F) by redesignating paragraphs (8) through (11) as paragraphs (7) through (10), respectively;

(G) in paragraph (7), as redesignated by subparagraph (F)—

(i) by striking ''health, income,'' and inserting ''health and wellness, income, education,''; and

(ii) by striking ''and evaluation of vocational and other'' and inserting ''and evaluation of independent living, vocational, and'';

(H) in paragraph (8), as redesignated by subparagraph (F), by striking ''with vocational rehabilitation services for the purpose of identifying effective rehabilitation programs and policies that promote the independence of individuals with disabilities and achievement of long-term vocational goals'' and inserting ''with independent living and vocational rehabilitation services for the purpose of identifying effective independent living and rehabilitation programs and policies that promote the independence of individuals with disabilities and achievement of long-term independent living and employment goals''; and

(I) in paragraph (9), as redesignated by subparagraph (F), by striking ''and telecommuting; and'' and inserting '', supported employment (including customized employment), and telecommuting; and'';

(4) in subsection (d)(1), by striking the second sentence and inserting the following: ''The Director shall be an individual with substantial knowledge of and experience in independent living, rehabilitation, and research administration.'';

(5) in subsection (f)(1), by striking the second sentence and inserting the following: ''The scientific peer review shall be conducted by individuals who are not Department of Health and Human Services employees. The Secretary shall consider for peer review individuals who are scientists or other experts in disability, independent living, and rehabilitation, including individuals with disabilities and the individuals' representatives, and who have sufficient expertise to review the projects.'';

(6) in subsection (h)—

(A) in paragraph (1)(A)—

(i) by striking ''priorities for rehabilitation research,'' and inserting ''priorities for disability, independent living, and rehabilitation research,''; and

(ii) by inserting ''dissemination,'' after ''training,''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''especially in the area of employment'' and inserting ''especially in the areas of employment and independent living'';

(ii) in subparagraph (D)—

(I) by striking ''developed by the Director'' and inserting ''coordinated with the strategic plan required under section 203(c)'';

(II) in clause (i), by striking ''Rehabilitation'' and inserting ''Disability, Independent Living, and Rehabilitation'';

(III) in clause (ii), by striking ''Commissioner'' and inserting ''Administrator''; and

(IV) in clause (iv), by striking ''researchers in the rehabilitation field'' and inserting ''researchers in the independent living and rehabilitation fields'';

(iii) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(iv) by inserting after subparagraph (D) the following:

''(E) be developed by the Director;'';

(v) in subparagraph (F), as redesignated by clause (iii), by inserting ''and information that clarifies implications of the results for practice,'' after ''covered activities,''; and

(vi) in subparagraph (G), as redesignated by clause (iii), by inserting ''and information that clarifies implications of the results for practice'' after ''covered activities'';

(7) in subsection (j), by striking paragraph (3); and

(8) by striking subsection (k) and inserting the following:

''(k) The Director shall make grants to institutions of higher education for the training of independent living and rehabilitation researchers, including individuals with disabilities and traditionally underserved populations of individuals with disabilities, as described in section 21, with particular attention to research areas that—

''(1) support the implementation and objectives of this Act; and

''(2) improve the effectiveness of services authorized under this Act.

''(l)(1) Not later than December 31 of each year, the Director shall prepare, and submit to the Secretary, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Education and the Workforce of the House of Representatives, a report on the activities funded under this title.

''(2) The report under paragraph (1) shall include—

''(A) a compilation and summary of the information provided by recipients of funding for such activities under this title;

''(B) a summary describing the funding received under this title and the progress of the recipients of the funding in achieving the measurable goals described in section 204(d)(2); and

''(C) a summary of implications of research outcomes on practice.

''(m)(1) If the Director determines that an entity that receives funding under this title fails to comply with the applicable requirements of this Act, or to make progress toward achieving the measurable goals described in section 204(d)(2), with respect to the covered activities involved, the Director shall utilize available monitoring and enforcement measures.

''(2) As part of the annual report required under subsection (l), the Secretary shall describe each action taken by the Secretary under paragraph (1) and the outcomes of such action.''.

SEC. 434. INTERAGENCY COMMITTEE.

Section 203 (29 U.S.C. 763) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''conducting rehabilitation research'' and inserting ''conducting disability, independent living, and rehabilitation research'';

(ii) by striking ''chaired by the Director'' and inserting ''chaired by the Secretary, or the Secretary's designee,'';

(iii) by inserting ''the Assistant Secretary of Labor for Disability Employment Policy, the Secretary of Defense, the Administrator of the Administration for Community Living,'' after ''Assistant Secretary for Special Education and Rehabilitative Services,''; and

(iv) by striking ''and the Director of the National Science Foundation.'' and inserting ''the Director of the National Science Foundation and the Administrator of the Small Business Administration.''; and

(B) in paragraph (2), by inserting '', and for not less than 1 of such meetings at least every 2 years, the Committee shall invite policymakers, representatives from other Federal agencies conducting relevant research, individuals with disabilities, organizations representing individuals with disabilities, researchers, and providers, to offer input on the Committee's work, including the development and implementation of the strategic plan required under subsection (c)'' after ''each year'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''from targeted individuals'' and inserting ''individuals with disabilities''; and

(ii) by inserting ''independent living and'' before ''rehabilitation''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting ''independent living research,'' after ''assistive technology research,'';

(ii) in subparagraph (B), by inserting '', independent living research,'' after ''technology research'';

(iii) in subparagraph (D), by striking ''and research that incorporates the principles of universal design'' and inserting '', independent living research, and research that incorporates the principles of universal design''; and

(iv) in subparagraph (E), by striking ''and research that incorporates the principles of universal design.'' and inserting '', independent living research, and research that incorporates the principles of universal design.'';

(3) by striking subsection (d);

(4) by redesignating subsection (c) as subsection (d);

(5) by inserting after subsection (b) the following:

''(c)(1) The Committee shall develop a comprehensive government wide strategic plan for disability, independent living, and rehabilitation research.

''(2) The strategic plan shall include, at a minimum—

''(A) a description of the—

''(i) measurable goals and objectives;

''(ii) existing resources each agency will devote to carrying out the plan;

''(iii) timetables for completing the projects outlined in the plan; and

''(iv) assignment of responsible individuals and agencies for carrying out the research activities;

''(B) research priorities and recommendations;

''(C) a description of how funds from each agency will be combined, as appropriate, for projects administered among Federal agencies, and how such funds will be administered;

''(D) the development and ongoing maintenance of a searchable government wide inventory of disability, independent living, and rehabilitation research for trend and data analysis across Federal agencies;

''(E) guiding principles, policies, and procedures, consistent with the best research practices available, for conducting and administering disability, independent living, and rehabilitation research across Federal agencies; and

''(F) a summary of underemphasized and duplicative areas of research.

''(3) The strategic plan described in this subsection shall be submitted to the President and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.'';

(6) in subsection (d), as redesignated by paragraph (4)—

(A) in the matter preceding paragraph (1), by striking ''Committee on Labor and Human Resources of the Senate'' and inserting ''Committee on Health, Education, Labor, and Pensions of the Senate''; and

(B) by striking paragraph (1) and inserting the following:

''(1) describes the progress of the Committee in fulfilling the duties described in subsections (b) and (c), and including specifically for subsection (c)—

''(A) a report of the progress made in implementing the strategic plan, including progress toward implementing the elements described in subsection (c)(2)(A); and

''(B) detailed budget information.''; and

(7) in subsection (e), by striking paragraph (2) and inserting the following:

''(2) the term 'independent living', used in connection with research, means research on issues and topics related to attaining maximum self-sufficiency and function by individuals with disabilities, including research on assistive technology and universal design, employment, education, health and wellness, and community integration and participation.''.

SEC. 435. RESEARCH AND OTHER COVERED ACTIVITIES.

Section 204 (29 U.S.C. 764) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''pay'' and inserting ''fund'';

(ii) by inserting ''have practical applications and'' before ''maximize''; and

(iii) by striking ''employment, independent living,'' and inserting ''employment, education, independent living, health and wellness,'';

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting ''and from which the research findings, conclusions, or recommendations can be transferred to practice'' after ''State agencies'';

(ii) in subparagraph (B)—

(I) by striking clause (ii) and inserting the following:

''(ii) studies and analyses of factors related to industrial, vocational, educational, employment, social, recreational, psychiatric, psychological, economic, and health and wellness variables affecting individuals with disabilities, including traditionally underserved populations as described in section 21, and how those variables affect such individuals' ability to live independently and their participation in the work force;'';

(II) in clause (iii), by striking ''are homebound'' and all that follows and inserting ''have significant challenges engaging in community life outside their homes and individuals who are in institutional settings;'';

(III) in clause (iv), by inserting '', including the principles of universal design and the interoperability of products and services'' after ''disabilities'';

(IV) in clause (v), by inserting '', and to promoting employment opportunities in competitive integrated employment'' after ''employment'';

(V) in clause (vi), by striking ''and'' after the semicolon;

(VI) in clause (vii), by striking ''and assistive technology.'' and inserting '', assistive technology, and communications technology; and''; and

(VII) by adding at the end the following:

''(viii) studies, analyses, and other activities affecting employment outcomes as defined in section 7(11), including self-employment and telecommuting, of individuals with disabilities.''; and

(C) by adding at the end the following:

''(3) In carrying out this section, the Director shall emphasize covered activities that include plans for—

''(A) dissemination of high-quality materials, of scientifically valid research results, or of findings, conclusions, and recommendations resulting from covered activities, including through electronic means (such as the website of the Department of Health and Human Services), so that such information is available in a timely manner to the general public; or

''(B) the commercialization of marketable products, research results, or findings, resulting from the covered activities.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''(18)'' both places the term appears and inserting ''(17)'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:

''(i) be operated in collaboration with institutions of higher education, providers of rehabilitation services, developers or providers of assistive technology devices, assistive technology services, or information technology devices or services, as appropriate, or providers of other appropriate services; and

''(ii) serve as centers of national excellence and national or regional resources for individuals with disabilities, as well as providers, educators, and researchers.'';

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) by adding ''independent living and'' after ''research in'';

(bb) by adding ''independent living and'' after ''will improve''; and

(cc) by striking ''alleviate or stabilize'' and all that follows and inserting ''maximize health and function (including alleviating or stabilizing conditions, or preventing secondary conditions), and promote maximum social and economic independence of individuals with disabilities, including promoting the ability of the individuals to prepare for, secure, retain, regain, or advance in employment;'';

(II) by redesignating clauses (ii), (iii), and (iv), as clauses (iii), (iv), and (v), respectively;

(III) by inserting after clause (i) the following:

''(ii) conducting research in, and dissemination of, employer-based practices to facilitate the identification, recruitment, accommodation, advancement, and retention of qualified individuals with disabilities;'';

(IV) in clause (iii), as redesignated by subclause (II), by inserting ''independent living and'' before ''rehabilitation services'';

(V) in clause (iv), as redesignated by subclause (II)—

(aa) by inserting ''independent living and'' before ''rehabilitation'' each place the term appears; and

(bb) by striking ''and'' after the semicolon; and

(VI) by striking clause (v), as redesignated by subclause (II), and inserting the following:

''(v) serving as an informational and technical assistance resource to individuals with disabilities, as well as to providers, educators, and researchers, by providing outreach and information that clarifies research implications for practice and identifies potential new areas of research; and

''(vi) developing practical applications for the research findings of the Centers.'';

(iii) in subparagraph (C)—

(I) in clause (i), by inserting '', including research on assistive technology devices, assistive technology services, and accessible electronic and information technology devices'' after ''research'';

(II) in clause (ii)—

(aa) by striking ''and social'' and inserting '', social, and economic''; and

(bb) by inserting ''independent living and'' before ''rehabilitation''; and

(III) by striking clauses (iii) and (iv);

(IV) by redesignating clauses (v) and (vi) as clauses (iii) and (iv), respectively;

(V) in clause (iii), as redesignated by subclause (IV), by striking ''to develop'' and all that follows and inserting ''that promotes the emotional, social, educational, and functional growth of children who are individuals with disabilities, as well as their integration in school, employment, and community activities;'';

(VI) in clause (iv), as redesignated by subclause (IV), by striking ''that will improve'' and all that follows and inserting ''to develop and evaluate interventions, policies, and services that support families of those children and adults who are individuals with disabilities;''; and

(VII) by adding at the end the following:

''(v) continuation of research that will improve services and policies that foster the independence and social integration of individuals with disabilities, and enable individuals with disabilities, including individuals with intellectual disabilities and other developmental disabilities, to live in their communities; and

''(vi) research, dissemination, and technical assistance, on best practices in vocational rehabilitation, including supported employment and other strategies to promote competitive integrated employment for persons with the most significant disabilities.'';

(iv) by striking subparagraph (D) and inserting the following:

''(D) Training of students preparing to be independent living or rehabilitation personnel or to provide independent living, rehabilitative, assistive, or supportive services (such as rehabilitation counseling, personal care services, direct care, job coaching, aides in school based settings, or advice or assistance in utilizing assistive technology devices, assistive technology services, and accessible electronic and information technology devices and services) shall be an important priority for each such Center.'';

(v) in subparagraph (E), by striking ''comprehensive'';

(vi) in subparagraph (G)(i), by inserting ''independent living and'' before ''rehabilitation-related'';

(vii) by striking subparagraph (I); and

(viii) by redesignating subparagraphs (J) through (O) as subparagraphs (I) through (N), respectively;

(C) in paragraph (3)—

(i) in subparagraph (A), by inserting ''independent living strategies and'' before ''rehabilitation technology'';

(ii) in subparagraph (B)—

(I) in clause (i)(I), by inserting ''independent living and'' before ''rehabilitation problems'';

(II) in clause (ii)(II), by striking ''employment'' and inserting ''educational, employment,''; and

(III) in clause (iii)(II), by striking ''employment'' and inserting ''educational, employment,'';

(iii) in subparagraph (D)(i)(II), by striking ''postschool'' and inserting ''postsecondary education, competitive integrated employment, and other age-appropriate''; and

(iv) in subparagraph (G)(ii), by inserting ''the impact of any commercialized product researched or developed through the Center,'' after ''individuals with disabilities,'';

(D) in paragraph (4)(B)—

(i) in clause (i)—

(I) by striking ''vocational'' and inserting ''independent living, employment,'';

(II) by striking ''special'' and inserting ''unique''; and

(III) by inserting ''social and functional needs, and'' before ''acute care''; and

(ii) in clause (iv), by inserting ''education, health and wellness,'' after ''employment,'';

(E) by striking paragraph (8) and inserting the following:

''(8) Grants may be used to conduct a program of joint projects with other administrations and offices of the Department of Health and Human Services, the National Science Foundation, the Department of Veterans Affairs, the Department of Defense, the Federal Communications Commission, the National Aeronautics and Space Administration, the Small Business Administration, the Department of Labor, other Federal agencies, and private industry in areas of joint interest involving rehabilitation.'';

(F) by striking paragraphs (9) and (11);

(G) by redesignating paragraphs (10), (12), (13), (14), (15), (16), (17), and (18), as paragraphs (9), (10), (11), (12), (13), (14), (15), and (16), respectively;

(H) in paragraph (11), as redesignated by subparagraph (G)—

(i) in the matter preceding subparagraph (A), by striking ''employment needs of individuals with disabilities, including'' and inserting ''employment needs, opportunities, and outcomes (including those relating to self-employment, supported employment, and telecommuting) of individuals with disabilities, including'';

(ii) in subparagraph (B), by inserting ''and employment related'' after ''the employment'';

(iii) in subparagraph (E), by striking ''and'' after the semicolon;

(iv) in subparagraph (F), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

''(G) develop models to facilitate the successful transition of individuals with disabilities from nonintegrated employment and employment that is compensated at a wage less than the Federal minimum wage to competitive integrated employment;

''(H) develop models to maximize opportunities for integrated community living, including employment and independent living, for individuals with disabilities;

''(I) provide training and continuing education for personnel involved with community living for individuals with disabilities;

''(J) develop model procedures for testing and evaluating the community living related needs of individuals with disabilities;

''(K) develop model training programs to teach individuals with disabilities skills which will lead to integrated community living and full participation in the community; and

''(L) develop new approaches for long-term services and supports for individuals with disabilities, including supports necessary for competitive integrated employment.'';

(I) in paragraph (12), as redesignated by subparagraph (G)—

(i) in the matter preceding subparagraph (A), by inserting ''an independent living or'' after ''conduct'';

(ii) in subparagraph (D), by inserting ''independent living or'' before ''rehabilitation''; and

(iii) in the matter following subparagraph (E), by striking ''National Institute on Disability and Rehabilitation Research'' and inserting ''National Institute on Disability, Independent Living, and Rehabilitation Research'';

(J) in paragraph (13), as redesignated by subparagraph (G), by inserting ''independent living and'' before ''rehabilitation needs''; and

(K) in paragraph (14), as redesignated by subparagraph (G), by striking ''and access to gainful employment.'' and inserting '', full participation, and economic self-sufficiency.''; and

(3) by adding at the end the following:

''(d)(1) In awarding grants, contracts, or cooperative agreements under this title, the Director shall award the funding on a competitive basis.

''(2)(A) To be eligible to receive funds under this section for a covered activity, an entity described in subsection (a)(1) shall submit an application to the Director at such time, in such manner, and containing such information as the Director may require.

''(B) The application shall include information describing—

''(i) measurable goals, as established through section 1115 of title 31, United States Code, and a timeline and specific plan for meeting the goals, that the applicant has established;

''(ii) how the project will address 1 or more of the following: commercialization of a marketable product, technology transfer (if applicable), dissemination of any research results, and other priorities as established by the Director; and

''(iii) how the applicant will quantifiably measure the goals to determine whether such goals have been accomplished.

''(3)(A) In the case of an application for funding under this section to carry out a covered activity that results in the development of a marketable product, the application shall also include a commercialization and dissemination plan, as appropriate, containing commercialization and marketing strategies for the product involved, and strategies for disseminating information about the product. The funding received under this section shall not be used to carry out the commercialization and marketing strategies.

''(B) In the case of any other application for funding to carry out a covered activity under this section, the application shall also include a dissemination plan, containing strategies for disseminating educational materials, research results, or findings, conclusions, and recommendations, resulting from the covered activity.''.

SEC. 436. DISABILITY, INDEPENDENT LIVING, AND REHABILITATION RESEARCH ADVISORY COUNCIL.

Section 205 (29 U.S.C. 765) is amended—

(1) in the section heading, by inserting **''DISABILITY, INDEPENDENT LIVING, AND''** before **''REHABILITATION''**;

(2) in subsection (a)—

(A) by striking ''Department of Education a Rehabilitation Research Advisory Council'' and inserting ''Department of Health and Human Services a Disability, Independent Living, and Rehabilitation Research Advisory Council''; and

(B) by inserting ''not less than'' after ''composed of'';

(3) by striking subsection (c) and inserting the following:

''(c) QUALIFICATIONS.—Members of the Council shall be generally representative of the community of disability, independent living, and rehabilitation professionals, the community of disability, independent living, and rehabilitation researchers, the directors of independent living centers and community rehabilitation programs, the business community (including a representative of the small business community) that has experience with the system of vocational rehabilitation services and independent living services carried out under this Act and with hiring individuals with disabilities, the community of stakeholders involved in assistive technology, the community of covered school professionals, and the community of individuals with disabilities, and the individuals' representatives. At least one-half of the members shall be individuals with disabilities or the individuals' representatives.''; and

(4) in subsection (g), by striking ''Department of Education'' and inserting ''Department of Health and Human Services''.

SEC. 437. DEFINITION OF COVERED SCHOOL.

Title II (29 U.S.C. 760 et seq.) is amended by adding at the end the following:

''SEC. 206. DEFINITION OF COVERED SCHOOL.

''In this title, the term 'covered school' means an elementary school or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) or an institution of higher education.''.

Subtitle D—Professional Development and Special Projects and Demonstration

SEC. 441. PURPOSE; TRAINING.

(a) PURPOSE.—Section 301(a) (29 U.S.C. 771(a)) is amended—

(1) in paragraph (2), by inserting ''and'' after the semicolon;

(2) by striking paragraphs (3) and (4);

(3) by redesignating paragraph (5) as paragraph (3); and

(4) in paragraph (3), as redesignated by paragraph (3), by striking ''workforce investment systems'' and inserting ''workforce development systems''.

(b) TRAINING.—Section 302 (29 U.S.C. 772) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (E), by striking all after ''deliver'' and inserting ''supported employment services and customized employment services to individuals with the most significant disabilities;'';

(ii) in subparagraph (F), by striking ''and'' after the semicolon;

(iii) in subparagraph (G), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(H) personnel trained in providing assistive technology services.'';

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by striking ''title I of the Workforce Investment Act of 1998'' and inserting ''subtitle B of title I of the Workforce Innovation and Opportunity Act'';

(ii) in subparagraph (A), by striking ''workforce investment system'' and inserting ''workforce development system''; and

(iii) in subparagraph (B), by striking ''section 134(c) of the Workforce Investment Act of 1998.'' and inserting ''section 121(e) of the Workforce Innovation and Opportunity Act.''; and

(C) in paragraph (5), by striking ''title I of the Workforce Investment Act of 1998'' and inserting ''subtitle B of title I of the Workforce Innovation and Opportunity Act'';

(2) in subsection (b)(1)(B)(i), by striking ''or prosthetics and orthotics'' and inserting ''prosthetics and orthotics, vision rehabilitation therapy, orientation and mobility instruction, or low vision therapy'';

(3) in subsection (g)—

(A) in the subsection heading, by striking ''AND IN-SERVICE TRAINING'';

(B) in paragraph (1), by adding after the period the following: ''Any technical assistance provided to community rehabilitation programs shall be focused on the employment outcome of competitive integrated employment for individuals with disabilities.''; and

(C) by striking paragraph (3);

(4) in subsection (h), by striking ''section 306'' and inserting ''section 304''; and

(5) in subsection (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, $36,257,000 for fiscal year 2016, $37,009,000 for fiscal year 2017, $37,830,000 for fiscal year 2018, $38,719,000 for fiscal year 2019, and $39,540,000 for fiscal year 2020.''.

SEC. 442. DEMONSTRATION, TRAINING, AND TECHNICAL ASSISTANCE PROGRAMS.

Section 303 (29 U.S.C. 773) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''section 306'' and inserting ''section 304'';

(B) in paragraph (3)(A), by striking ''National Institute on Disability and Rehabilitation Research'' and inserting ''National Institute on Disability, Independent Living, and Rehabilitation Research'';

(C) in paragraph (5)—

(i) in subparagraph (A)—

(I) by striking clause (i) and inserting the following:

''(i) initiatives focused on improving transition from education, including postsecondary education, to employment, particularly in competitive integrated employment, for youth who are individuals with significant disabilities;''; and

(II) by striking clause (iii) and inserting the following:

''(iii) increasing competitive integrated employment for individuals with significant disabilities.''; and

(ii) in subparagraph (B)(viii), by striking ''under title I of the Workforce Investment Act of 1998'' and inserting ''under subtitle B of title I of the Workforce Innovation and Opportunity Act''; and

(D) by striking paragraph (6);

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (E), by striking ''and'' after the semicolon;

(ii) by redesignating subparagraph (F) as subparagraph (G); and

(iii) by inserting after subparagraph (E) the following:

''(F) to provide support and guidance in helping individuals with significant disabilities, including students with disabilities, transition to competitive integrated employment; and'';

(B) in paragraph (4)—

(i) in subparagraph (A)(ii)—

(I) by inserting ''the'' after ''closely with''; and

(II) by inserting '', the community parent resource centers established pursuant to section 672 of such Act, and the eligible entities receiving awards under section 673 of such Act'' after ''Individuals with Disabilities Education Act''; and

(ii) in subparagraph (C), by inserting '', and demonstrate the capacity for serving,'' after ''shall serve''; and

(C) by adding at the end the following:

''(8) RESERVATION.—From the amount appropriated to carry out this section for a fiscal year, 20 percent of such amount or $500,000, whichever is less, may be reserved to carry out paragraph (6).''; and

(3) by striking subsection (e) and inserting the following:

''(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section there are authorized to be appropriated $5,796,000 for fiscal year 2015, $6,244,000 for fiscal year 2016, $6,373,000 for fiscal year 2017, $6,515,000 for fiscal year 2018, $6,668,000 for fiscal year 2019, and $6,809,000 for fiscal year 2020.''.

SEC. 443. MIGRANT AND SEASONAL FARMWORKERS; RECREATIONAL PROGRAMS.

The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is amended—

(1) by striking sections 304 and 305;

(2) by redesignating section 306 as section 304.

Subtitle E—National Council on Disability

SEC. 451. ESTABLISHMENT.

Section 400 (29 U.S.C. 780) is amended—

(1) in subsection (a)(1)—

(A) by redesignating subparagraph (C) as subparagraph (D);

(B) by striking subparagraphs (A) and (B) and inserting the following:

''(A) There is established within the Federal Government a National Council on Disability (referred to in this title as the 'National Council'), which, subject to subparagraph (B), shall be composed of 9 members, of which—

''(i) 5 shall be appointed by the President;

''(ii) 1 shall be appointed by the Majority Leader of the Senate;

''(iii) 1 shall be appointed by the Minority Leader of the Senate;

''(iv) 1 shall be appointed by the Speaker of the House of Representatives; and

''(v) 1 shall be appointed by the Minority Leader of the House of Representatives.

''(B) The National Council shall transition from 15 members (as of the date of enactment of the Workforce Innovation and Opportunity Act) to 9 members as follows:

''(i) On the first 4 expirations of National Council terms (after that date), replacement members shall be appointed to the National Council in the following order and manner:

''(I) 1 shall be appointed by the Majority Leader of the Senate.

''(II) 1 shall be appointed by the Minority Leader of the Senate.

''(III) 1 shall be appointed by the Speaker of the House of Representatives.

''(IV) 1 shall be appointed by the Minority Leader of the House of Representatives.

''(ii) On the next 6 expirations of National Council terms (after the 4 expirations described in clause (i) occur), no replacement members shall be appointed to the National Council.

''(C) For any vacancy on the National Council that occurs after the transition described in subparagraph (B), the vacancy shall be filled in the same manner as the original appointment was made.''; and

(C) in subparagraph (D), as redesignated by subparagraph (A) of this paragraph, in the first sentence—

(i) by inserting ''national leaders on disability policy,'' after ''guardians of individuals with disabilities,''; and

(ii) by striking ''policy or programs'' and inserting ''policy or issues that affect individuals with disabilities'';

(2) in subsection (b), by striking '', except'' and all that follows and inserting a period; and

(3) in subsection (d), by striking ''Eight'' and inserting ''Five''.

SEC. 452. REPORT.

Section 401 (29 U.S.C. 781) is amended—

(1) in paragraphs (1) and (3) of subsection (a), by striking ''National Institute on Disability and Rehabilitation Research'' and inserting ''National Institute on Disability, Independent Living, and Rehabilitation Research''; and

(2) by striking subsection (c).

SEC. 453. AUTHORIZATION OF APPROPRIATIONS.

Section 405 (29 U.S.C. 785) is amended by striking ''such sums as may be necessary for each of the fiscal years 1999 through 2003.'' and inserting ''$3,186,000 for fiscal year 2015, $3,432,000 for fiscal year 2016, $3,503,000 for fiscal year 2017, $3,581,000 for fiscal year 2018, $3,665,000 for fiscal year 2019, and $3,743,000 for fiscal year 2020.''.

Subtitle F—Rights and Advocacy

SEC. 456. INTERAGENCY COMMITTEE, BOARD, AND COUNCIL.

(a) INTERAGENCY COMMITTEE.—Section 501 (29 U.S.C. 791) is amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

(b) ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD.—Section 502(j) (29 U.S.C. 792(j)) is amended by striking ''such sums as may be necessary for each of the fiscal years 1999 through 2003.'' and inserting ''$7,448,000 for fiscal year 2015, $8,023,000 for fiscal year 2016, $8,190,000 for fiscal year 2017, $8,371,000 for fiscal year 2018, $8,568,000 for fiscal year 2019, and $8,750,000 for fiscal year 2020.''.

(c) PROGRAM OR ACTIVITY.—Section 504(b)(2)(B) (29 U.S.C. 794(b)(2)(B)) is amended by striking ''vocational education'' and inserting ''career and technical education''.

(d) INTERAGENCY DISABILITY COORDINATING COUNCIL.—Section 507(a) (29 U.S.C. 794c(a)) is amended by inserting ''the Chairperson of the National Council on Disability,'' before ''and such other''.

SEC. 457. PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS.

Section 509 (29 U.S.C. 794e) is amended—

(1) in subsection (c)(1)(A), by inserting ''a grant, contract, or cooperative agreement for'' before ''training'';

(2) in subsection (f)(2)—

(A) by striking ''general'' and all that follows through ''records'' and inserting ''general authorities, including the authority to access records''; and

(B) by inserting ''of title I'' after ''subtitle C''; and

(3) in subsection (l), by striking ''such sums as may be necessary for each of the fiscal years 1999 through 2003.'' and inserting ''$17,650,000 for fiscal year 2015, $19,013,000 for fiscal year 2016, $19,408,000 for fiscal year 2017, $19,838,000 for fiscal year 2018, $20,305,000 for fiscal year 2019, and $20,735,000 for fiscal year 2020.''.

SEC. 458. LIMITATIONS ON USE OF SUBMINIMUM WAGE.

(a) IN GENERAL.—Title V (29 U.S.C. 791 et seq.) is amended by adding at the end the following:

''SEC. 511. LIMITATIONS ON USE OF SUBMINIMUM WAGE.

''(a) IN GENERAL.—No entity, including a contractor or subcontractor of the entity, which holds a special wage certificate as described in section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)) may compensate an individual with a disability who is age 24 or younger at a wage (referred to in this section as a 'subminimum wage') that is less than the Federal minimum wage unless 1 of the following conditions is met:

''(1) The individual is currently employed, as of the effective date of this section, by an entity that holds a valid certificate pursuant to section 14(c) of the Fair Labor Standards Act of 1938.

''(2) The individual, before beginning work that is compensated at a subminimum wage, has completed, and produces documentation indicating completion of, each of the following actions:

''(A) The individual has received pre-employment transition services that are available to the individual under section 113, or transition services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) such as transition services available to the individual under section 614(d) of that Act (20 U.S.C. 1414(d)).

''(B) The individual has applied for vocational rehabilitation services under title I, with the result that—

''(i)(I) the individual has been found ineligible for such services pursuant to that title and has documentation consistent with section 102(a)(5)(C) regarding the determination of ineligibility; or

''(II)(aa) the individual has been determined to be eligible for vocational rehabilitation services;

''(bb) the individual has an individualized plan for employment under section 102;

''(cc) the individual has been working toward an employment outcome specified in such individualized plan for employment, with appropriate supports and services, including supported employment services, for a reasonable period of time without success; and

''(dd) the individual's vocational rehabilitation case is closed; and

''(ii)(I) the individual has been provided career counseling, and information and referrals to Federal and State programs and other resources in the individual's geographic area that offer employment-related services and supports designed to enable the individual to explore, discover, experience, and attain competitive integrated employment; and

''(II) such counseling and information and referrals are not for employment compensated at a subminimum wage provided by an entity described in this subsection, and such employment-related services are not compensated at a subminimum wage and do not directly result in employment compensated at a subminimum wage provided by an entity described in this subsection.

''(b) CONSTRUCTION.—

''(1) RULE.—Nothing in this section shall be construed to—

''(A) change the purpose of this Act described in section 2(b)(2), to empower individuals with disabilities to maximize opportunities for competitive integrated employment; or

''(B) preference employment compensated at a subminimum wage as an acceptable vocational rehabilitation strategy or successful employment outcome, as defined in section 7(11).

''(2) CONTRACTS.—A local educational agency (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) or a State educational agency (as defined in such section) may not enter into a contract or other arrangement with an entity described in subsection (a) for the purpose of operating a program for an individual who is age 24 or younger under which work is compensated at a subminimum wage.

''(3) VOIDABILITY.—The provisions in this section shall be construed in a manner consistent with the provisions of the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), as amended before or after the effective date of this Act.

''(c) DURING EMPLOYMENT.—

''(1) IN GENERAL.—The entity described in subsection (a) may not continue to employ an individual, regardless of age, at a subminimum wage unless, after the individual begins work at that wage, at the intervals described in paragraph (2), the individual (with, in an appropriate case, the individual's parent or guardian)—

''(A) is provided by the designated State unit career counseling, and information and referrals described in subsection (a)(2)(B)(ii), delivered in a manner that facilitates independent decision-making and informed choice, as the individual makes decisions regarding employment and career advancement; and

''(B) is informed by the employer of self-advocacy, self-determination, and peer mentoring training opportunities available in the individual's geographic area, provided by an entity that does not have any financial interest in the individual's employment outcome, under applicable Federal and State programs or other sources.

''(2) TIMING.—The actions required under subparagraphs (A) and (B) of paragraph (1) shall be carried out once every 6 months for the first year of the individual's employment at a subminimum wage, and annually thereafter for the duration of such employment.

''(3) SMALL BUSINESS EXCEPTION.—In the event that the entity described in subsection (a) is a business with fewer than 15 employees, such entity can satisfy the requirements of subparagraphs (A) and (B) of paragraph (1) by referring the individual, at the intervals described in paragraph (2), to the designated State unit for the counseling, information, and referrals described in paragraph (1)(A) and the information described in paragraph (1)(B).

''(d) DOCUMENTATION.—

''(1) IN GENERAL.—The designated State unit, in consultation with the State educational agency, shall develop a new process or utilize an existing process, consistent with guidelines developed by the Secretary, to document the completion of the actions described in subparagraphs (A) and (B) of subsection (a)(2) by a youth with a disability who is an individual with a disability.

''(2) DOCUMENTATION PROCESS.—Such process shall require that—

''(A) in the case of a student with a disability, for documentation of actions described in subsection (a)(2)(A)—

''(i) if such a student with a disability receives and completes each category of required activities in section 113(b), such completion of services shall be documented by the designated State unit in a manner consistent with this section;

''(ii) if such a student with a disability receives and completes any transition services available for students with disabilities under the Individuals with Disabilities Education Act, including those provided under section 614(d)(1)(A)(i)(VIII) (20 U.S.C. 1414(d)(1)(A)(i)(VIII)), such completion of services shall be documented by the appropriate school official responsible for the provision of such transition services, in a manner consistent with this section; and

''(iii) the designated State unit shall provide the final documentation, in a form and manner consistent with this section, of the completion of pre-employment transition services as described in clause (i), or transition services under the Individuals with Disabilities Education Act as described in clause (ii), to the student with a disability within a reasonable period of time following the completion; and

''(B) when an individual has completed the actions described in subsection (a)(2)(B), the designated State unit shall provide the individual a document indicating such completion, in a manner consistent with this section, within a reasonable time period following the completion of the actions described in this subparagraph.

''(e) VERIFICATION.—

''(1) BEFORE EMPLOYMENT.—Before an individual covered by subsection (a)(2) begins work for an entity described in subsection (a) at a subminimum wage, the entity shall review such documentation received by the individual under subsection (d), and provided by the individual to the entity, that indicates that the individual has completed the actions described in subparagraphs (A) and (B) of subsection (a)(2) and the entity shall maintain copies of such documentation.

''(2) DURING EMPLOYMENT.—

''(A) IN GENERAL.—In order to continue to employ an individual at a subminimum wage, the entity described in subsection (a) shall verify completion of the requirements of subsection (c), including reviewing any relevant documents provided by the individual, and shall maintain copies of the documentation described in subsection (d).

''(B) REVIEW OF DOCUMENTATION.—The entity described in subsection (a) shall be subject to review of individual documentation described in subsection (d) by a representative working directly for the designated State unit or the Department of Labor at such a time and in such a manner as may be necessary to fulfill the intent of this section, consistent with regulations established by the designated State unit or the Secretary of Labor.

''(f) FEDERAL MINIMUM WAGE.—In this section, the term 'Federal minimum wage' means the rate applicable under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)).''.

(b) EFFECTIVE DATE.—This section takes effect 2 years after the date of enactment of the Workforce Innovation and Opportunity Act.

Subtitle G—Employment Opportunities for Individuals With Disabilities

SEC. 461. EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES.

Title VI (29 U.S.C. 795 et seq.) is amended—

(1) by striking part A;

(2) by striking the part heading relating to part B;

(3) by redesignating sections 621 through 628 as sections 602 through 609, respectively;

(4) in section 602, as redesignated by paragraph (3)—

(A) by striking ''part'' and inserting ''title''; and

(B) by striking ''individuals with the most significant disabilities'' and all that follows and inserting ''individuals with the most significant disabilities, including youth with the most significant disabilities, to enable such individuals to achieve an employment outcome of supported employment in competitive integrated employment.'';

(5) in section 603, as redesignated by paragraph (3)—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking ''part'' and inserting ''title'';

(II) in subparagraph (A), by inserting ''amount'' after ''whichever''; and

(III) in subparagraph (B)—

(aa) by striking ''part for the fiscal year'' and inserting ''title for the fiscal year'';

(bb) by striking ''this part in fiscal year 1992'' and inserting ''part B of this title (as in effect on September 30, 1992) in fiscal year 1992''; and

(cc) by inserting ''amount'' after ''whichever''; and

(ii) in paragraph (2)(B), by striking ''one-eighth of one percent'' and inserting ''1/8 of 1 percent'';

(B) in subsection (b)—

(i) by inserting ''under subsection (a)'' after ''allotment to a State'';

(ii) by striking ''part'' each place the term appears and inserting ''title''; and

(iii) by striking ''one or more'' and inserting ''1 or more''; and

(C) by adding at the end the following:

''(c) LIMITATIONS ON ADMINISTRATIVE COSTS.—A State that receives an allotment under this title shall not use more than 2.5 percent of such allotment to pay for administrative costs.

''(d) SERVICES FOR YOUTH WITH THE MOST SIGNIFICANT DISABILITIES.—A State that receives an allotment under this title shall reserve and expend half of such allotment for the provision of supported employment services, including extended services, to youth with the most significant disabilities in order to assist those youth in achieving an employment outcome in supported employment.'';

(6) by striking section 604, as redesignated by paragraph (3), and inserting the following:

''SEC. 604. AVAILABILITY OF SERVICES.

''(a) SUPPORTED EMPLOYMENT SERVICES.—Funds provided under this title may be used to provide supported employment services to individuals who are eligible under this title.

''(b) EXTENDED SERVICES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), funds provided under this title, or title I, may not be used to provide extended services to individuals under this title or title I.

''(2) EXTENDED SERVICES FOR YOUTH WITH THE MOST SIGNIFICANT DISABILITIES.—Funds allotted under this title, or title I, and used for the provision of services under this title to youth with the most significant disabilities pursuant to section 603(d), may be used to provide extended services to youth with the most significant disabilities. Such extended services shall be available for a period not to exceed 4 years.'';

(7) in section 605, as redesignated by paragraph (3)—

(A) in the matter preceding paragraph (1)—

(i) by inserting '', including a youth with a disability,'' after ''An individual''; and

(ii) by striking ''this part'' and inserting ''this title'';

(B) in paragraph (1), by inserting ''under title I'' after ''rehabilitation services'';

(C) in paragraph (2), by striking ''and'' after the semicolon;

(D) by redesignating paragraph (3) as paragraph (4);

(E) by inserting after paragraph (2) the following:

''(3) for purposes of activities carried out with funds described in section 603(d), the individual is a youth with a disability, as defined in section (7)(42); and''; and

(F) in paragraph (4), as redesignated by subparagraph (D), by striking ''assessment of rehabilitation needs'' and inserting ''assessment of the rehabilitation needs'';

(8) in section 606, as redesignated by paragraph (3)—

(A) in subsection (a)—

(i) by striking ''this part'' and inserting ''this title''; and

(ii) by inserting '', including youth with the most significant disabilities,'' after ''individuals'';

(B) in subsection (b)—

(i) in paragraph (1), by striking ''this part'' and inserting ''this title'';

(ii) in paragraph (2), by inserting '', including youth,'' after ''rehabilitation needs of individuals'';

(iii) in paragraph (3)—

(I) by inserting '', including youth with the most significant disabilities,'' after ''provided to individuals''; and

(II) by striking ''section 622'' and inserting ''section 603'';

(iv) by striking paragraph (7);

(v) by redesignating paragraph (6) as paragraph (7);

(vi) by inserting after paragraph (5) the following:

''(6) describe the activities to be conducted pursuant to section 603(d) for youth with the most significant disabilities, including—

''(A) the provision of extended services for a period not to exceed 4 years; and

''(B) how the State will use the funds reserved in section 603(d) to leverage other public and private funds to increase resources for extended services and expand supported employment opportunities for youth with the most significant disabilities;'';

(vii) in paragraph (7), as redesignated by clause (v)—

(I) in subparagraph (A), by striking ''under this part'' both places the term appears and inserting ''under this title'';

(II) in subparagraph (B), by inserting '', including youth with the most significant disabilities,'' after ''significant disabilities'';

(III) in subparagraph (C)—

(aa) in clause (i), by inserting '', including, as appropriate, for youth with the most significant disabilities, transition services and pre-employment transition services'' after ''services to be provided'';

(bb) in clause (ii), by inserting '', including the extended services that may be provided to youth with the most significant disabilities under this title, in accordance with an approved individualized plan for employment, for a period not to exceed 4 years'' after ''services needed''; and

(cc) in clause (iii)—

(AA) by striking ''identify the source of extended services,'' and inserting ''identify, as appropriate, the source of extended services,'';

(BB) by striking ''or to the extent'' and inserting ''or indicate''; and

(CC) by striking ''employment is developed'' and all that follows and inserting ''employment is developed;''

(IV) in subparagraph (D), by striking ''under this part'' and inserting ''under this title'';

(V) in subparagraph (F), by striking ''and'' after the semicolon;

(VI) in subparagraph (G), by striking ''for the maximum number of hours possible''; and

(VII) by adding at the end the following:

''(H) the State agencies designated under paragraph (1) will expend not more than 2.5 percent of the allotment of the State under this title for administrative costs of carrying out this title; and

''(I) with respect to supported employment services provided to youth with the most significant disabilities pursuant to section 603(d), the designated State agency will provide, directly or indirectly through public or private entities, non-Federal contributions in an amount that is not less than 10 percent of the costs of carrying out such services; and'';

(9) by striking section 607, as redesignated by paragraph (3), and inserting the following:

"SEC. 607. RESTRICTION.

''Each State agency designated under section 606(b)(1) shall collect the information required by section 101(a)(10) separately for—

''(1) eligible individuals receiving supported employment services under this title;

''(2) eligible individuals receiving supported employment services under title I;

''(3) eligible youth receiving supported employment services under this title; and

''(4) eligible youth receiving supported employment services under title I.'';

(10) in section 608(b), as redesignated by paragraph (3), by striking ''this part'' both places the terms appears and inserting ''this title''; and

(11) by striking section 609, as redesignated by paragraph (3), and inserting the following:

"SEC. 609. ADVISORY COMMITTEE ON INCREASING COMPETITIVE INTEGRATED EMPLOYMENT FOR INDIVIDUALS WITH DISABILITIES.

''(a) ESTABLISHMENT.—Not later than 60 days after the date of enactment of the Workforce Innovation and Opportunity Act, the Secretary of Labor shall establish an Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities (referred to in this section as the 'Committee').

''(b) APPOINTMENT AND VACANCIES.—

''(1) APPOINTMENT.—The Secretary of Labor shall appoint the members of the Committee described in subsection (c)(6), in accordance with subsection (c).

''(2) VACANCIES.—Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner, in accordance with the same paragraph of subsection (c), as the original appointment or designation was made.

''(c) COMPOSITION.—The Committee shall be composed of—

''(1) the Assistant Secretary for Disability Employment Policy, the Assistant Secretary for Employment and Training, and the Administrator of the Wage and Hour Division, of the Department of Labor;

''(2) the Commissioner of the Administration on Intellectual and Developmental Disabilities, or the Commissioner's designee;

''(3) the Director of the Centers for Medicare & Medicaid Services of the Department of Health and Human Services, or the Director's designee;

''(4) the Commissioner of Social Security, or the Commissioner's designee;

''(5) the Commissioner of the Rehabilitation Services Administration, or the Commissioner's designee; and

''(6) representatives from constituencies consisting of—

''(A) self-advocates for individuals with intellectual or developmental disabilities;

''(B) providers of employment services, including those that employ individuals with intellectual or developmental disabilities in competitive integrated employment;

''(C) representatives of national disability advocacy organizations for adults with intellectual or developmental disabilities;

''(D) experts with a background in academia or research and expertise in employment and wage policy issues for individuals with intellectual or developmental disabilities;

''(E) representatives from the employer community or national employer organizations; and

''(F) other individuals or representatives of organizations with expertise on increasing opportunities for competitive integrated employment for individuals with disabilities.

''(d) CHAIRPERSON.—The Committee shall elect a Chairperson of the Committee from among the appointed members of the Committee.

''(e) MEETINGS.—The Committee shall meet at the call of the Chairperson, but not less than 8 times.

''(f) DUTIES.—The Committee shall study, and prepare findings, conclusions, and recommendations for the Secretary of Labor on—

''(1) ways to increase the employment opportunities for individuals with intellectual or developmental disabilities or other individuals with significant disabilities in competitive integrated employment;

''(2) the use of the certificate program carried out under section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)) for the employment of individuals with intellectual or developmental disabilities, or other individuals with significant disabilities; and

''(3) ways to improve oversight of the use of such certificates.

''(g) COMMITTEE PERSONNEL MATTERS.—

''(1) TRAVEL EXPENSES.—The members of the Committee shall not receive compensation for the performance of services for the Committee, but shall be allowed reasonable travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee. Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept the voluntary and uncompensated services of members of the Committee.

''(2) STAFF.—The Secretary of Labor may designate such personnel as may be necessary to enable the Committee to perform its duties.

''(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee, with the approval of the head of the appropriate Federal agency, may be detailed to the Committee without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

''(4) FACILITIES, EQUIPMENT, AND SERVICES.—The Secretary of Labor shall make available to the Committee, under such arrangements as may be appropriate, necessary equipment, supplies, and services.

''(h) REPORTS.—

''(1) INTERIM AND FINAL REPORTS.—The Committee shall prepare and submit to the Secretary of Labor, as well as the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives—

''(A) an interim report that summarizes the progress of the Committee, along with any interim findings, conclusions, and recommendations as described in subsection (f); and

''(B) a final report that states final findings, conclusions, and recommendations as described in subsection (f).

''(2) PREPARATION AND SUBMISSION.—The reports shall be prepared and submitted—

''(A) in the case of the interim report, not later than 1 year after the date on which the Committee is established under subsection (a); and

''(B) in the case of the final report, not later than 2 years after the date on which the Committee is established under subsection (a).

''(i) TERMINATION.—The Committee shall terminate on the day after the date on which the Committee submits the final report.

"SEC. 610. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated to carry out this title $27,548,000 for fiscal year

2015, $29,676,000 for fiscal year 2016, $30,292,000 for fiscal year 2017, $30,963,000 for fiscal year 2018, $31,691,000 for fiscal year 2019, and $32,363,000 for fiscal year 2020.''.

Subtitle H—Independent Living Services and Centers for Independent Living

CHAPTER 1—INDIVIDUALS WITH SIGNIFICANT DISABILITIES

Subchapter A—General Provisions

SEC. 471. PURPOSE.

Section 701 (29 U.S.C. 796) is amended, in paragraph (3)—

(1) by striking ''part B of title VI'' and inserting ''title VI''; and

(2) by inserting before the period the following: '', with the goal of improving the independence of individuals with disabilities''.

SEC. 472. ADMINISTRATION OF THE INDEPENDENT LIVING PROGRAM.

Title VII (29 U.S.C. 796 et seq.) is amended by inserting after section 701 the following:

''SEC. 701A. ADMINISTRATION OF THE INDEPENDENT LIVING PROGRAM.

''There is established within the Administration for Community Living of the Department of Health and Human Services, an Independent Living Administration. The Independent Living Administration shall be headed by a Director (referred to in this section as the 'Director') appointed by the Secretary of Health and Human Services. The Director shall be an individual with substantial knowledge of independent living services. The Independent Living Administration shall be the principal agency, and the Director shall be the principal officer, to carry out this chapter. In performing the functions of the office, the Director shall be directly responsible to the Administrator of the Administration for Community Living of the Department of Health and Human Services. The Secretary shall ensure that the Independent Living Administration has sufficient resources (including designating at least 1 individual from the Office of General Counsel who is knowledgeable about independent living services) to provide technical assistance and support to, and oversight of, the programs funded under this chapter.''.

SEC. 473. DEFINITIONS.

Section 702 (29 U.S.C. 796a) is amended—

(1) in paragraph (1)—

(A) in the matter before subparagraph (A), by inserting ''for individuals with significant disabilities (regardless of age or income)'' before ''that—''; and

(B) in subparagraph (B), by striking the period and inserting '', including, at a minimum, independent living core services as defined in section 7(17).'';

(2) in paragraph (2), by striking the period and inserting the following: '', in terms of the management, staffing, decisionmaking, operation, and provisions of services, of the center.'';

(3) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(4) by inserting before paragraph (2) the following:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Administration for Community Living of the Department of Health and Human Services.''.

SEC. 474. STATE PLAN.

Section 704 (29 U.S.C. 796c) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting after ''State plan'' the following: ''developed and signed in accordance with paragraph (2),''; and

(ii) by striking ''Commissioner'' each place it appears and inserting ''Administrator'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''developed and signed by''; and

(ii) by striking subparagraphs (A) and (B) and inserting the following:

''(A) developed by the chairperson of the Statewide Independent Living Council, and the directors of the centers for independent living in the State, after receiving public input from individuals with disabilities and other stakeholders throughout the State; and

''(B) signed by—

''(i) the chairperson of the Statewide Independent Living Council, acting on behalf of and at the direction of the Council;

''(ii) the director of the designated State entity described in subsection (c); and

''(iii) not less than 51 percent of the directors of the centers for independent living in the State.'';

(C) in paragraph (3)—

(i) in subparagraph (A), by striking ''State independent living services'' and inserting ''independent living services in the State''; and

(ii) by striking subparagraph (C) and inserting the following:

''(C) working relationships and collaboration between—

''(i) centers for independent living; and

''(ii)(I) entities carrying out programs that provide independent living services, including those serving older individuals;

''(II) other community-based organizations that provide or coordinate the provision of housing, transportation, employment, information and referral assistance, services, and supports for individuals with significant disabilities; and

''(III) entities carrying out other programs providing services for individuals with disabilities.''.

(D) in paragraph (4), by striking ''Commissioner'' each place it appears and inserting ''Administrator''; and

(E) by adding at the end the following:

''(5) STATEWIDENESS.—The State plan shall describe strategies for providing independent living services on a statewide basis, to the greatest extent possible.'';

(2) in subsection (c)—

(A) in the subsection heading, by striking ''UNIT'' and inserting ''ENTITY'';

(B) in the matter preceding paragraph (1), by striking ''the designated State unit of such State'' and inserting ''a State entity of such State (referred to in this title as the 'designated State entity')'';

(C) in paragraphs (3) and (4), by striking ''Commissioner'' each place it appears and inserting ''Administrator'';

(D) in paragraph (3), by striking ''and'' at the end;

(E) in paragraph (4), by striking the period and inserting ''; and''; and

(F) by adding at the end the following:

''(5) retain not more than 5 percent of the funds received by the State for any fiscal year under part B, for the performance of the services outlined in paragraphs (1) through (4).'';

(3) in subsection (i), by striking paragraphs (1) and (2) and inserting the following:

''(1) the Statewide Independent Living Council;

''(2) centers for independent living;

''(3) the designated State entity; and

''(4) other State agencies or entities represented on the Council, other councils that address the needs and issues of specific disability populations, and other public and private entities determined to be appropriate by the Council.'';

(4) in subsection (m)—

(A) in paragraph (4), by striking ''Commissioner'' each place it appears and inserting ''Administrator''; and

(B) in paragraph (5), by striking ''Commissioner'' and inserting ''Administrator''; and

(5) by adding at the end the following:

''(o) PROMOTING FULL ACCESS TO COMMUNITY LIFE.—The plan shall describe how the State will provide independent living services described in section 7(18) that promote full access to community life for individuals with significant disabilities.''.

SEC. 475. STATEWIDE INDEPENDENT LIVING COUNCIL.

Section 705 (29 U.S.C. 796d) is amended—

(1) in subsection (a), by inserting ''and maintain'' after ''shall establish'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by inserting ''among its voting members,'' before ''at least''; and

(II) by striking ''one'' and inserting ''1''; and

(ii) by striking subparagraphs (B) and (C) and inserting the following:

''(B) among its voting members, for a State in which 1 or more centers for independent living are run by, or in conjunction with, the governing bodies of American Indian tribes located on Federal or State reservations, at least 1 representative of the directors of such centers; and

''(C) as ex officio, nonvoting members, a representative of the designated State entity, and representatives from State agencies that provide services for individuals with disabilities.'';

(B) in paragraph (3)—

(i) by redesignating subparagraphs (C) through (F) as subparagraphs (D) through (G), respectively;

(ii) in subparagraph (B), by striking ''parents and guardians of''; and

(iii) by inserting after paragraph (B) the following:

''(C) parents and guardians of individuals with disabilities;'';

(C) in paragraph (5)(B), by striking ''paragraph (3)'' and inserting ''paragraph (1)''; and

(D) in paragraph (6)(B), by inserting '', other than a representative described in paragraph (2)(A) if there is only one center for independent living within the State,'' after ''the Council'';

(3) by striking subsection (c) and inserting the following:

''(c) FUNCTIONS.—

''(1) DUTIES.—The Council shall—

''(A) develop the State plan as provided in section 704(a)(2);

''(B) monitor, review, and evaluate the implementation of the State plan;

''(C) meet regularly, and ensure that such meetings of the Council are open to the public and sufficient advance notice of such meetings is provided;

''(D) submit to the Administrator such periodic reports as the Administrator may reasonably request, and keep such records, and afford such access to such records, as the Administrator finds necessary to verify the information in such reports; and

''(E) as appropriate, coordinate activities with other entities in the State that provide services similar to or complementary to independent living services, such as entities that facilitate the provision of or provide long-term community-based services and supports.

''(2) AUTHORITIES.—The Council may, consistent with the State plan described in section 704, unless prohibited by State law—

''(A) in order to improve services provided to individuals with disabilities, work with centers for independent living to coordinate services with public and private entities;

''(B) conduct resource development activities to support the activities described in this subsection or to support the provision of independent living services by centers for independent living; and

''(C) perform such other functions, consistent with the purpose of this chapter and comparable to other functions described in this subsection, as the Council determines to be appropriate.

''(3) LIMITATION.—The Council shall not provide independent living services directly to individuals with significant disabilities or manage such services.'';

(4) in subsection (e)—

(A) in paragraph (1), in the first sentence, by striking ''prepare'' and all that follows through ''a plan'' and inserting ''prepare, in conjunction with the designated State entity, a plan''; and

(B) in paragraph (3), by striking ''State agency'' and inserting ''State entity''; and

(5) in subsection (f)—

(A) by striking ''such resources'' and inserting ''available resources''; and

(B) by striking ''(including'' and all that follows through ''compensation'' and inserting ''(such as personal assistance services), and to pay reasonable compensation''.

SEC. 475A. RESPONSIBILITIES OF THE ADMINISTRATOR.

Section 706 (29 U.S.C. 796d–1) is amended—

(1) by striking the title of the section and inserting the following:

''SEC. 706. RESPONSIBILITIES OF THE ADMINISTRATOR.'';

(2) in subsection (a)—

(A) in paragraph (1), by striking ''Commissioner'' each place it appears and inserting ''Administrator''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''Commissioner'' and inserting ''Administrator''; and

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) by inserting ''or the Commissioner'' after ''to the Secretary''; and

(bb) by striking ''to the Commissioner; and'' and inserting ''to the Administrator;'';

(II) by redesignating clause (ii) as clause (iii); and

(III) by inserting after clause (i) the following:

''(ii) to the State agency shall be deemed to be references to the designated State entity; and'';

(3) by striking subsection (b) and inserting the following:

''(b) INDICATORS.—Not later than 1 year after the date of enactment of the Workforce Innovation and Opportunity Act, the Administrator shall develop and publish in the Federal Register indicators of minimum compliance for centers for independent living (consistent with the standards set forth in section 725), and indicators of minimum compliance for Statewide Independent Living Councils.'';

(4) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''Commissioner'' each place it appears and inserting ''Administrator''; and

(ii) by striking the last sentence;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''Commissioner'' and inserting ''Administrator'';

(ii) in subparagraph (A), by striking ''such a review'' and inserting ''a review described in paragraph (1)''; and

(iii) in subparagraphs (A) and (B), by striking ''Department'' each place it appears and inserting ''Department of Health and Human Services''; and

(5) by striking subsection (d) and inserting the following:

''(d) REPORTS.—

''(1) IN GENERAL.—The Director described in section 701A shall provide to the Administrator of the Administration for Community Living and the Administrator shall include, in an annual report, information on the extent to which centers for independent living receiving funds under part C have complied with the standards and assurances set forth in section 725. The Director may identify individual centers for independent living in the analysis contained in that information. The Director shall include in the report the results of onsite compliance reviews, identifying individual centers for independent living and other recipients of assistance under part C.

''(2) PUBLIC AVAILABILITY.—The Director shall ensure that the report described in this subsection is made publicly available in a timely manner, including through electronic means, in order to inform the public about the administration and performance of programs under this Act.''.

Subchapter B—Independent Living Services

SEC. 476. ADMINISTRATION.

(a) ALLOTMENTS.—Section 711 (29 U.S.C. 796e) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A)—

(i) by striking ''Except'' and inserting ''After the reservation required by section 711A is made, and except''; and

(ii) by inserting ''the remainder of the'' before ''sums appropriated''; and

(B) in paragraph (2)(B), by striking ''amounts made available for purposes of this part'' and inserting ''remainder described in paragraph (1)(A)'';

(2) in subsections (a), (b), and (c), by striking ''Commissioner'' each place it appears and inserting ''Administrator''; and

(3) by adding at the end the following:

''(d) ADMINISTRATION.—Funds allotted or made available to a State under this section shall be administered by the designated State entity, in accordance with the approved State plan.''.

(b) TRAINING AND TECHNICAL ASSISTANCE.—Part B of chapter 1 of title VII is amended by inserting after section 711 (29 U.S.C. 796e) the following:

''TRAINING AND TECHNICAL ASSISTANCE

''SEC. 711A. (a) From the funds appropriated and made available to carry out this part for any fiscal year, beginning with fiscal year 2015, the Administrator shall first reserve not less than 1.8 percent and not more than 2 percent of the funds to provide, either directly or through grants, contracts, or cooperative agreements, training and technical assistance to Statewide Independent Living Councils established under section 705 for such fiscal year.

''(b) The Administrator shall conduct a survey of such Statewide Independent Living Councils regarding training and technical assistance needs in order to determine funding priorities for such training and technical assistance.

''(c) To be eligible to receive a grant or enter into a contract or cooperative agreement under this section, an entity shall submit an application to the Administrator at such time, in such manner, containing a proposal to provide such training and technical assistance, and containing such additional information, as the Administrator may require. The Administrator shall provide for peer review of applications by panels that include persons who are not government employees and who have experience in the operation of such Statewide Independent Living Councils.''.

(c) PAYMENTS.—Section 712(a) (29 U.S.C. 796e–1(a)) is amended by striking ''Commissioner'' and inserting ''Administrator''.

(d) AUTHORIZED USES OF FUNDS.—Section 713 (29 U.S.C. 796e–2) is amended—

(1) by striking the matter preceding paragraph (1) and inserting the following:

''(a) IN GENERAL.—The State may use funds received under this part to provide the resources described in section 705(e) (but may not use more than 30 percent of the funds paid to the State under section 712 for such resources unless the State specifies that a greater percentage of the funds is needed for such resources in a State plan approved under section 706), relating to the Statewide Independent Living Council, may retain funds under section 704(c)(5), and shall distribute the remainder of the funds received under this part in a manner consistent with the approved State plan for the activities described in subsection (b).

''(b) ACTIVITIES.—The State may use the remainder of the funds described in subsection (a)—''; and

(2) in paragraph (1), by inserting '', particularly those in unserved areas of the State'' after ''disabilities''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 714 (29 U.S.C. 796e–3) is amended by striking ''such sums as may be necessary for each of the fiscal years 1999 through 2003.'' and inserting ''$22,878,000 for fiscal year 2015, $24,645,000 for fiscal year 2016, $25,156,000 for fiscal year 2017, $25,714,000 for fiscal year 2018, $26,319,000 for fiscal year 2019, and $26,877,000 for fiscal year 2020.''.

Subchapter C—Centers for Independent Living

SEC. 481. PROGRAM AUTHORIZATION.

Section 721 (29 U.S.C. 796f) is amended—

(1) in subsection (a)—

(A) by striking ''1999'' and inserting ''2015'';

(B) by striking ''Commissioner shall allot'' and inserting ''Administrator shall make available''; and

(C) by inserting '', centers for independent living,'' after ''States'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the paragraph heading, by striking ''OTHER ARRANGEMENTS'' and inserting ''COOPERATIVE AGREEMENTS'';

(ii) by striking ''For'' and all that follows through ''Commissioner'' and inserting ''From the funds appropriated to carry out this part for any fiscal year, beginning with fiscal year 2015, the Administrator'';

(iii) by striking ''reserve from such excess'' and inserting ''reserve not less than 1.8 percent and not more than 2 percent of the funds''; and

(iv) by striking ''eligible agencies'' and all that follows and inserting ''centers for independent living and eligible agencies for such fiscal year.'';

(B) in paragraph (2)—

(i) by striking ''Commissioner shall make grants to, and enter into contracts and other arrangements with,'' and inserting ''Administrator shall make grants to, or enter into contracts or cooperative agreements with,''; and

(ii) by inserting ''fiscal management of,'' before ''planning,'';

(C) in paragraphs (3), (4), and (5), by striking ''Commissioner'' each place it appears and inserting ''Administrator''; and

(D) in paragraph (3), by striking ''Statewide Independent Living Councils and'';

(3) in paragraph (4), by striking ''other arrangement'' and inserting ''cooperative agreement'';

(4) in subsection (c), by striking ''Commissioner'' each place it appears and inserting ''Administrator''; and

(5) in subsection (d), by striking ''Commissioner'' each place it appears and inserting ''Administrator''.

SEC. 482. CENTERS.

(a) CENTERS IN STATES IN WHICH FEDERAL FUNDING EXCEEDS STATE FUNDING.—Section 722 (29 U.S.C. 796f–1) is amended—

(1) in subsections (a), (b), and (c), by striking ''Commissioner'' each place it appears and inserting ''Administrator'';

(2) in subsection (c)—

(A) by striking ''grants'' and inserting ''grants for a fiscal year''; and

(B) by striking ''by September 30, 1997'' and inserting ''for the preceding fiscal year'';

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''Commissioner'' and inserting ''Administrator''; and

(ii) by striking ''region, consistent'' and all that follows and inserting ''region. The Administrator's determination of the most qualified applicant shall be consistent with the provisions in the State plan setting forth the design of the State for establishing a statewide network of centers for independent living.''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''Commissioner'' and inserting ''Administrator''; and

(ii) by striking subparagraph (A) and inserting the following:

''(A) shall consider comments regarding the application—

''(i) by individuals with disabilities and other interested parties within the new region proposed to be served; and

''(ii) if any, by the Statewide Independent Living Council in the State in which the applicant is located;''; and

(4) in subsections (e) and (g) by striking ''Commissioner'' each place it appears and inserting ''Administrator.''.

(b) CENTERS IN STATES IN WHICH STATE FUNDING EXCEEDS FEDERAL FUNDING.—Section 723 (29 U.S.C. 796f–2) is amended—

(1) in subsections (a), (b), (g), (h), and (i), by striking ''Commissioner'' each place it appears and inserting ''Administrator'';

(2) in subsection (a)—

(A) in paragraph (1)(A)(ii), by inserting ''of a designated State unit'' after ''director''; and

(B) in the heading of paragraph (3), by striking ''COMMISSIONER'' and inserting ''ADMINISTRATOR''; and

(3) in subsection (c)—

(A) by striking ''grants'' and inserting ''grants for a fiscal year''; and

(B) by striking ''by September 30, 1997'' and inserting ''for the preceding fiscal year''.

(c) CENTERS OPERATED BY STATE AGENCIES.—Section 724 (29 U.S.C. 796f–3) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''1993'' and inserting ''2015'';

(B) by striking ''Rehabilitation Act Amendments of 1998'' and inserting ''Workforce Innovation and Opportunity Act''; and

(C) by striking ''1994'' and inserting ''2015''; and

(2) by striking ''Commissioner'' each place it appears and inserting ''Administrator''.

SEC. 483. STANDARDS AND ASSURANCES.

Section 725 (29 U.S.C. 796f–4) is amended—

(1) in subsection (b)(1)(D)—

(A) by striking ''access of'' and inserting ''access for''; and

(B) by striking ''to society and'' and inserting '', within their communities,''; and

(2) in subsection (c), by striking ''Commissioner'' each place it appears and inserting ''Administrator''.

SEC. 484. AUTHORIZATION OF APPROPRIATIONS.

Section 727 (29 U.S.C. 796f–6) is amended by striking ''such sums as may be necessary for each of the fiscal years 1999 through 2003.'' and inserting ''$78,305,000 for fiscal year 2015, $84,353,000 for fiscal year 2016, $86,104,000 for fiscal year 2017, $88,013,000 for fiscal year 2018, $90,083,000 for fiscal year 2019, and $91,992,000 for fiscal year 2020.''.

CHAPTER 2—INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND

SEC. 486. INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND.

Chapter 2 of title VII (29 U.S.C. 796j et seq.) is amended by inserting after section 751 the following:

''TRAINING AND TECHNICAL ASSISTANCE

''SEC. 751A. (a) From the funds appropriated and made available to carry out this chapter for any fiscal year, beginning with fiscal year 2015, the Commissioner shall first reserve not less than 1.8 percent and not more than 2 percent of the funds to provide, either directly or through grants, contracts, or cooperative agreements, training and technical assistance to designated State agencies, or other providers of independent living services for older individuals who are blind, that are funded under this chapter for such fiscal year.

''(b) The Commissioner shall conduct a survey of designated State agencies that receive grants under section 752 regarding training and technical assistance needs in order to determine funding priorities for such training and technical assistance.

''(c) To be eligible to receive a grant or enter into a contract or cooperative agreement under this section, an entity shall submit an application to the Commissioner at such time, in such manner, containing a proposal to provide such training and technical assistance, and containing such additional information, as the Commissioner may require. The Commissioner shall provide for peer review of applications by panels that include persons who are not government employees and who have experience in the provision of services to older individuals who are blind.''.

SEC. 487. PROGRAM OF GRANTS.

Section 752 (29 U.S.C. 796k) is amended—

(1) by striking subsection (h);

(2) by redesignating subsections (i) and (j) as subsections (h) and (i), respectively;

(3) in subsection (c)(2)—

(A) by striking ''subsection (j)'' and inserting ''subsection (i)''; and

(B) by striking ''subsection (i)'' and inserting ''subsection (h)'';

(4) in subsection (g), by inserting '', or contracts or cooperative agreements with,'' after ''grants to'';

(5) in subsection (h), as redesignated by paragraph (2)—

(A) in paragraph (1), by striking ''subsection (j)(4)'' and inserting ''subsection (i)(4)''; and

(B) in paragraph (2)—

(i) in subparagraph (A)(vi), by adding ''and'' after the semicolon;

(ii) in subparagraph (B)(ii)(III), by striking ''; and'' and inserting a period; and

(iii) by striking subparagraph (C); and

(6) in subsection (i), as redesignated by paragraph (2)—

(A) in paragraph (2)(A)(ii), by inserting '', and not reserved under section 751A,'' after ''section 753'';

(B) in paragraph (3)(A), by inserting '', and not reserved under section 751A,'' after ''section 753''; and

(C) in paragraph (4)(B)(i), by striking ''subsection (i)'' and inserting ''subsection (h)''.

SEC. 488. INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND AUTHORIZATION OF APPROPRIATIONS.

Section 753 (29 U.S.C. 796l) is amended by striking ''such sums as may be necessary for each of the fiscal years 1999 through 2003.'' and inserting ''$33,317,000 for fiscal year 2015, $35,890,000 for fiscal year 2016, $36,635,000 for fiscal year 2017, $37,448,000 for fiscal year 2018, $38,328,000 for fiscal year 2019, and $39,141,000 for fiscal year 2020.''.

Subtitle I—General Provisions

SEC. 491. TRANSFER OF FUNCTIONS REGARDING INDEPENDENT LIVING TO DEPARTMENT OF HEALTH AND HUMAN SERVICES, AND SAVINGS PROVISIONS.

(a) DEFINITIONS.—For purposes of this section, unless otherwise provided or indicated by the context—

(1) the term ''Administration for Community Living'' means the Administration for Community Living of the Department of Health and Human Services;

(2) the term ''Federal agency'' has the meaning given to the term ''agency'' by section 551(1) of title 5, United States Code;

(3) the term ''function'' means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program; and

(4) the term ''Rehabilitation Services Administration'' means the Rehabilitation Services Administration of the Office of Special Education and Rehabilitative Services of the Department of Education.

(b) TRANSFER OF FUNCTIONS.—There are transferred to the Administration for Community Living, all functions which the Commissioner of the Rehabilitation Services Administration exercised before the effective date of this section (including all related functions of any officer or employee of that Administration) under chapter 1 of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796 et seq).

(c) PERSONNEL DETERMINATIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—The Office of Management and Budget shall—

(1) ensure that this section does not result in any net increase in full-time equivalent employees at any Federal agency impacted by this section; and

(2) not later than 1 year after the effective date of this section, certify compliance with this subsection 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.

(d) DELEGATION AND ASSIGNMENT.—Except where otherwise expressly prohibited by law or otherwise provided by this section, the Administrator of the Administration for Community Living may delegate any of the functions transferred to the Administrator of such Administration by subsection (b) and any function described in subsection (b) that was transferred or granted to such Administrator after the effective date of this section to such officers and employees of such Administration as the Administrator may designate, and may authorize successive redelegations of such functions described in subsection (b) as may be necessary or appropriate. No delegation of such functions by the Administrator of the Administration for Community Living under this subsection or under any other provision of this section shall relieve such Administrator of responsibility for the administration of such functions.

(e) REORGANIZATION.—Except where otherwise expressly prohibited by law or otherwise provided by this Act, the Administrator of the Administration for Community Living is authorized to allocate or reallocate any function transferred under subsection (b) among the officers of such Administration, and to consolidate, alter, or discontinue such organizational entities in such Administration as may be necessary or appropriate.

(f) RULES.—The Administrator of the Administration for Community Living is authorized to prescribe, in accordance with the provisions of chapters 5 and 6 of title 5, United States Code, such rules and regulations as that Administrator determines necessary or appropriate to administer and manage the functions described in subsection (b) of that Administration.

(g) TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.—Except as otherwise provided in this section, the personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the functions transferred by subsection (b), subject to section 1531 of title 31, United States Code, shall be transferred to the Administration for Community Living. Unexpended funds transferred pursuant to this subsection shall be used only for the purposes for which the funds were originally authorized and appropriated.

(h) INCIDENTAL TRANSFERS.—The Director of the Office of Management and Budget, at such time or times as the Director shall provide, is authorized to make such determinations as may be necessary with regard to the functions transferred by subsection (b), and to make such additional incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this section. The Director of the Office of Management and Budget shall provide for the termination of the affairs of all entities terminated by this section and for such further measures and dispositions as may be necessary to effectuate the purposes of this section, with respect to such functions.

(i) SAVINGS PROVISIONS.—

(1) CONTINUING EFFECT OF LEGAL DOCUMENTS.—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(A) which have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions which are transferred under subsection (b); and

(B) which are in effect at the time this section takes effect, or were final before the effective date of this section and are to become effective on or after the effective date of this section,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Administrator of the Administration for Community Living or other authorized official, a court of competent jurisdiction, or by operation of law.

(2) PROCEEDINGS NOT AFFECTED.—The provisions of this section shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending before the Rehabilitation Services Administration at the time this section takes effect, with respect to functions transferred by subsection (b) but such proceedings and applications shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this section had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this paragraph shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this section had not been enacted.

(3) SUITS NOT AFFECTED.—The provisions of this section shall not affect suits commenced (with respect to functions transferred under subsection (b)) before the effective date of this section, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this section had not been enacted.

(4) NONABATEMENT OF ACTIONS.—No suit, action, or other proceeding commenced by or against the Rehabilitation Services Administration (with regard to functions transferred under subsection (b)), or by or against any individual in the official capacity of such individual as an officer of the Rehabilitation Services Administration (with regard to functions transferred under subsection (b)), shall abate by reason of the enactment of this section.

(5) ADMINISTRATIVE ACTIONS RELATING TO PROMULGATION OF REGULATIONS.—Any administrative action relating to the preparation or promulgation of a regulation by the Rehabilitation Services Administration (with regard to functions transferred under subsection (b)) may be continued by the Administration for Community Living with the same effect as if this section had not been enacted.

(j) SEPARABILITY.—If a provision of this section or its application to any person or circumstance is held invalid, neither the remainder of this section nor the application of the provision to other persons or circumstances shall be affected.

(k) REFERENCES.—A reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or relating to—

(1) the Commissioner of the Rehabilitation Services Administration (with regard to functions transferred under subsection (b)), shall be deemed to refer to the Administrator of the Administration for Community Living; and

(2) the Rehabilitation Services Administration (with regard to functions transferred under subsection (b)), shall be deemed to refer to the Administration for Community Living.

(l) TRANSITION.—The Administrator of the Administration for Community Living is authorized to utilize—

(1) the services of such officers, employees, and other personnel of the Rehabilitation Services Administration with regard to functions transferred under subsection (b); and

(2) funds appropriated to such functions,

for such period of time as may reasonably be needed to facilitate the orderly implementation of this section.

(m) ADMINISTRATION FOR COMMUNITY LIVING.—

(1) TRANSFER OF FUNCTIONS.—There are transferred to the Administration for Community Living, all functions which the Commissioner of the Rehabilitation Services Administration exercised before the effective date of this section (including all related functions of any officer or employee of that Administration) under the Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.).

(2) ADMINISTRATIVE MATTERS.—Subsections (d) through (l) shall apply to transfers described in paragraph (1).

(n) NATIONAL INSTITUTE ON DISABILITY, INDEPENDENT LIVING, AND REHABILITATION RESEARCH.—

(1) DEFINITIONS.—For purposes of this subsection, unless otherwise provided or indicated by the context—

(A) the term ''NIDILRR'' means the National Institute on Disability, Independent Living, and Rehabilitation Research of the Administration for Community Living of the Department of Health and Human Services; and

(B) the term ''NIDRR'' means the National Institute on Disability and Rehabilitation Research of the Office of Special Education and Rehabilitative Services of the Department of Education.

(2) TRANSFER OF FUNCTIONS.—There are transferred to the NIDILRR, all functions which the Director of the NIDRR exercised before the effective date of this section (including all related functions of any officer or employee of the NIDRR).

(3) ADMINISTRATIVE MATTERS.—

(A) IN GENERAL.—Subsections (d) through (l) shall apply to transfers described in paragraph (2).

(B) REFERENCES.—For purposes of applying those subsections under subparagraph (A), those subsections—

(i) shall apply to the NIDRR and the Director of the NIDRR in the same manner and to the same extent as those subsections apply to the Rehabilitation Services Administration and the Commissioner of that Administration; and

(ii) shall apply to the NIDILRR and the Director of the NIDILRR in the same manner and to the same extent as those subsections apply to the Administration for Community Living and the Administrator of that Administration.

(o) REFERENCES IN ASSISTIVE TECHNOLOGY ACT OF 1998.—

(1) SECRETARY.—Section 3(13) of the Assistive Technology Act of 1998 (29 U.S.C. 3002(13)) is amended by striking ''Education'' and inserting ''Health and Human Services''.

(2) NATIONAL ACTIVITIES.—Section 6(d)(4) of the Assistive Technology Act of 1998 (29 U.S.C. 3005(d)(4)) is amended by striking ''Education'' and inserting ''Health and Human Services''.

(3) GENERAL ADMINISTRATION.—Section 7 of the Assistive Technology Act of 1998 (29 U.S.C. 3006) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''the Assistant Secretary'' and all that follows through ''Rehabilitation Services Administration,'' and inserting ''the Administrator of the Administration for Community Living'';

(ii) in paragraph (2), by striking ''The Assistant Secretary'' and all that follows and inserting ''The Administrator of the Administration for Community Living shall consult with the Office of Special Education Programs of the Department of Education, the Rehabilitation Services Administration of the Department of Education, the Office of Disability Employment Policy of the Department of Labor, the National Institute on Disability, Independent Living, and Rehabilitation Research, and other appropriate Federal entities in the administration of this Act.''; and

(iii) in paragraph (3), by striking ''the Rehabilitation Services Administration'' and inserting ''the Administrator of the Administration for Community Living''; and

(B) in subsection (c)(5), by striking ''Education'' and inserting ''Health and Human Services''.

SEC. 492. TABLE OF CONTENTS.

The table of contents in section 1(b) is amended—

(1) by striking the item relating to section 109 and inserting the following:

''Sec. 109. Training and services for employers.'';

(2) by inserting after the item relating to section 112 the following:

''Sec. 113. Provision of pre-employment transition services.'';

(3) by striking the item relating to section 202 and inserting the following:

''Sec. 202. National Institute on Disability, Independent Living, and Rehabilitation Research.'';

(4) by striking the item relating to section 205 and inserting the following:

''Sec. 205. Disability, Independent Living, and Rehabilitation Research Advisory Council.

''Sec. 206. Definition of covered school.'';

(5) by striking the items relating to sections 304, 305, and 306 and inserting the following:

''Sec. 304. Measuring of project outcomes and performance.''.

(6) by inserting after the item relating to section 509 the following:

''Sec. 511. Limitations on use of subminimum wage.'';

(7) by striking the items relating to title VI and inserting the following:

''TITLE VI—EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES

''Sec. 601. Short title.
''Sec. 602. Purpose.
''Sec. 603. Allotments.
''Sec. 604. Availability of services.
''Sec. 605. Eligibility.
''Sec. 606. State plan.
''Sec. 607. Restriction.
''Sec. 608. Savings provision.
''Sec. 609. Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities.
''Sec. 610. Authorization of appropriations.''; and

(8) in the items relating to title VII—

(A)(i) by inserting after the item relating to section 701 the following:

''Sec. 701A. Administration of the independent living program.'';

and

(ii) by striking the item relating to section 706 and inserting the following:

''Sec. 706. Responsibilities of the Administrator.'';

(B) by inserting after the item relating to section 711 the following:

''Sec. 711A. Training and technical assistance.'';

and

(C) by inserting after the item relating to section 751 the following:

''Sec. 751A. Training and technical assistance.''.

TITLE V—GENERAL PROVISIONS

Subtitle A—Workforce Investment

SEC. 501. PRIVACY.

(a) SECTION 444 OF THE GENERAL EDUCATION PROVISIONS ACT.—Nothing in this Act (including the amendments made by this Act) shall be construed to supersede the privacy protections afforded parents and students under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

(b) PROHIBITION ON DEVELOPMENT OF NATIONAL DATABASE.—

(1) IN GENERAL.—Nothing in this Act (including the amendments made by this Act) shall be construed to permit the development of a national database of personally identifiable information on individuals receiving services under title I or under the amendments made by title IV.

(2) LIMITATION.—Nothing in paragraph (1) shall be construed to prevent the proper administration of national programs under subtitles C and D of title I, or the amendments made by title IV (as the case may be), or to carry out program management activities consistent with title I or the amendments made by title IV (as the case may be).

SEC. 502. BUY-AMERICAN REQUIREMENTS.

(a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available under title I or II or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 8301 through 8303 of title 41, United States Code (commonly known as the ''Buy American Act'').

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available under title I or II or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), it is the sense of Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available under title I or II or under the Wagner-Peyser Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available under title I or II or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations, as such sections were in effect on August 7, 1998, or pursuant to any successor regulations.

SEC. 503. TRANSITION PROVISIONS.

(a) WORKFORCE DEVELOPMENT SYSTEMS AND INVESTMENT ACTIVITIES.—The Secretary of Labor and the Secretary of Education shall take such actions as the Secretaries determine to be appropriate to provide for the orderly transition from any authority under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) to any authority under subtitle A of title I. Such actions shall include the provision of guidance related to unified State planning, combined State planning, and the performance accountability system described in such subtitle.

(b) WORKFORCE INVESTMENT ACTIVITIES.—The Secretary of Labor shall take such actions as the Secretary determines to be appropriate to provide for the orderly transition from any authority under the Workforce Investment Act of 1998 to any authority under subtitles B through E of title I.

(c) ADULT EDUCATION AND LITERACY PROGRAMS.—The Secretary of Education shall take such actions as the Secretary determines to be appropriate to provide for the orderly transition from any authority under the Adult Education and Family Literacy Act (20 U.S.C. 9201 et seq.), as in effect on the day before the date of enactment of this Act, to any authority under the Adult Education and Family Literacy Act, as amended by this Act.

(d) EMPLOYMENT SERVICES ACTIVITIES.—The Secretary of Labor shall take such actions as the Secretary determines to be appropriate to provide for the orderly transition from any authority under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), as in effect on the day before the date of enactment of this Act, to any authority under the Wagner-Peyser Act, as amended by this Act.

(e) VOCATIONAL REHABILITATION PROGRAMS.—The Secretary of Education and the Secretary of Health and Human Services shall take such actions as the Secretaries determine to be appropriate to provide for the orderly transition from any authority under the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), as in effect on the day before the date of enactment of this Act, to any authority under the Rehabilitation Act of 1973, as amended by this Act.

(f) REGULATIONS.—

(1) PROPOSED REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary of Labor, the Secretary of Education, and the Secretary of Health and Human Services, as appropriate, shall develop and publish in the Federal Register proposed regulations relating to the transition to, and implementation of, this Act (including the amendments made by this Act).

(2) FINAL REGULATIONS.—Not later than 18 months after the date of enactment of this Act, the Secretaries described in paragraph (1), as appropriate, shall develop and publish in the Federal Register final regulations relating to the transition to, and implementation of, this Act (including the amendments made by this Act).

(g) EXPENDITURE OF FUNDS DURING TRANSITION.—

(1) IN GENERAL.—Subject to paragraph (2) and in accordance with regulations developed under subsection (f), States, grant recipients, administrative entities, and other recipients of financial assistance under the Workforce Investment Act of 1998 may expend funds received under such Act in order to plan and implement programs and activities authorized under this Act.

(2) ADDITIONAL REQUIREMENTS.—Not more than 2 percent of any allotment to any State from amounts appropriated under the Workforce Investment Act of 1998 for fiscal year 2014 may be made available to carry out activities authorized under paragraph (1) and not less than 50 percent of any amount used to carry out activities authorized under paragraph (1) shall be made available to local entities for the purposes of the activities described in such paragraph.

SEC. 504. REDUCTION OF REPORTING BURDENS AND REQUIREMENTS.

In order to simplify reporting requirements and reduce reporting burdens, the Secretary of Labor, the Secretary of Education, and the Secretary of Health and Human Services shall establish procedures and criteria under which a State board and local board may reduce reporting burdens and requirements under this Act (including the amendments made by this Act).

SEC. 505. REPORT ON DATA CAPABILITY OF FEDERAL AND STATE DATABASES AND DATA EXCHANGE AGREEMENTS.

(a) IN GENERAL.—The Comptroller General of the United States shall prepare and submit an interim report and a final report to Congress regarding existing Federal and State databases and data exchange agreements, as of the date of the report, that contain job training information relevant to the administration of programs authorized under this Act and the amendments made by this Act.

(b) REQUIREMENTS.—The report required under subsection (a) shall—

(1) list existing Federal and State databases and data exchange agreements described in subsection (a) and, for each, describe—

(A) the purposes of the database or agreement;

(B) the data elements, such as wage and employment outcomes, contained in the database or accessible under the agreement;

(C) the data elements described in subparagraph (B) that are shared between States;

(D) the Federal and State workforce training programs from which each Federal and State database derives the data elements described in subparagraph (B);

(E) the number and type of Federal and State agencies having access to such data;

(F) the number and type of private research organizations having access to, through grants, contracts, or other agreements, such data; and

(G) whether the database or data exchange agreement provides for opt-out procedures for individuals whose data is shared through the database or data exchange agreement;

(2) study the effects that access by State workforce agencies and the Secretary of Labor to the databases and data exchange agreements described in subsection (a) would have on efforts to carry out this Act and the amendments made by this Act, and on individual privacy;

(3) explore opportunities to enhance the quality, reliability, and reporting frequency of the data included in such databases and data exchange agreements;

(4) describe, for each database or data exchange agreement considered by the study described in subsection (a), the number of individuals whose data is contained in each database or accessible through the data agreement, and the specific data elements contained in each that could be used to personally identify an individual;

(5) include the number of data breaches having occurred since 2004 to data systems administered by Federal and State agencies;

(6) include the number of data breaches regarding any type of personal data having occurred since 2004 to private research organizations with whom Federal and State agencies contract for studies; and

(7) include a survey of the security protocols used for protecting personal data, including best practices shared amongst States for access to, and administration of, data elements stored and recommendations for improving security protocols for the safe warehousing of data elements.

(c) TIMING OF REPORTS.—

(1) INTERIM REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall prepare and submit to Congress an interim report regarding the initial findings of the report required under this section.

(2) FINAL REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall prepare and submit to Congress the final report required under this section.

SEC. 506. EFFECTIVE DATES.

(a) IN GENERAL.—Except as otherwise provided in this Act, this Act, including the amendments made by this Act, shall take effect on the first day of the first full program year after the date of enactment of this Act.

(b) APPLICATION DATE FOR WORKFORCE DEVELOPMENT PERFORMANCE ACCOUNTABILITY SYSTEM.—

(1) IN GENERAL.—Section 136 of the Workforce Investment Act of 1998 (29 U.S.C. 2871), as in effect on the day before the date of enactment of this Act, shall apply in lieu of section 116 of this Act, for the first full program year after the date of enactment of this Act.

(2) SPECIAL PROVISIONS.—For purposes of the application described in paragraph (1)—

(A) except as otherwise specified, a reference in section 136 of the Workforce Investment Act of 1998 to a provision in such Act (29 U.S.C. 2801 et seq.), other than to a provision in such section or section 112 of such Act, shall be deemed to refer to the corresponding provision of this Act;

(B) the terms ''local area'', ''local board'', ''one-stop partner'', and ''State board'' have the meanings given the terms in section 3 of this Act;

(C) except as provided in subparagraph (B), terms used in such section 136 shall have the meanings given the terms in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801);

(D) any agreement negotiated and reached under section 136(c)(2) of the Workforce Investment Act of 1998 (29 U.S.C. 2871(c)(2)) shall remain in effect, until a new agreement is so negotiated and reached, for that first full program year;

(E) if a State or local area fails to meet levels of performance under subsection (g) or (h), respectively, of section 136 of the Workforce Investment Act of 1998 during that first full program year, the sanctions provided under such subsection shall apply during the second full program year after the date of enactment of this Act; and

(F) the Secretary shall use an amount retained, as a result of a reduction in an allotment to a State made under section 136(g)(1)(B) of such Act (29 U.S.C. 2871(g)(1)(B)), to provide technical assistance as described in subsections (f)(1) and (g)(1) of section 116 of this Act, in lieu of incentive grants under section 503 of the Workforce Investment Act of 1998 (20 U.S.C. 9273) as provided in section 136(g)(2) of such Act (29 U.S.C. 2871(g)(2)).

(c) APPLICATION DATE FOR STATE AND LOCAL PLAN PROVISIONS.—

(1) IMPLEMENTATION.—Sections 112 and 118 of the Workforce Investment Act of 1998 (29 U.S.C. 2822, 2833), as in effect on the day before the date of enactment of this Act, shall apply to implementation of State and local plans, in lieu of sections 102 and 103, and section 108, respectively, of this Act, for the first full program year after the date of enactment of this Act.

(2) SPECIAL PROVISIONS.—For purposes of the application described in paragraph (1)—

(A) except as otherwise specified, a reference in section 112 or 118 of the Workforce Investment Act of 1998 to a provision in such Act (29 U.S.C. 2801 et seq.), other than to a provision in or to either such section or to section 136 of such Act, shall be deemed to refer to the corresponding provision of this Act;

(B) the terms ''local area'', ''local board'', ''one-stop partner'', and''State board'' have the meanings given the terms in section 3 of this Act;

(C) except as provided in subparagraph (B), terms used in such section 112 or 118 shall have the meanings given the terms in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801); and

(D) section 112(b)(18)(D) of the Workforce Investment Act of 1998 (29 U.S.C. 2822(b)(18)(D)) shall not apply.

(3) SUBMISSION.—Sections 102, 103, and 108 of this Act shall apply to plans for the second full program year after the date of enactment, including the development, submission, and approval of such plans during the first full program year after such date.

(d) DISABILITY PROVISIONS.—Except as otherwise provided in title IV of this Act, title IV, and the amendments made by title IV, shall take effect on the date of enactment of this Act.

Subtitle B—Amendments to Other Laws

SEC. 511. REPEAL OF THE WORKFORCE INVESTMENT ACT OF 1998.

(a) WORKFORCE INVESTMENT ACT OF 1998.—The Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) is repealed.

(b) GRANTS TO STATES FOR WORKPLACE AND COMMUNITY TRANSITION TRAINING FOR INCARCERATED INDIVIDUALS.—Section 821 of the Higher Education Amendments of 1998 (20 U.S.C. 1151) is repealed.

SEC. 512. CONFORMING AMENDMENTS.

(a) AMERICAN COMPETITIVENESS AND WORKFORCE IMPROVEMENT ACT OF 1998.—Section 414(c)(3)(C) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 2916a(3)(C)) is amended by striking ''entities involved in administering the workforce investment system established under title I of the Workforce Investment Act of 1998'' and inserting ''entities involved in administering the workforce development system, as defined in section 3 of the Workforce Innovation and Opportunity Act''.

(b) ASSISTIVE TECHNOLOGY ACT OF 1998.—The Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.) is amended as follows:

(1) Section 3(1)(C) of such Act (29 U.S.C. 3002(1)(C)) is amended by striking ''such as a one-stop partner, as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)'' and inserting ''such as a one-stop partner, as defined in section 3 of the Workforce Innovation and Opportunity Act''.

(2) Section 4 of such Act (29 U.S.C. 3003) is amended—

(A) in subsection (c)(2)(B)(i)(IV), by striking ''a representative of the State workforce investment board established under section 111 of the Workforce Investment Act of 1998 (29 U.S.C. 2821)'' and inserting ''a representative of the State workforce development board established under section 101 of the Workforce Innovation and Opportunity Act''; and

(B) in subsection (e)—

(i) in paragraph (2)(D)(i), by striking ''such as one-stop partners, as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801),'' and inserting ''such as one-stop partners, as defined in section 3 of the Workforce Innovation and Opportunity Act,''; and

(ii) in paragraph (3)(B)(ii)(I)(aa), by striking ''with entities in the statewide and local workforce investment systems established under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.),'' and inserting ''with entities in the statewide and local workforce development systems established under the Workforce Innovation and Opportunity Act,''.

(c) ALASKA NATURAL GAS PIPELINE ACT.—Section 113(a)(2) of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720k(a)(2)) is amended by striking ''consistent with the vision and goals set forth in the State of Alaska Unified Plan, as developed pursuant to the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)'' and inserting ''consistent with the vision and goals set forth in the State of Alaska unified plan or combined plan, as appropriate, as developed pursuant to section 102 or 103, as appropriate, of the Workforce Innovation and Opportunity Act''.

(d) ATOMIC ENERGY DEFENSE ACT.—Section 4604(c)(6)(A) of the Atomic Energy Defense Act (50 U.S.C. 2704(c)(6)(A)) is amended by striking ''programs carried out by the Secretary of Labor under the Job Training Partnership Act or title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)'' and inserting ''programs carried out by the Secretary of Labor under title I of the Workforce Innovation and Opportunity Act''.

(e) CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT OF 2006.—The Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) is amended as follows:

(1) Section 118(d)(2) of such Act (20 U.S.C. 2328(d)(2)) is amended—

(A) in the paragraph heading, by striking ''PUBLIC LAW 105–220'' and inserting ''WORKFORCE INNOVATION AND OPPORTUNITY ACT''; and

(B) by striking ''functions and activities carried out under Public Law 105–220'' and inserting ''functions and activities carried out under the Workforce Innovation and Opportunity Act''.

(2) Section 121(a)(4) of such Act (20 U.S.C. 2341(a)(4)) is amended—

(A) in subparagraph (A), by striking ''activities undertaken by the State boards under section 111 of Public Law 105–220'' and inserting ''activities undertaken by the State boards under section 101 of the Workforce Innovation and Opportunity Act''; and

(B) in subparagraph (B), by striking ''the service delivery system under section 121 of Public Law 105–220'' and inserting ''the one-stop delivery system under section 121 of the Workforce Innovation and Opportunity Act''.

(3) Section 122 of such Act (20 U.S.C. 2342) is amended—

(A) in subsection (b)(1)(A)(viii), by striking ''entities participating in activities described in section 111 of Public Law 105–220'' and inserting ''entities participating in activities described in section 101 of the Workforce Innovation and Opportunity Act'';

(B) in subsection (c)(20), by striking ''the description and information specified in sections 112(b)(8) and 121(c) of Public Law 105–220 concerning the provision of services only for post-secondary students and school dropouts'' and inserting ''the description and information specified in subparagraphs (B) and (C)(iii) of section 102(b)(2), and, as appropriate, section 103(b)(3)(A), and section 121(c), of the Workforce Innovation and Opportunity Act concerning the provision of services only for post-secondary students and school dropouts''; and

(C) in subsection (d)(2)—

(i) in the paragraph heading, by striking ''501 PLAN'' and inserting ''COMBINED PLAN''; and

(ii) by striking ''as part of the plan submitted under section 501 of Public Law 105–220'' and inserting ''as part of the plan submitted under section 103 of the Workforce Innovation and Opportunity Act''.

(4) Section 124(c)(13) of such Act (20 U.S.C. 2344(c)(13)) is amended by striking ''such as through referral to the system established under section 121 of Public Law 105–220'' and inserting ''such as through referral to the system established under section 121 of the Workforce Innovation and Opportunity Act''.

(5) Section 134(b)(5) of such Act (20 U.S.C. 2354(b)(5)) is amended by striking ''entities participating in activities described in section 117 of Public Law 105–220 (if applicable)'' and inserting ''entities participating in activities described in section 107 of the Workforce Innovation and Opportunity Act (if applicable)''.

(6) Section 135(c)(16) of such Act (20 U.S.C. 2355(c)(16)) is amended by striking ''such as through referral to the system established under section 121 of Public Law 105–220 (29 U.S.C. 2801 et seq.)'' and inserting ''such as through referral to the system established under section 121 of the Workforce Innovation and Opportunity Act''.

(7) Section 321(b)(1) of such Act (20 U.S.C. 2411(b)(1)) is amended by striking ''Chapters 4 and 5 of subtitle B of title I of Public Law 105–220'' and inserting ''Chapters 2 and 3 of subtitle B of title I of the Workforce Innovation and Opportunity Act''.

(f) COMMUNITY SERVICES BLOCK GRANT ACT.—Section 676(b)(5) of the Community Services Block Grant Act (42 U.S.C. 9908(b)(5)) is amended by striking ''the eligible entities will coordinate the provision of employment and training activities, as defined in section 101 of such Act, in the State and in communities with entities providing activities through statewide and local workforce investment systems under the Workforce Investment Act of 1998'' and inserting ''the eligible entities will coordinate the provision of employment and training activities, as defined in section 3 of the Workforce Innovation and Opportunity Act, in the State and in communities with entities providing activities through statewide and local workforce development systems under such Act''.

(g) COMPACT OF FREE ASSOCIATION AMENDMENTS ACT OF 2003.—The Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921 et seq.) is amended as follows:

(1) Section 105(f)(1)(B)(iii) of such Act (48 U.S.C. 1921d(f)(1)(B)(iii)) is amended by striking ''title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.), other than subtitle C of that Act (29 U.S.C. 2881 et seq.) (Job Corps), title II of the Workforce Investment Act of 1998 (20 U.S.C. 9201 et seq.; commonly known as the Adult Education and Family Literacy Act),'' and inserting ''titles I (other than subtitle C) and II of the Workforce Innovation and Opportunity Act,''.

(2) Section 108(a) of such Act (48 U.S.C. 1921g(a)) is amended by striking ''subtitle C of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2881 et seq.; relating to Job Corps)'' and inserting ''subtitle C of title I of the Workforce Innovation and Opportunity Act (relating to Job Corps)''.

(h) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—Section 103(d) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4953(d)) is amended by striking ''employment.'' and all that follows and inserting the following: ''employment. Whenever feasible, such efforts shall be coordinated with an appropriate local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act.''.

(i) ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended as follows:

(1) Section 1203(c)(2)(A) of such Act (20 U.S.C. 6363(c)(2)(A)) is amended—

(A) by striking '', in consultation with the National Institute for Literacy,''; and

(B) by striking clause (ii); and

(C) by redesignating clauses (iii) and (iv) as clauses (ii) and (iii), respectively.

(2) Section 1235(9)(B) of such Act (20 U.S.C. 6381d(9)(B)) is amended by striking ''any relevant programs under the Adult Education and Family Literacy Act, the Individuals with Disabilities Education Act, and title I of the Workforce Investment Act of 1998'' and inserting ''any relevant programs under the Adult Education and Family Literacy Act, the Individuals with Disabilities Education Act, and title I of the Workforce Innovation and Opportunity Act''.

(3) Section 1423(9) of such Act (20 U.S.C. 6453(9)) is amended by striking ''a description of how the program under this subpart will be coordinated with other Federal, State, and local programs, such as programs under title I of Public Law 105–220'' and inserting ''a description of how the program under this subpart will be coordinated with other Federal, State, and local programs, such as programs under title I of the Workforce Innovation and Opportunity Act''.

(4) Section 1425(9) of such Act (20 U.S.C. 6455(9)) is amended by striking ''coordinate funds received under this subpart with other local, State, and Federal funds available to provide services to participating children and youth, such as funds made available under title I of Public Law 105–220,'' and inserting ''coordinate funds received under this subpart with other local, State, and Federal funds available to provide services to participating children and youth, such as funds made available under title I of the Workforce Innovation and Opportunity Act,''.

(5) Section 7202(13)(H) of such Act (20 U.S.C. 7512(13)(H)) is amended by striking ''the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)'' and inserting ''the Workforce Innovation and Opportunity Act''.

(j) ENVIRONMENTAL PROGRAMS ASSISTANCE ACT OF 1984.—Section 2(a) of the Environmental Programs Assistance Act of 1984 (42 U.S.C. 4368a(a)) is amended by striking ''Funding for such grants or agreements may be made available from such programs or through title V of the Older Americans Act of 1965 and subtitle D of title I of the Workforce Investment Act of 1998'' and inserting ''Funding for such grants or agreements may be made available from such programs or through title V of the Older Americans Act of 1965 and subtitle D of title I of the Workforce Innovation and Opportunity Act''.

(k) ENERGY CONSERVATION AND PRODUCTION ACT.—Section 414(b)(3) of the Energy Conservation and Production Act (42 U.S.C. 6864(b)(3)) is amended by striking ''securing, to the maximum extent practicable, the services of volunteers and training participants and public service employment workers, pursuant to title I of the Workforce Investment Act of 1998'' and inserting ''securing, to the maximum extent practicable, the services of volunteers and training participants and public service employment workers, pursuant to title I of the Workforce Innovation and Opportunity Act''.

(l) FOOD AND NUTRITION ACT OF 2008.—The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended as follows:

(1) Section 5(l) of such Act (7 U.S.C. 2014(l)) is amended by striking ''Notwithstanding section 181(a)(2) of the Workforce Investment Act of 1998, earnings to individuals participating in on-the-job-training under title I of the Workforce Investment Act of 1998'' and inserting ''Notwithstanding section 181(a)(2) of the Workforce Innovation and Opportunity Act, earnings to individuals participating in on-the-job training under title I of such Act''.

(2) Section 6 of such Act (7 U.S.C. 2015) is amended—

(A) in subsection (d)(4)(M), by striking ''activities under title I of the Workforce Investment Act of 1998'' and inserting ''activities under title I of the Workforce Innovation and Opportunity Act'';

(B) in subsection (e)(3)(A), by striking ''a program under title I of the Workforce Investment Act of 1998'' and inserting ''a program under title I of the Workforce Innovation and Opportunity Act''; and

(C) in subsection (o)(1)(A), by striking ''a program under the title I of the Workforce Investment Act of 1998'' and inserting ''a program under title I of the Workforce Innovation and Opportunity Act''.

(3) Section 17(b)(2) of such Act (7 U.S.C. 2026(b)(2)) is amended by striking ''a program carried out under title I of the Workforce Investment Act of 1998'' and inserting ''a program carried out under title I of the Workforce Innovation and Opportunity Act''.

(m) FULL EMPLOYMENT AND BALANCED GROWTH ACT OF 1978.—Section 206 of the Full Employment and Balanced Growth Act of 1978 (15 U.S.C. 3116) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking ''the Secretary of Labor shall, as appropriate, fully utilize the authority provided under the Job Training Partnership Act and title I of the Workforce Investment Act of 1998'' and inserting ''the Secretary of Labor shall, as appropriate, fully utilize the authority provided under title I of the Workforce Innovation and Opportunity Act''; and

(2) in subsection (c)(1), by striking ''the President shall, as may be authorized by law, establish reservoirs of public employment and private nonprofit employment projects, to be approved by the Secretary of Labor, through expansion of title I of the Workforce Investment Act of 1998'' and inserting ''the President shall, as may be authorized by law, establish reservoirs of public employment and private nonprofit employment projects, to be approved by the Secretary of Labor, through expansion of activities under title I of the Workforce Innovation and Opportunity Act''.

(n) HIGHER EDUCATION ACT OF 1965.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended as follows:

(1) Section 418A of such Act (20 U.S.C. 1070d–2) is amended—

(A) in subsection (b)(1)(B)(ii), by striking ''section 167 of the Workforce Investment Act of 1998'' and inserting ''section 167 of the Workforce Innovation and Opportunity Act''; and

(B) in subsection (c)(1)(A), by striking ''section 167 of the Workforce Investment Act of 1998'' and inserting ''section 167 of the Workforce Innovation and Opportunity Act''.

(2) Section 479(d)(1) of such Act (20 U.S.C. 1087ss(d)(1)) is amended by striking ''The term 'dislocated worker' has the meaning given the term in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)'' and inserting ''The term 'dislocated worker' has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act''.

(3) Section 479A(a) of such Act (20 U.S.C. 1087tt(a)) is amended by striking ''a dislocated worker (as defined in section 101 of the Workforce Investment Act of 1998)'' and inserting ''a dislocated worker (as defined in section 3 of the Workforce Innovation and Opportunity Act)''.

(4) Section 480(b)(1)(I) of such Act (20 U.S.C. 1087vv(b)(1)(I)) is amended by striking ''benefits received through participation in employment and training activities under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)'' and inserting ''benefits received through participation in employment and training activities under title I of the Workforce Innovation and Opportunity Act''.

(5) Section 803 of such Act (20 U.S.C. 1161c) is amended—

(A) in subsection (i)(1), by striking ''for changes to this Act and related Acts, such as the Carl D. Perkins Career and Technical Education Act of 2006 and the Workforce Investment Act of 1998 (including titles I and II), to help create and sustain business and industry workforce partnerships at institutions of higher education'' and inserting ''for changes to this Act and related Acts, such as the Carl D. Perkins Career and Technical Education Act of 2006 and the Workforce Innovation and Opportunity Act (including titles I and II), to help create and sustain business and industry workforce partnerships at institutions of higher education''; and

(B) in subsection (j)(1)—

(i) in subparagraph (A)(ii), by striking ''local board (as such term is defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801))'' and inserting ''local board (as such term is defined in section 3 of the Workforce Innovation and Opportunity Act)''; and

(ii) in subparagraph (B), by striking ''a State board (as such term is defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801))'' and inserting ''a State board (as such term is defined in section 3 of the Workforce Innovation and Opportunity Act)''.

(6) Section 861(c)(1)(B) of such Act (20 U.S.C. 1161q(c)(1)(B)) is amended by striking ''local boards (as such term is defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801))'' and inserting ''local boards (as such term is defined in section 3 of the Workforce Innovation and Opportunity Act)''.

(7) Section 872(b)(2)(E) of such Act (20 U.S.C. 1161s(b)(2)(E)) is amended by striking ''local boards (as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801))'' and inserting ''local boards (as defined in section 3 of the Workforce Innovation and Opportunity Act)''.

(o) HOUSING ACT OF 1949.—Section 504(c)(3) of the Housing Act of 1949 (42 U.S.C. 1474(c)(3)) is amended by striking ''an insufficient number of volunteers and training participants and public service employment workers, assisted pursuant to title I of the Workforce Investment Act of 1998 or the Older American Community Service Employment Act,'' and inserting ''an insufficient number of volunteers and training participants and public service employment workers, assisted pursuant to title I of the Workforce Innovation and Opportunity Act or the Community Service Senior Opportunities Act,''.

(p) HOUSING AND URBAN DEVELOPMENT ACT OF 1968.—Section 3 of the Housing and Urban

Development Act of 1968 (12 U.S.C. 1701u) is amended—

(1) in subsection (c)—

(A) in paragraph (1)(B)(iii), by striking ''participants in YouthBuild programs receiving assistance under section 173A of the Workforce Investment Act of 1998'' and inserting ''participants in YouthBuild programs receiving assistance under section 171 of the Workforce Innovation and Opportunity Act''; and

(B) in paragraph (2)(B), by striking ''participants in YouthBuild programs receiving assistance under section 173A of the Workforce Investment Act of 1998'' and inserting ''participants in YouthBuild programs receiving assistance under section 171 of the Workforce Innovation and Opportunity Act''; and

(2) in subsection (d)—

(A) in paragraph (1)(B)(iii), by striking ''To YouthBuild programs receiving assistance under section 173A of the Workforce Investment Act of 1998'' and inserting ''To YouthBuild programs receiving assistance under section 171 of the Workforce Innovation and Opportunity Act''; and

(B) in paragraph (2)(B), by striking ''to YouthBuild programs receiving assistance under section 173A of the Workforce Investment Act of 1998'' and inserting ''to YouthBuild programs receiving assistance under section 171 of the Workforce Innovation and Opportunity Act''.

(q) IMMIGRATION AND NATIONALITY ACT.—Section 245A(h)(4)(F) of the Immigration and Nationality Act (8 U.S.C. 1255a(h)(4)(F)) is amended by striking ''Title I of the Workforce Investment Act of 1998'' and inserting ''Title I of the Workforce Innovation and Opportunity Act''.

(r) INTERNAL REVENUE CODE OF 1986.—Section 7527(e)(2) of the Internal Revenue Code of 1986 is amended by inserting ''(as in effect on the day before the date of enactment of the Workforce Innovation and Opportunity Act)'' after ''of 1998''.

(s) MCKINNEY-VENTO HOMELESS ASSISTANCE ACT.—Section 103(c)(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(c)(2)) is amended by striking ''a homeless individual shall be eligible for assistance under title I of the Workforce Investment Act of 1998'' and inserting ''a homeless individual shall be eligible for assistance under title I of the Workforce Innovation and Opportunity Act''.

(t) MUSEUM AND LIBRARY SERVICES ACT.—The Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended as follows:

(1) Section 204(f)(3) of such Act (20 U.S.C. 9103(f)(3)) is amended by striking ''activities under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) (including activities under section 134(c) of such Act) (29 U.S.C. 2864(c))'' and inserting ''activities under the Workforce Innovation and Opportunity Act (including activities under section 121(e) of such Act))''.

(2) Section 224(b)(6)(C) of such Act (20 U.S.C. 9134(b)(6)(C)) is amended—

(A) in clause (i), by striking ''the activities carried out by the State workforce investment board under section 111(d) of the Workforce Investment Act of 1998 (29 U.S.C. 2821(d))'' and inserting ''the activities carried out by the State workforce development board under section 101 of the Workforce Innovation and Opportunity Act''; and

(B) in clause (ii), by striking ''the State's one-stop delivery system established under section 134(c) of such Act (29 U.S.C. 2864(c))'' and inserting ''the State's one-stop delivery system established under section 121(e) of such Act''.

(u) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—The National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) is amended as follows:

(1) Section 112(a)(3)(B) of such Act (42 U.S.C. 12523(a)(3)(B)) is amended by striking ''or who may participate in a Youthbuild program under section 173A of the Workforce Investment Act of 1998 (29 U.S.C. 2918a)'' and inserting ''or who may participate in a Youthbuild program under section 171 of the Workforce Innovation and Opportunity Act''.

(2) Section 199L(a) of such Act (42 U.S.C. 12655m(a)) is amended by striking ''coordinated with activities supported with assistance made available under programs administered by the heads of such agencies (including title I of the Workforce Investment Act of 1998)'' and inserting ''coordinated with activities supported with assistance made available under programs administered by the heads of such agencies (including title I of the Workforce Innovation and Opportunity Act)''.

(v) NATIONAL ENERGY CONSERVATION POLICY ACT.—Section 233 of the National Energy Conservation and Policy Act (42 U.S.C. 6873) is amended, in the matter preceding paragraph (1), by striking ''a sufficient number of volunteers and training participants and public service employment workers, assisted pursuant to title I of the Workforce Investment Act of 1998 and the Older American Community Service Employment Act'' and inserting ''a sufficient number of volunteers and training participants and public service employment workers, assisted pursuant to title I of the Workforce Innovation and Opportunity Act and the Community Service Senior Opportunities Act''.

(w) OLDER AMERICANS ACT OF 1965.—The Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) is amended as follows:

(1) Section 203 of such Act (42 U.S.C. 3013) is amended—

(A) in subsection (a)(2), by striking ''In particular, the Secretary of Labor shall consult and cooperate with the Assistant Secretary in carrying out title I of the Workforce Investment Act of 1998'' and inserting ''In particular, the Secretary of Labor shall consult and cooperate with the Assistant Secretary in carrying out title I of the Workforce Innovation and Opportunity Act''; and

(B) in subsection (b)(1), by striking ''title I of the Workforce Investment Act of 1998'' and inserting ''title I of the Workforce Innovation and Opportunity Act''.

(2) Section 321(a)(12) of such Act (42 U.S.C. 3030d(a)(12)) is amended by striking ''including programs carried out under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)'' and inserting ''including programs carried out under the Workforce Innovation and Opportunity Act''.

(3) Section 502 of such Act (42 U.S.C. 3056) is amended—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (H), by striking ''will coordinate activities with training and other services provided under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.), including utilizing the one-stop delivery system of the local workforce investment areas involved'' and inserting ''will coordinate activities with training and other services provided under title I of the Workforce Innovation and Opportunity Act, including utilizing the one-stop delivery system of the local workforce development areas involved'';

(II) in subparagraph (O)—

(aa) by striking ''through the one-stop delivery system of the local workforce investment areas involved as established under section 134(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(c)),'' and inserting ''through the one-stop delivery system of the local workforce development areas involved as established under section 121(e) of the Workforce Innovation and Opportunity Act,''; and

(bb) by striking ''and will be involved in the planning and operations of such system pursuant to a memorandum of understanding with the local workforce investment board in accordance with section 121(c) of such Act (29 U.S.C. 2841(c))'' and inserting ''and will be involved in the planning and operations of such system pursuant to a memorandum of understanding with the local workforce development board in accordance with section 121(c) of such Act''; and

(III) in subparagraph (Q)—

(aa) in clause (i), by striking ''paragraph (8), relating to coordination with other Federal programs, of section 112(b) of the Workforce Investment Act of 1998 (29 U.S.C. 2822(b))'' and inserting ''clauses (ii) and (viii) of paragraph (2)(B), relating to coordination with other Federal programs, of section 102(b) of the Workforce Innovation and Opportunity Act''; and

(bb) in clause (ii), by striking ''paragraph (14), relating to implementation of one-stop delivery systems, of section 112(b) of the Workforce Investment Act of 1998'' and inserting ''paragraph (2)(C)(i), relating to implementation of one-stop delivery systems, of section 102(b) of the Workforce Innovation and Opportunity Act''; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking ''An assessment and service strategy required by paragraph (1)(N) to be prepared for an eligible individual shall satisfy any condition for an assessment and service strategy or individual employment plan for an adult participant under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.), in order to determine whether such eligible individual also qualifies for intensive or training services described in section 134(d) of such Act (29 U.S.C. 2864(d)).'' and inserting ''An assessment and service strategy required by paragraph (1)(N) to be prepared for an eligible individual shall satisfy any condition for an assessment and service strategy or individual employment plan for an adult participant under subtitle B of title I of the Workforce Innovation and Opportunity Act, in order to determine whether such eligible individual also qualifies for career or training services described in section 134(c) of such Act.''; and

(II) in subparagraph (B)—

(aa) in the subparagraph heading, by striking ''WORKFORCE INVESTMENT ACT OF 1998'' and inserting ''WORKFORCE INNOVATION AND OPPORTUNITY ACT''; and

(bb) by striking ''An assessment and service strategy or individual employment plan prepared under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.)'' and inserting ''An assessment and service strategy or individual employment plan prepared under subtitle B of title I of the Workforce Innovation and Opportunity Act''; and

(B) in subsection (e)(2)(B)(ii), by striking ''one-stop delivery systems established under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)'' and inserting ''one-stop delivery systems established under section 121(e) of the Workforce Innovation and Opportunity Act''.

(4) Section 503 of such Act (42 U.S.C. 3056a) is amended—

(A) in subsection (a)—

(i) in paragraph (2)(A), by striking ''the State and local workforce investment boards established under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)'' and inserting ''the State and local workforce development boards established under title I of the Workforce Innovation and Opportunity Act''; and

(ii) in paragraph (4)(F), by striking ''plans for facilitating the coordination of activities of grantees in the State under this title with activities carried out in the State under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)'' and inserting ''plans for facilitating the coordination of activities of grantees in the State under this title with activities carried out in the State under title I of the Workforce Innovation and Opportunity Act''; and

(B) in subsection (b)(2)(A), by striking ''with the program carried out under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)'' and inserting ''with the program carried out under the Workforce Innovation and Opportunity Act''.

(5) Section 505(c)(1) (42 U.S.C. 3056c(c)(1)) of such Act is amended by striking ''activities carried out under other Acts, especially activities

provided under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.), including activities provided through one-stop delivery systems established under section 134(c)) of such Act (29 U.S.C. 2864(c)),'' and inserting ''activities carried out under other Acts, especially activities provided under the Workforce Innovation and Opportunity Act, including activities provided through one-stop delivery systems established under section 121(e) of such Act,''.

(6) Section 510 of such Act (42 U.S.C. 3056h) is amended—

(A) by striking ''by local workforce investment boards and one-stop operators established under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)'' and inserting ''by local workforce development boards and one-stop operators established under title I of the Workforce Innovation and Opportunity Act''; and

(B) by striking ''such title I'' and inserting ''such title''.

(7) Section 511 of such Act (42 U.S.C. 3056i) is amended—

(A) in subsection (a), by striking ''Grantees under this title shall be one-stop partners as described in subparagraphs (A) and (B)(vi) of section 121(b)(1) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(b)(1)) in the one-stop delivery system established under section 134(c) of such Act (29 U.S.C. 2864(c)) for the appropriate local workforce investment areas'' and inserting ''Grantees under this title shall be one-stop partners as described in subparagraphs (A) and (B)(v) of section 121(b)(1) of the Workforce Innovation and Opportunity Act in the one-stop delivery system established under section 121(e) of such Act for the appropriate local workforce development areas''; and

(B) in subsection (b)(2), by striking ''be signatories of the memorandum of understanding established under section 121(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(c))'' and inserting ''be signatories of the memorandum of understanding established under section 121(c) of the Workforce Innovation and Opportunity Act''.

(8) Section 518(b)(2)(F) of such Act (42 U.S.C. 3056p(b)(2)(F)) is amended by striking ''has failed to find employment after utilizing services provided under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)'' and inserting ''has failed to find employment after utilizing services provided under title I of the Workforce Innovation and Opportunity Act''.

(x) PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996.—Section 403(c)(2)(K) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(c)(2)(K)) is amended by striking ''Benefits under the title I of the Workforce Investment Act of 1998'' and inserting ''Benefits under title I of the Workforce Innovation and Opportunity Act''.

(y) PATIENT PROTECTION AND AFFORDABLE CARE ACT.—Section 5101(d)(3)(D) of the Patient Protection and Affordable Care Act (42 U.S. 294q(d)(3)(D)) is amended by striking ''other health care workforce programs, including those supported through the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.),'' and inserting ''other health care workforce programs, including those supported through the Workforce Innovation and Opportunity Act,''.

(z) PUBLIC HEALTH SERVICE ACT.—The Public Health Service Act (42 U.S.C. 201 et seq.) is amended as follows:

(1) Section 399V(e) of such Act (42 U.S.C. 280g–11(e)) is amended by striking ''one-stop delivery systems under section 134(c) of the Workforce Investment Act of 1998'' and inserting ''one-stop delivery systems under section 121(e) of the Workforce Innovation and Opportunity Act''.

(2) Section 751(c)(1)(A) of such Act (42 U.S.C. 294a(c)(1)(A)) is amended by striking ''the applicable one-stop delivery system under section 134(c) of the Workforce Investment Act of 1998,'' and inserting ''the applicable one-stop delivery system under section 121(e) of the Workforce Innovation and Opportunity Act,''.

(3) Section 799B(23) of such Act (42 U.S.C. 295p(23)) is amended by striking ''one-stop delivery system described in section 134(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(c))'' and inserting ''one-stop delivery system described in section 121(e) of the Workforce Innovation and Opportunity Act''.

(aa) RUNAWAY AND HOMELESS YOUTH ACT.—Section 322(a)(7) of the Runaway and Homeless Youth Act (42 U.S.C. 5714–2(a)(7)) is amended by striking ''(including services and programs for youth available under the Workforce Investment Act of 1998)'' and inserting ''(including services and programs for youth available under the Workforce Innovation and Opportunity Act)''.

(bb) SECOND CHANCE ACT OF 2007.—The Second Chance Act of 2007 (42 U.S.C. 17501 et seq.) is amended as follows:

(1) Section 212 of such Act (42 U.S.C. 17532) is amended—

(A) in subsection (c)(1)(B), by striking ''in coordination with the one-stop partners and one-stop operators (as such terms are defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)) that provide services at any center operated under a one-stop delivery system established under section 134(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(c)),'' and inserting ''in coordination with the one-stop partners and one-stop operators (as such terms are defined in section 3 of the Workforce Innovation and Opportunity Act) that provide services at any center operated under a one-stop delivery system established under section 121(e) of the Workforce Innovation and Opportunity Act,''; and

(B) in subsection (d)(1)(B)(iii), by striking ''the local workforce investment boards established under section 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2832)),'' and inserting ''the local workforce development boards established under section 107 of the Workforce Innovation and Opportunity Act,''.

(2) Section 231(e) of such Act (42 U.S.C. 17541(e)) is amended by striking ''the one-stop partners and one-stop operators (as such terms are defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)) that provide services at any center operated under a one-stop delivery system established under section 134(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(c))'' and inserting ''the one-stop partners and one-stop operators (as such terms are defined in section 3 of the Workforce Innovation and Opportunity Act) that provide services at any center operated under a one-stop delivery system established under section 121(e) of the Workforce Innovation and Opportunity Act''.

(cc) SMALL BUSINESS ACT.—Section 7(j)(13)(E) of the Small Business Act (15 U.S.C. 636(j)(13)(E)) is amended by striking ''an institution eligible to provide skills training or upgrading under title I of the Workforce Investment Act of 1998'' and inserting ''an institution eligible to provide skills training or upgrading under title I of the Workforce Innovation and Opportunity Act''.

(dd) SOCIAL SECURITY ACT.—The Social Security Act (42 U.S.C. 301 et seq.) is amended as follows:

(1) Section 403(a)(5) of such Act (42 U.S.C. 603(a)(5)) is amended—

(A) in subparagraph (A)(vii)(I), by striking ''chief elected official (as defined in section 101 of the Workforce Investment Act of 1998)'' and inserting ''chief elected official (as defined in section 3 of the Workforce Innovation and Opportunity Act)''; and

(B) in subparagraph (D)(ii), by striking ''local workforce investment board established for the service delivery area pursuant to title I of the Workforce Investment Act of 1998, as appropriate'' and inserting ''local workforce development board established for the local workforce development area pursuant to title I of the Workforce Innovation and Opportunity Act, as appropriate''.

(2) Section 1148(f)(1)(B) of such Act (42 U.S.C. 1320b–19(f)(1)(B)) is amended by striking ''a one-stop delivery system established under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.)'' and inserting ''a one-stop delivery system established under section 121(e) of the Workforce Innovation and Opportunity Act''.

(3) Section 1149(a)(3) of such Act (42 U.S.C. 1320b–20(a)(3)) is amended by striking ''a one-stop delivery system established under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.)'' and inserting ''a one-stop delivery system established under section 121(e) of the Workforce Innovation and Opportunity Act''.

(4) Section 2008(a) of such Act (42 U.S.C. 1397g(a)) is amended—

(A) in paragraph (2)(B), by striking ''the State workforce investment board established under section 111 of the Workforce Investment Act of 1998'' and inserting ''the State workforce development board established under section 101 of the Workforce Innovation and Opportunity Act''; and

(B) in paragraph (4)(A), by striking ''a local workforce investment board established under section 117 of the Workforce Investment Act of 1998,'' and inserting ''a local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act,''.

(ee) TITLE 18 OF THE UNITED STATES CODE.—Section 665 of title 18 of the United States Code is amended—

(1) in subsection (a), by striking ''Whoever, being an officer, director, agent, or employee of, or connected in any capacity with any agency or organization receiving financial assistance or any funds under the Job Training Partnership Act or title I of the Workforce Investment Act of 1998'' and inserting ''Whoever, being an officer, director, agent, or employee of, or connected in any capacity with any agency or organization receiving financial assistance or any funds under title I of the Workforce Innovation and Opportunity Act or title I of the Workforce Investment Act of 1998'';

(2) in subsection (b), by striking ''a contract of employment in connection with a financial assistance agreement or contract under the Job Training Partnership Act or title I of the Workforce Investment Act of 1998'' and inserting ''a contract of employment in connection with a financial assistance agreement or contract under title I of the Workforce Innovation and Opportunity Act or title I of the Workforce Investment Act of 1998''; and

(3) in subsection (c), by striking ''Whoever willfully obstructs or impedes or willfully endeavors to obstruct or impede, an investigation or inquiry under the Job Training Partnership Act or title I of the Workforce Investment Act of 1998,'' and inserting ''Whoever willfully obstructs or impedes or willfully endeavors to obstruct or impede, an investigation or inquiry under title I of the Workforce Innovation and Opportunity Act or title I of the Workforce Investment Act of 1998,''.

(ff) TITLE 31 OF THE UNITED STATES CODE.—Section 6703(a)(4) of title 31 of the United States Code is amended by striking ''Programs under title I of the Workforce Investment Act of 1998.'' and inserting ''Programs under title I of the Workforce Innovation and Opportunity Act.''.

(gg) TITLE 38 OF THE UNITED STATES CODE.—Title 38 of the United States Code is amended as follows:

(1) Section 4101(9) of title 38 of the United States Code is amended by striking ''The term 'intensive services' means local employment and training services of the type described in section 134(d)(3) of the Workforce Investment Act of 1998'' and inserting ''The term 'career services' means local employment and training services of the type described in section 134(c)(2) of the Workforce Innovation and Opportunity Act''.

(2) Section 4102A of title 38 of the United States Code is amended—

(A) in subsection (d), by striking ''participation of qualified veterans and eligible persons in employment and training opportunities under title I of the Workforce Investment Act of 1998'' and inserting ''participation of qualified veterans and eligible persons in employment and training opportunities under title I of the Workforce Innovation and Opportunity Act''; and

(B) in subsection (f)(2)(A), by striking ''be consistent with State performance measures applicable under section 136(b) of the Workforce Investment Act of 1998'' and inserting ''be consistent with State performance accountability measures applicable under section 116(b) of the Workforce Innovation and Opportunity Act''.

(3) Section 4104A of title 38 of the United States Code is amended—

(A) in subsection (b)(1)(B), by striking ''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))'' and inserting ''the appropriate State boards and local boards (as such terms are defined in section 3 of the Workforce Innovation and Opportunity Act)''; and

(B) in subsection (c)(1)(A), by striking ''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))'' and inserting ''the appropriate State boards and local boards (as such terms are defined in section 3 of the Workforce Innovation and Opportunity Act)''.

(4) Section 4110B of title 38 of the United States Code is amended by striking ''enter into an agreement with the Secretary regarding the implementation of the Workforce Investment Act of 1998 that includes the description and information described in paragraphs (8) and (14) of section 112(b) of the Workforce Investment Act of 1998 (29 U.S.C. 2822(b))'' and inserting ''enter into an agreement with the Secretary regarding the implementation of the Workforce Innovation and Opportunity Act that includes the descriptions described in sections 102(b)(2)(B)(ii) and 103(b)(3)(A) of the Workforce Innovation and Opportunity Act and a description of how the State board will carry out the activities described in section 101(d)(3)(F) of such Act''.

(5) Section 4213(a)(4) of title 38 of the United States Code is amended by striking ''Any employment or training program carried out under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)'' and inserting ''Any employment or training program carried out under title I of the Workforce Innovation and Opportunity Act''.

(hh) TRADE ACT OF 1974.—The Trade Act of 1974 (19 U.S.C. 2101 et seq.) is amended as follows:

(1) Section 221(a) of such Act (19 U.S.C. 2271) is amended—

(A) in paragraph (1)(C)—

(i) by striking '', one-stop operators or one-stop partners (as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)) including State employment security agencies,'' and inserting '', one-stop operators or one-stop partners (as defined in section 3 of the Workforce Innovation and Opportunity Act) including State employment security agencies,''; and

(ii) by striking ''or the State dislocated worker unit established under title I of such Act,'' and inserting ''or a State dislocated worker unit,''; and

(B) in subsection (a)(2)(A), by striking ''rapid response activities and appropriate core and intensive services (as described in section 134 of the Workforce Investment Act of 1998 (29 U.S.C. 2864)) authorized under other Federal laws'' and inserting ''rapid response activities and appropriate career services (as described in section 134 of the Workforce Innovation and Opportunity Act) authorized under other Federal laws''.

(2) Section 222(d)(2)(A)(iv) of such Act (19 U.S.C. 2272(d)(2)(A)(iv)) is amended by striking ''one-stop operators or one-stop partners (as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801))'' and inserting ''one-stop operators or one-stop partners (as defined in section 3 of the Workforce Innovation and Opportunity Act)''.

(3) Section 236(a)(5) of such Act (19 U.S.C. 2296(a)(5)) is amended—

(A) in subparagraph (B), by striking ''any training program provided by a State pursuant to title I of the Workforce Investment Act of 1998'' and inserting ''any training program provided by a State pursuant to title I of the Workforce Innovation and Opportunity Act''; and

(B) in the flush text following subparagraph (H), by striking ''The Secretary may not limit approval of a training program under paragraph (1) to a program provided pursuant to title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.).'' and inserting ''The Secretary may not limit approval of a training program under paragraph (1) to a program provided pursuant to title I of the Workforce Innovation and Opportunity Act.''.

(4) Section 239 of such Act (19 U.S.C. 2311) is amended—

(A) in subsection (f), by striking ''Any agreement entered into under this section shall provide for the coordination of the administration of the provisions for employment services, training, and supplemental assistance under sections 235 and 236 of this Act and under title I of the Workforce Investment Act of 1998'' and inserting ''Any agreement entered into under this section shall provide for the coordination of the administration of the provisions for employment services, training, and supplemental assistance under sections 235 and 236 of this Act and under title I of the Workforce Innovation and Opportunity Act''; and

(B) in subsection (h), by striking ''the description and information described in paragraphs (8) and (14) of section 112(b) of the Workforce Investment Act of 1998 (29 U.S.C. 2822(b))'' and inserting ''the descriptions described in sections 102(b)(2)(B)(ii) and 103(b)(3)(A) of the Workforce Innovation and Opportunity Act, a description of how the State board will carry out the activities described in section 101(d)(3)(F) of such Act,''.

(ii) UNITED STATES HOUSING ACT OF 1937.—Section 23 of the United States Housing Act of 1937 (42 U.S.C. 1437u) is amended—

(1) in subsection (b)(2)(A), by striking ''lack of supportive services accessible to eligible families, which shall include insufficient availability of resources for programs under title I of the Workforce Investment Act of 1998'' and inserting ''lack of supportive services accessible to eligible families, which shall include insufficient availability of resources for programs under title I of the Workforce Innovation and Opportunity Act'';

(2) in subsection (f)(2), by striking ''the local agencies (if any) responsible for carrying out programs under title I of the Workforce Investment Act of 1998 or the Job Opportunities and Basic Skills Training Program under part F of title IV of the Social Security Act,'' and inserting ''the local agencies (if any) responsible for carrying out programs under title I of the Workforce Innovation and Opportunity Act or the Job Opportunities and Basic Skills Training Program under part F of title IV of the Social Security Act,''; and

(3) in subsection (g)—

(A) in paragraph (2), by striking ''any local agencies responsible for programs under title I of the Workforce Investment Act of 1998 or the Job Opportunities and Basic Skills Training Program under part F of title IV of the Social Security Act'' and inserting ''any local agencies responsible for programs under title I of the Workforce Innovation and Opportunity Act or the Job Opportunities and Basic Skills Training Program under part F of title IV of the Social Security Act''; and

(B) in paragraph (3)(H), by striking ''programs under title I of the Workforce Investment Act of 1998 and any other relevant employment, child care, transportation, training, and education programs in the applicable area'' and inserting ''programs under title I of the Workforce Innovation and Opportunity Act and any other relevant employment, child care, transportation, training, and education programs in the applicable area''.

(jj) VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994.—Section 31113(a)(4)(C) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13823(a)(4)(C)) is amended by striking ''job training programs authorized under title I of the Workforce Investment Act of 1998 or the Family Support Act of 1988 (Public Law 100–485)'' and inserting ''job training programs authorized under title I of the Workforce Innovation and Opportunity Act or the Family Support Act of 1988 (Public Law 100–485)''.

(kk) WORKER ADJUSTMENT AND RETRAINING NOTIFICATION ACT.—Section 3(a)(2) of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102(a)(2)) is amended by striking ''the State or entity designated by the State to carry out rapid response activities under section 134(a)(2)(A) of the Workforce Investment Act of 1998,'' and inserting ''the State or entity designated by the State to carry out rapid response activities under section 134(a)(2)(A) of the Workforce Innovation and Opportunity Act,''.

SEC. 513. REFERENCES.

(a) WORKFORCE INVESTMENT ACT OF 1998 REFERENCES.—Except as otherwise specified, a reference in a Federal law to a provision of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) shall be deemed to refer to the corresponding provision of this Act.

(b) WAGNER-PEYSER ACT REFERENCES.—Except as otherwise specified, a reference in a Federal law to a provision of the Wagner-Peyser Act (29 U.S.C. 49 et seq.) shall be deemed to refer to the corresponding provision of such Act, as amended by this Act.

(c) DISABILITY-RELATED REFERENCES.—Except as otherwise specified, a reference in a Federal law to a provision of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) shall be deemed to refer to the corresponding provision of such Act, as amended by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. KLINE) and the gentleman from Massachusetts (Mr. TIERNEY) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. KLINE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 803.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KLINE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of the Workforce Innovation and Opportunity Act.

Men and women across the country are struggling to make ends meet. Many have lost a job, and others are working more for less. Learning a new skill or trade can open the door to that next opportunity a worker desperately needs, yet, too often, flawed policies stand in the way.

Quite frankly, our Nation's job training system is broken. We have too

many ineffective programs, too much bureaucracy, and very little accountability. The voices of job creators are stifled, State and local leaders are tied up in red tape, and hard-earned taxpayer dollars are wasted.

We have known about these problems for years but have failed to act, until now. We have an opportunity to advance reforms that will help all Americans compete and succeed in today's workforce.

The Workforce Innovation and Opportunity Act is based on four principles necessary for a modern, efficient, and effective job training system:

First, the bill streamlines a confusing maze of Federal programs and mandates. Let's make it easier for workers to access the support they need to get back to work.

Second, the bill promotes skills training for in-demand jobs. It is time to prepare workers for the jobs of the future, not the jobs of the past.

Third, the bill will reduce unnecessary bureaucracy and administrative costs. We need to stop squandering money on a bloated bureaucracy and start ensuring these limited resources go to workers in need.

Fourth and finally, this act provides strong accountability over the use of taxpayer dollars. We will know whether the taxpayer investment is paying off and impose real consequences when a program isn't getting the job done.

Last year, the House passed job training reform legislation known as the SKILLS Act. The bill incorporated these principles, and I am pleased they are reflected in the bipartisan, bicameral agreement before us today.

Is this a perfect solution? No, it is not. In some areas, I wish we could have done more. But will this agreement protect taxpayers and deliver the kind of employment support workers need to get back on their feet? I believe it will, and I urge my colleagues to support it.

Before closing, Madam Speaker, I would like to thank some of my colleagues who helped make this possible. Congresswoman VIRGINIA FOXX, chair of the Workforce Training Subcommittee, is, without a doubt, the leading champion for a stronger, more accountable workforce development system.

Mr. GEORGE MILLER, senior Democrat on the Education and the Workforce Committee, is no stranger to this issue and remains a tireless advocate for America's workers.

I am grateful for the leadership of Senators TOM HARKIN and LAMAR ALEXANDER, the chairman and ranking member of the Health, Education, Labor, and Pensions Committee, and hope this is one of many bicameral compromises we reach this year.

I would also like to thank Mr. BUCK MCKEON, former chairman of the Education and the Workforce Committee, as well as Representatives RUBÉN HINOJOSA and JOE HECK.

And last but not least, Senator PATTY MURRAY and my good friend Senator JOHNNY ISAKSON were both instrumental in our work.

Finally, Madam Speaker, we wouldn't be here today without the hard work of our staffs. The majority and minority staffs of the relevant House and Senate committees put in more hours than they care to remember.

Unfortunately, there isn't time to recognize them all; however, a few stand out on our side of the aisle that merit mention.

Juliane Sullivan, the committee's staff director, is a trusted adviser who helped us navigate the choppy waters that arose along the way. Brad Thomas helped ensure the bill addresses the unique needs of Americans with disabilities. James Bergeron, our former director of education policy, left the committee before this compromise was announced, but his knowledge and expertise are present on every page of this agreement. And finally, Rosemary Lahasky, whose passion and dedication kept this effort moving forward when it seemed like it couldn't get done. There simply aren't enough words to describe Rosemary's incredible contribution. We are all grateful for her service.

With that, Madam Speaker, I urge my colleagues to support the Workforce Innovation and Opportunity Act, and I reserve the balance of my time.

Mr. TIERNEY. Madam Speaker, I yield myself 3 minutes.

As my colleagues know, the Workforce Investment Act is the primary Federal law that governs the Nation's job training and workforce development system. Through this system, people of different ages and abilities can enter one of the career centers scattered throughout the country and obtain career counseling, skills assessments and training, all in the service of finding employment and providing a better future for themselves and their families.

Quite simply, the Workforce Investment Act is the Federal law that does two big things: one, it helps people acquire the skills, education, and training they need to get a job; and two, it ensures businesses can hire qualified personnel so they can grow and our economy can thrive. That is what it is all about.

Today, with consideration of the Workforce Innovation and Opportunity Act, we appear to have reached the culmination of what has been a long process to extend and improve the Workforce Investment Act. So today I am pleased to join with my colleagues on both sides of the aisle, 100-plus diverse stakeholder organizations, and 95 Members of the United States Senate in voicing my strong support for the bipartisan, bicameral Workforce Innovation and Opportunity Act.

I also note that it includes many components of legislation that I have filed for the last 2 years, or two terms in Congress, H.R. 798 being this session's iteration. Both this bill and mine maintain the core structure of the WIA One-Stop System for the delivery of employment and training services. Both increase coordination and alignment of workforce development programs. Both eliminate the ''sequence of services'' requirement that currently prevents workers from receiving training until they receive other unnecessary services. Both preserve the integrity of the three State formula grant programs for youth, adults, and dislocated workers. Both maintain the current business majority requirement and specify that a minimum of 20 percent of the board be represented by the workforce. Both include nearly identical performance accountability measures, and both preserve and protect the adult literacy program in title II. Both maintain the current vocational rehabilitation administrative structure and delivery system and emphasize increasing the involvement of employers in the vocational rehab system. And the list goes on.

Madam Speaker, modernizing and strengthening the Workforce Investment Act has been one of my top priorities since being elected to Congress, and I am pleased that we are just about at the finish line and that the bill before us today includes much of what I have proposed and advocated.

Before reserving my time, I want to say this bill is likely to be the biggest jobs bill that passes the House and gets signed into law this session, but it is evidence also of what is achievable if we work together. I have long said that when it comes to the Workforce Investment Act, our areas of agreement far outnumber our areas of disagreement and that our differences were surmountable. Well, we finally got there.

I want to thank Chairman HARKIN, Senator MURRAY and Senator ALEXANDER, Chairman KLINE, Ranking Member MILLER, Representative FOXX and Representative HINOJOSA, and all the staff who were involved for their unwavering commitment to getting this done. This is good bipartisan bill. It deserves the support of the House so it can be cleared and be signed into law by President Obama.

Madam Speaker, I reserve the balance of my time.

Mr. KLINE. Madam Speaker, now I am very, very pleased to yield 4 minutes to the gentlewoman from North Carolina (Ms. FOXX), the principal author of the SKILLS Act, which got this ball rolling.

Ms. FOXX. Madam Speaker, I want to thank the chairman for his support in this and all the members of the committee who helped work on this bill.

I would like to add my thanks to those that the chairman has made to the staff, in particular, Juliane Sullivan, James Bergeron, Brian Melnyk, and Rosemary Lahasky, for the incredible work that they have done.

I also want to thank ERIC CANTOR, our majority leader, and Senators

ISAKSON and PATTY MURRAY for the wonderful support that they have given.

Madam Speaker, today's vote on the Workforce Innovation and Opportunity Act is important for the millions of Americans who are looking for work. It is also important for the employers who have 4.6 million job opportunities that remain unfilled due to the skills gap. Closing this gap will specifically improve the lives of many Americans who are currently looking for work while generally helping our economy grow.

Today's vote is the culmination of an 18-month process of legislating the old-fashioned way: discussion, negotiation and compromise. This has been a bipartisan and bicameral process. It has been a privilege to play a role in it.

Madam Speaker, as you know, last year, the House passed H.R. 803, the SKILLS Act, a bill to reform our Nation's mishmash of workforce development programs. About 2 weeks ago, after much negotiation, the Senate passed an amended version of H.R. 803 and renamed it the Workforce Innovation and Opportunity Act. This bill will provide a long-overdue reauthorization of the Workforce Investment Act and will reform some of the broken aspects of that system.

There is longstanding bipartisan agreement that the current workforce development system is broken. Even President Obama recognizes that. In his 2012 State of the Union, President Obama called for cutting through the maze of training programs in order to do something about jobs going unfilled due to the lack of skilled workers. This bill turns that bipartisan consensus into action.

Madam Speaker, in short, this legislation will increase access, eliminate waste, promote accountability, empower job creators, and give Americans access to the resources needed to fill in-demand jobs.

Again, I want to thank all those who have been involved with helping get this legislation enacted. It is my hope that this process serves as a template to address some of the dozens of other House-passed jobs bills that still need a hearing in the Senate. Let this be the starting point for action on many other vital issues that need our attention.

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Working together, we can get things done. In that spirit, I urge my colleagues to join me in supporting H.R. 803 and sending this important bipartisan, bicameral legislation to the President's desk.

This bill turns that bipartisan consensus into action. It will remove bureaucratic hurdles to help people access services immediately and require that education programs focus on in-demand skills. Programs will be held to account through common performance metrics and face funding cuts if they fail to do their job. This legislation empowers state and local workforce leaders by providing funding flexibility to meet the unique needs of their communities and streamlines reporting requirements to ensure the focus is on services, rather than duplicative reports.

Mr. TIERNEY. Madam Speaker, at this time, I would like to yield 3 minutes to the gentleman from Texas, RUBÉN HINOJOSA, who has been deeply involved in the passage of this bill.

Mr. HINOJOSA. I thank the gentleman for yielding me the time.

Madam Speaker, I rise in strong support of the underlying bill, H.R. 803, entitled the Workforce Innovation and Opportunity Act.

As the ranking member of the Subcommittee on Higher Education and Workforce Training, I applaud Senators HARKIN, MURRAY, ALEXANDER, and ISAKSON for their extraordinary leadership in advancing this bipartisan, bicameral legislation in the Senate, with a vote of 95–3. And that, ladies and gentlemen, is quite an accomplishment.

In the House of Representatives, I commend my colleagues from the Education and the Workforce Committee—our chairman, JOHN KLINE, and our U.S. Representatives GEORGE MILLER, VIRGINIA FOXX, and JOHN TIERNEY—for all working in a bipartisan manner on this vitally important piece of legislation.

In my view, helping Americans get back on track must be our top priority. Today, Congress has an opportunity to reauthorize the Workforce Investment Act, known as WIA, and do more to support American workers in accessing good family-sustaining jobs and careers.

First and foremost, I am pleased that the underlying bill makes significant improvements to our Nation's public workforce training and adult education system. The bill promotes career pathways and utilizes sector strategies for delivering job training services, strategies that have been successful in south Texas.

This bill, H.R. 803, preserves national programs for migrant and seasonal farmworkers, as well as dislocated workers, disadvantaged youth, Native Americans, and people with disabilities. These are the populations that face significant barriers to employment and education.

In the area of adult education, this bill integrates adult education and workplace skills; it authorizes the integrated English literacy and civics education program for adult learners; and it expands access to postsecondary education. Importantly, this bipartisan bill includes several key provisions from the Adult Education and Economic Growth Act, which I introduced. For these reasons, it is no surprise that there is overwhelming support from business groups, from labor unions, from State and local elected officials, community colleges, as well as workforce boards, adult education providers, youth organizations, and civil rights groups for this bill.

In closing, I strongly urge Members of the House of Representatives to join me and our Senate colleagues in supporting American workers by passing H.R. 803.

Mr. KLINE. Madam Speaker, it is now my great pleasure and honor to yield 1 minute to the gentleman from Virginia (Mr. CANTOR), the majority leader.

Mr. CANTOR. Madam Speaker, I thank the chairman, the gentleman from Minnesota.

Madam Speaker, I rise today in support of the Workforce Innovation and Opportunity Act.

For America to work, we need effective education and workforce development programs to strengthen the middle class. Today, however, too many Americans are looking for work without the necessary skills to match job openings. This skills gap is keeping our economy from recovering and reaching its full potential.

A recent study by Georgetown University indicated that we will be short by 11 million workers in the year 2022 because of the lack of postsecondary education or skills training. If we allow ourselves to continue down this dangerous path, we will only see feeble economic growth for the future. Fortunately, we have an opportunity to reverse that trend with this piece of legislation.

This bill before the House today will make it easier for Americans to find a job by consolidating 15 Federal workforce development programs and aligning them with skills training and education initiatives. Plain and simple, this bill is about putting people back to work.

I know these kinds of commonsense reforms will help Americans find a job because I have seen them succeed. On a recent trip to Siemens Energy with several of my colleagues—Representatives PITTENGER, MCHENRY, and FOXX—we met a young girl named Hope. Hope, along with others, is an apprentice at Siemens. In return for her commitment to work there, Siemens is paying for her education at a local community college, where she is receiving the skills needed for the manufacturing industry of today. This is a terrific example of how the public and private sectors can work together to keep our country competitive while training workers for the jobs of tomorrow.

The Workforce Innovation and Opportunity Act will make it easier for these partnerships to flourish around the country. Passing this bill is a small but important step towards strengthening our middle class, kick-starting our economy, and giving people a chance to climb the economic ladder of success.

American workers deserve to know that their government is making it easier for them, not harder. It is making it easier for them to keep a steady paycheck to increase those wages and provide for their families.

I want to thank the gentleman from Minnesota, the chairman of the Education and the Workforce Committee,

for his long-term commitment to this issue of skills training, education, and development. He has been tireless in his advocacy.

I also want to thank our colleague, Congresswoman VIRGINIA FOXX of North Carolina, who has also been a fierce advocate for skills education and making sure that those who don't have skills are given the opportunity to do so so that they, too, can climb the ladder of success.

The entire membership of the Education and the Workforce Committee deserves our thanks, too, for their hard work on this issue.

I urge my colleagues to support this legislation so that we can, once again, create an America that works and works again for everybody.

Mr. TIERNEY. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from Maryland, STENY HOYER, our Democratic whip.

Mr. HOYER. Mr. Speaker, before the gentleman from Virginia leaves the floor, I want to say to the majority leader that I thank him, as well, for his leadership. The majority leader and I have discussed the SKILLS Act for a number of months, perhaps as long ago as when this bill passed the House.

This bill passed the House on a partisan vote. The majority leader observed numerous times—and I agreed with him—that this should not be a partisan issue. The good news today is that it will pass on a bipartisan vote. The system works today. And the American people are going to be advantaged. And all of those whom the majority leader spoke of will be advantaged as well.

The fact of the matter is, we passed a bill through this House. The Senate passed a bill. We went to conference. We worked out an agreement. And we are now going to support that in a bipartisan fashion. That will be a positive for our country.

So I am pleased to rise, Mr. Speaker, in support of this bill. It is an example of how Democrats and Republicans can work together to reauthorize important programs that support a strong economy and a growing middle class. We have an agenda on our side we call ''Make It In America.'' Everybody in this House is for Americans making it in this country, succeeding.

This bill will provide job-seekers with the in-demand skills and training they need to get hired for the jobs that pay well and provide access to opportunities. In short, it will help more of our people make it in America.

While House Democrats were disappointed that Republicans passed a partisan bill last year, I am glad that a spirit of compromise has now prevailed. The Republicans agreed to work with us and the Senate to craft a bipartisan bill that incorporates key provisions of the Democratic alternative to last year's bill, which was part of House Democrats' Make It In America plan for jobs and competitiveness.

The SPEAKER pro tempore (Mr. YODER). The time of the gentleman has expired.

Mr. TIERNEY. I yield an additional 30 seconds to the gentleman.

Mr. HOYER. This bipartisan legislation will continue to ensure that adults, youth, and dislocated workers can receive the assistance they need to succeed in the job market. It will focus resources on essential programs that most effectively serve job-seekers while eliminating less effective ones. This is the kind of legislation that we ought to be passing.

I applaud the ranking member. I applaud the chairman of the committee for bringing this bill to the floor. And I urge my colleagues to support it.

Mr. KLINE. Mr. Speaker, I now yield 1 minute to the gentleman from Michigan (Mr. WALBERG), the chair of the Subcommittee on Workforce Protections.

Mr. WALBERG. I thank the chairman for yielding.

Mr. Speaker, I rise in support of the Workforce Innovation and Opportunity Act, a bill born out of the substantial efforts of Chairman KLINE, Congresswoman FOXX, and the House Education and the Workforce Committee to help the unemployed train themselves for good-paying jobs.

In my Michigan district, there are hardworking individuals, businesses, and colleges committed to reinventing the State's workforce programs, but we need to provide the tools to support their efforts.

This bicameral compromise replaces a confusing maze of workforce programs. It also provides funds to State and local organizations to partner with local employers to highlight emerging career opportunities.

Most importantly, this legislation will provide the necessary training, retraining, and educational opportunities to help Americans get back to work, building a life of self-sufficiency and success.

I urge my colleagues to support this bill and work towards growing a healthy economy and expanding opportunity for all.

I also encourage the Senate, with the 293 other bills that we have sent to them, to work out a compromise to send back jobs bills like this that will promote good opportunities in America.

Mr. TIERNEY. Mr. Speaker, at this time, I would like to yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER), who is the ranking member of the committee and, as the chairman of the committee has said, is no stranger to this issue. He has been a champion of the Workforce Investment Act and its improvement all along.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of the bipartisan, bicameral Workforce Innovation and Opportunity Act.

I want to thank my colleagues, Representatives TIERNEY and HINOJOSA, for their commitment to improving our workforce training system, a job that they have labored at now for many years. And I want to thank Senators HARKIN, MURRAY, ALEXANDER, and ISAKSON for their leadership.

I also want to strongly thank the chairman of the committee, Mr. KLINE from Minnesota, and subcommittee chairwoman VIRGINIA FOXX for their leadership and cooperation on this legislation and, of course, the professional staff on both sides of the aisle in the House and in the Senate.

This is a critical moment. With almost 20 million Americans still out of work, workers need help learning skills and finding good jobs. Each year, WIA and the vocational rehabilitation programs serve millions of Americans in need of job training and employment services. But with a rapidly changing workforce and a competitive global economy, we need to update and improve the workforce training programs.

For 40 years, these vital programs have been authorized and reauthorized through bipartisan collaboration, and I am happy to see that that tradition continues today. I am especially pleased that the bill maintains strong protections and funding for populations in need, while also streamlining programs and creating new accountability measures.

This bill improves job training programs and aligns the training with real-world labor market needs. It better aligns vocational rehabilitation programs with special education services to help youth with disabilities transition into college or the workforce. It empowers people with disabilities to succeed in competitive, integrated employment. And it emphasizes the needs of youth, dislocated workers, undereducated adults, and English learners.

But this bill also makes other critical changes. Similar to the Tierney-Hinojosa Democratic bill, this agreement makes job training programs more efficient and effective. It requires that States develop unified workforce plans to coordinate their job training programs. It standardizes accountability metrics across all programs. It cuts the size of State and local boards so they can be more flexible and strategic. And it includes new benchmarks to help training program participants earn certifications that will allow them to find employment.

The bill also includes innovative policy solutions. Most importantly to me, this bill better connects job training programs with the needs of local employers and gives local employers a larger voice, and it requires sector initiatives at both the State and local levels.

□ 1300

It gives workers access to training for long-term job readiness and not just immediate employment. It helps prevent students with disabilities from being funneled into subminimum wage

employment, and it includes competency-based education, so that adults can get credit for what they have already learned.

Now, some will say the bill doesn't cut enough programs, and others will say that it didn't create enough new programs, but this is compromise legislation that aims for the middle ground. I think it has been accomplished, and I think the efficiencies have also been accomplished in this legislation.

Madam Speaker, I ask for an ''aye'' vote on H.R. 803, and I think it will support much, much-needed improvements to the primary Federal program that invests in America's workforce. Again, I thank my colleagues on the committee for all their attention and all their hard work.

Mr. KLINE. Madam Speaker, may I inquire as to the time remaining on each side?

The SPEAKER pro tempore (Mrs. BLACK). The gentleman from Minnesota has 11 minutes remaining. The gentleman from Massachusetts has 8½ minutes remaining.

Mr. KLINE. Madam Speaker, now, I am pleased to yield 1 minute to the gentleman from Tennessee, Dr. ROE, the chair of the Subcommittee on Health, Employment, Labor, and Pensions.

Mr. ROE of Tennessee. Thank you, Mr. Chairman.

Madam Speaker, I rise in strong support of the conference report for H.R. 803, the Workforce Innovation and Opportunity Act.

Today, 9.5 million Americans are out of work, despite 4.6 million job openings. As our economy changes, so too will the jobs available, and we will have seen more and more less-skilled workers and jobs being replaced by skills-intensive jobs. We have to make sure our workforce can keep up, or we will lose these jobs to countries that prioritize the development of these skills.

H.R. 803 works to close the skills gap that prevents our workers from securing a job in a number of ways. The bill makes the job training system easier to use, and at one point, there were 40 different jobs training programs in the Federal Government whose missions often overlapped and left jobseekers confused.

This legislation consolidates 15 ineffective or duplicative programs and makes the job of navigating a complicated bureaucracy easier for jobseekers.

We reform workforce training boards to ensure that a majority of board members are from the business community—the job creators who know best what skills they need in their workforce.

Madam Speaker, this legislation is a good first step to helping the unemployed, particularly those who have been out of work for many, many months. I encourage my colleagues to support this conference report and help our friends and neighbors get back to work.

Mr. TIERNEY. At this time, I would like to yield 1 minute to the gentleman from Colorado, JARED POLIS.

Mr. POLIS. I thank the gentleman from Massachusetts.

Madam Speaker, 1998 was the last time the Workforce Investment Act was authorized. I recall I was on the State board of education in Colorado in 2000 and 2006. As the act expired in 2003, they said, Oh, Congress will do it next year. In 2004, they said, Maybe they will do it next year. In 2005, Maybe they will do it next year—well, next year, next year, next year.

Well, I am proud to say that thanks to the work of Chairman KLINE, Ranking Member MILLER, Mr. TIERNEY, and others, we are finally at the point where we are reauthorizing the Workforce Investment program.

I am particularly thrilled to see that many aspects of my Women WIN Jobs program are included in this compromise. Women represent half of our Nation's workforce, yet their vital contributions are too often compensated at lower levels, and this bill will help ensure that women receive training for higher-paying jobs to help them reach pay parity with men.

The legislation's references to assisting women and minorities in succeeding in nontraditional careers will help women and minorities participate in higher wage jobs that open the doors of opportunity this country has to offer.

It is also great that we recognized the need for adult education, helping many of our new immigrants learn English, so they can live the American Dream. I applaud my colleagues and their staff in both the House and the Senate. I look forward to supporting this bill.

Mr. KLINE. Madam Speaker, I now yield 1 minute to the gentleman from Nevada, Dr. HECK, another key member of the committee.

Mr. HECK of Nevada. Madam Speaker, with Nevada continuing to have one of the highest unemployment rates in the country, my number one priority in Congress remains strengthening our economy and getting Nevadans back to work.

That is why I strongly support the bipartisan Workforce Innovation and Opportunity Act, which streamlines and strengthens local workforce investment boards and ensures they are training workers for the jobs of today and tomorrow, not the jobs of yesterday.

I proposed similar reforms as part of the local JOBS Act, which I introduced after hearing from countless employers that they were looking to hire, but unable to find workers with the skills they required. This bill will help solve that problem.

Madam Speaker, I want to thank Chairman KLINE, Ranking Member MILLER, and all those involved in this process for working with me to include these important changes that will help both unemployed and underemployed workers gain the skills and training they need to obtain a good-paying job and grow the middle class.

I urge support for this bill.

Mr. TIERNEY. Madam Speaker, at this time, I would like to yield 1 minute to our colleague from Oregon, SUZANNE BONAMICI.

Ms. BONAMICI. Madam Speaker, I rise today to support the bipartisan Workforce Innovation and Opportunity Act. This bill shows that we can work together to adopt policies that will put our constituents back to work, give them opportunity, and keep our economy on the road to recovery.

One of the first bills I introduced in Congress was the WISE Investment Act that was designed to address the skills gap challenge by matching local businesses with workforce boards and community colleges to train our out-of-work constituents for in-demand occupations.

Although I was disappointed that that act was not included within this bill, the Workforce Innovation and Opportunity Act, the bill does take steps to ensure that local businesses have a role in job training by including an important focus on sector partnerships.

Madam Speaker, this bill represents a strong step forward for our Nation's unemployed and for our economy. I commend Chairman KLINE, Ranking Member MILLER, and my colleagues on the committee for their work to bring this bill to the floor, and I urge its adoption.

Mr. KLINE. Madam Speaker, now, I would like to yield 2 minutes to the gentleman from Kentucky (Mr. GUTHRIE), another member of the committee.

Mr. GUTHRIE. Madam Speaker, I rise today to support the Workforce Innovation and Opportunity Act, and it is important. When I first came to Congress, I was the sponsor of this bill when it was in our committee when I first came here.

My experience is I worked for 18 years before I came to Congress in my family's manufacturing business. I remember, when I first got there, we needed skilled workers. We were trying to find skilled workers, and we found out we had a plant full of very smart people who just didn't figure it out when they were in high school for some reason.

I have seen what additional training and education will do for adults—take some of the tool and diemakers in our world, robotics repairmen, and computer-controlled machine programers to a high-wage, high-skilled job and lifestyle.

Also, as I travel through my district—I travel through my district all the time—and all of us do—go into businesses, and there is not a single business that I visited any time recently, even with the unemployment numbers where there are, not a single business, whether or not they are advertising in the paper for applications or not, but not a single one that says

that, if the right person came today with the skills that I need, I would hire them.

This is why we are here today. This is what is happening. The process has worked. We are coming together as a country today, to make sure that the workers are getting a hand up, and we are going to make sure they have the opportunity to improve themselves.

I have seen it, Madam Speaker, I have seen it. When people go through these programs and they complete them successfully, they don't just become a more valuable employee. Each employee becomes more valuable to his and herself.

I am very proud to be here. I am very proud to support this. I appreciate our chairman and Ms. FOXX of North Carolina and all the work together through the House and the Senate, to give the workers of America a victory today.

Mr. TIERNEY. Madam Speaker, at this point, I would like to yield 1 minute to the gentleman from Connecticut, JOE COURTNEY, who has been a strong member of the committee and an advocate of workforce investment for some time.

Mr. COURTNEY. Madam Speaker, I rise in support of this bipartisan consensus bill, and I want to congratulate Mr. TIERNEY for his steadfast work going back years, in terms of getting this to this point here today.

I also want to congratulate the members from across the aisle who, in agreeing to this bill, rejected the sequester level of spending, which was in the original bill that was passed earlier this session.

That sequester level of spending was going to handcuff job training efforts, so that we could not, in fact, achieve the goals that this bill will, in fact, get us to when it passes later today.

For example, the bill allows the employer support to go to 75 percent for on-the-job training and 20 percent support for incumbent worker training. Allowing that support to rise will give employers the flexibility and the opportunity to give new workers the skills that they need for advanced manufacturing and high-skilled jobs that they can't take that risk on for people with the cost that it would bear.

This bill gives them that support and that help, but it is because we rejected the unrealistic sequester levels, which the Ryan budget and which the original bill incorporate.

Now, let's do it for cancer research. Let's do it for law enforcement. Let's do it for homeland security. Let's get rid of sequester, and let's allow this economy and this country to get the resources it needs to grow and thrive for its middle class.

Mr. KLINE. Madam Speaker, now, I would like to yield 1½ minutes to the gentleman from Pennsylvania (Mr. KELLY), a member of the committee.

Mr. KELLY of Pennsylvania. Madam Speaker, I thank the chairman. Listen, I am so glad to be here today, talking about the Workforce Innovation and Opportunity Act. As we congratulate each other on this great work—this bipartisan work and bicameral, in saying, my, what a wonderful piece of legislation—because what we are really trying to do is get people back to work.

In Webster's definition of ''education,'' the ultimate function of education is to prepare us for complete living. That is the key to this.

Do you know who the biggest winner in this program is? The hardworking American taxpayers who fund every penny of these programs—I think, sometimes, we forget about who it is that does this.

We think it actually takes place in this House. It doesn't. It takes place in houses, but it is the homes around the United States. It is these hardworking American taxpayers that deserve a much better return on their investment. It is just that simple.

If we are going to get people ready for the labor market, let's redirect those funds, and let's make sure that it is more effective, more efficient, and something that the people look at and say: Do you know what? I didn't mind putting money in those programs because there was a positive result from it.

From the standpoint of congratulating each other and patting each other on the back and saying how wonderful this is, what I really want to do is take this moment to thank the hardworking American taxpayers who fund every single penny of these programs.

I thank you all for your work on it; Mr. Chairman, I thank you.

Mr. TIERNEY. Madam Speaker, at this point in time, I yield such time as he may consume to the gentleman from Illinois (Mr. DANNY K. DAVIS) to engage in a colloquy.

Mr. DANNY K. DAVIS of Illinois. I thank the gentleman from Massachusetts for addressing this important matter. The purpose of this colloquy is to clarify the intent of section 225 of the Workforce Innovation and Opportunity Act.

As we know, correctional education and job training are greatly needed. They foster successful reentry through increased employment and decreased criminal behavior and save taxpayer money.

I am pleased that the bill before us broadens the use of funds for correctional education to include a range of education and job training activities needed by incarcerated individuals for educational and career advancement.

I want to make clear the congressional intent of section 225 to include activities that support transitions to postsecondary education, workforce training offered alongside adult education, or concurrent enrollment for the purpose of educational and career advancement, also attaining a recognized postsecondary credential, which may include an associate or baccalaureate degree.

Mr. TIERNEY. Will the gentleman yield?

Mr. DANNY K. DAVIS of Illinois. I yield to the gentleman from Massachusetts.

Mr. TIERNEY. As I understand section 225, the definitions that you mentioned are as you stated.

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I thank the gentleman for clarifying the congressional intent of section 225. I urge passage of this bill.

Mr. KLINE. Madam Speaker, I now yield 1½ minutes to the gentlewoman from Indiana (Mrs. BROOKS), another member of the committee.

Mrs. BROOKS of Indiana. Madam Speaker, I rise today in support of Americans who want to fill the 4.6 million open jobs that are in this country today.

I rise in support of the Hoosiers who want to fill 150 open jobs in the small community of Hartford City, Indiana, and I rise in support of this bipartisan SKILLS Act, the legislation that will help Americans get the skills they need to fill these job openings.

Employers tell me, day in and day out, that they can't find the workers with the skills necessary to fill open jobs, and by streamlining our bureaucratic Federal workforce training system, the SKILLS Act will provide workers faster access to in-demand job training.

I am proud to say the SKILLS Act also includes an amendment I offered, giving States and those local workforce boards more flexibility to support local job training programs that demonstrate success.

Programs like EmployIndy's PriorITize program provides technology training to so many adults who lack the technology skills they need.

□ 1315

When it comes to our workforce training system, it is time to make smarter investments; this bill does that. It is time to choose people over paperwork; this bill does that.

Madam Speaker, there are 4.6 million open jobs in this country. Let's fill those jobs. Let's pass the SKILLS Act.

Mr. TIERNEY. Madam Speaker, I yield 1 minute to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. Madam Speaker, I thank the gentleman from Massachusetts for all of his hard work on this bipartisan bill.

Madam Speaker, I rise today in support of the Workforce Innovation and Opportunity Act. This reauthorization of the Workforce Investment Act is absolutely critical to our economic recovery, and I am pleased this agreement came together in a truly bipartisan fashion.

I am also pleased that this bill contains large portions of the SECTORS Act, which I introduced to close the gap between the kinds of skills workers have and the skills that businesses need. As I meet with business leaders in Iowa, what I hear time and time again is that they are unable to find

workers with the skill sets they need to hire. I also hear from many individuals who are out of a job and struggling to find work that matches their skills. This is why my SECTORS Act is so important. It brings together businesses, labor organizations, and education and training providers to target workforce development efforts, and it fosters the kinds of skills that local businesses need right now. This bill requires local workforce development agencies to implement these sector partnerships to get people back to work and move our economy forward.

I want to thank in particular Chairwoman FOXX, and I want to thank Chairman KLINE, Ranking Member MILLER and, beyond that, my friend TOM HARKIN.

I urge Members to support this legislation.

Mr. KLINE. Madam Speaker, I now yield 2 minutes to the gentleman from Indiana (Mr. ROKITA), the chair of the Subcommittee on Early Childhood, Elementary, and Secondary Education.

Mr. ROKITA. Madam Speaker, I thank Chairman KLINE, Dr. FOXX, the entire staff of the Education and the Workforce Committee, and everyone for working together on what is in every respect better. This bill is better than what is in current law.

I think we need to take just a minute and recognize that, because in a lot of ways and in a lot of different examples we don't recognize that. There are gains to be locked in, so let's do it. Let's start with this bill. If there is a gain to be locked in, let's lock it in and stand on the shoulders of that gain and continue working to improve not only this language, not only these programs, but everything we do around here.

As a member of the Education and the Workforce Committee, I know that a skilled workforce is essential for remaining economically competitive. In fact, every American knows that. If we are going to be competitive in a 21st century global world and win, then we need these programs and these precious dollars. Especially when we are at a time when we are $17.5 trillion in debt with more on the way, we need these programs working well. This bill does that. It reduces red tape and aims to end the fragmented nature of workforce services provided at the Federal, State, and local level. It eliminates 15 ineffective and duplicative programs, ensuring that our workforce investment is targeted and efficient.

I know and I take to heart what Ranking Member MILLER said: some of us wish there are more programs reformed or even eliminated altogether; some of us wish there were 15 more programs added. But again, this is a step in the right direction. I urge my colleagues to lock in the gain. Let's stand on the shoulders of this and get to other matters.

Mr. TIERNEY. Madam Speaker, I yield 1 minute to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Madam Speaker, I rise in support of the Workforce Innovation and Opportunity Act. As our Nation continues to recover from the Great Recession, we must continue to prepare our Nation's workers for the jobs of the future.

The Workforce Innovation and Opportunity Act will make long-needed improvements in workforce investment programs and services, including many that will benefit those who are often left behind. The legislation contains an enhanced definition of ''individuals with barriers to employment'' that explicitly includes workers over the age of 55 as well as the long-term unemployed. This means State and local workforce plans must include goals and strategies for serving these and other disenfranchised groups.

Additionally, the bill requires that 75 percent of youth funding in the bill support out-of-school youth. Once a juvenile falls off of the right track, he or she will face a range of problems that taxpayers will be on the hook for, especially social services and possibly incarceration. By investing in out-of-school youth, we are investing money on the front end so we won't have to end up paying the bill on the back end.

This bill represents a good faith compromise, and I urge my colleagues to support it.

Mr. KLINE. Madam Speaker, may I inquire as to how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Minnesota has 2½ minutes remaining. The gentleman from Massachusetts has 2 minutes remaining.

Mr. KLINE. Madam Speaker, I have two speakers who will apparently not make it to the floor, so I reserve the balance of my time to close.

Mr. TIERNEY. Madam Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. HOLT).

(Mr. HOLT asked and was given permission to revise and extend his remarks.)

Mr. HOLT. Madam Speaker, I thank my friend from Massachusetts, and I rise in support of this important bill. I want to point to one good aspect of it.

I am pleased that the bill recognizes libraries as an integral part of helping the unemployed and underemployed get good jobs. Libraries, often at their own expense, are already helping many reach work with literacy skills, resume writing, computer skills, and librarians are offering a wealth of experience in assisting individuals to take advantage of all of the things that libraries offer.

Specifically, this bill includes a number of provisions from my bill, the Workforce Investments through Local Libraries Act, known as the WILL Act. The bill before us today will allow libraries to receive funds to continue their great work.

The Workforce Investment Act became law in 1998 and has not been updated over all these years. For 16 years, the Workforce Investment Act has been an important, nonpartisan help to workers and employers. However, over those years, employers' needs have changed and the skills needed to obtain good jobs have changed. This bill modernizes the programs that keep America competitive.

Mr. TIERNEY. Madam Speaker, I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Madam Speaker, I rise in support of this bipartisan legislation reauthorizing the Workforce Investment Act and the critical job training programs that help unemployed and underemployed Americans find work and get back on their feet. No investment is more critical than investment in our human capital. These job training programs make opportunity real. They benefit families and working people who need help, people who have played by the rules. Businesses rely on these programs to fill vacant positions with qualified and skilled workers.

This bill, the product of many years of bipartisan negotiations, takes what is already working and improves on it. It streamlines and provides stability to these critical programs, while including important protections for workers with disabilities. It encourages partnerships between the workforce system and our community colleges while enhancing adult education and encouraging innovation in adult training.

Members of both parties have understood the vital role of the government in helping people help themselves by providing access to workforce development. The bill is a good compromise. It makes good on a critical promise to our workers and businesses. I urge my colleagues to support it.

I thank Mr. TIERNEY, Mr. MILLER, and those on the other side of the aisle for coming together and passing this very important piece of legislation.

Mr. TIERNEY. Madam Speaker, I yield back the balance of my time.

Mr. KLINE. Madam Speaker, I yield myself the balance of my time.

We have heard a lot of conversation today about the bipartisan and bicameral nature of this, and it certainly is. I want to take a couple of minutes to clear up a couple of misinformation items that are out there.

One, it was suggested that this paid no attention to sequestration; it was sort of a runaway spending. The funds authorized in this bill are entirely consistent with the Budget Control Act, I would like to reassure my colleagues on both sides.

And then someone said this was a conference report, and I understand where they might have that understanding because we are treating it much as a conference report. The technical facts are that the House passed a bill, the SKILLS Act. The Senate committee moved a bill, but it didn't move to the Senate floor. Even despite that, we were able to step forward and treat this in a very bipartisan, bicameral way, working towards a compromise so that we could pass it in the Senate.

Again, I want to thank all of my Senate colleagues on both sides of the aisle for working very, very hard to get this through the Senate and its quite interesting processes and my colleagues on both sides of the aisle here for taking it up right away when it has come back from the Senate so that we can pass this bill and get it to the President for signature and help those 4.5 million Americans get back to work, help the employers get the employees they need, and we can help the American taxpayer, as my friend Mr. KELLY said, by making the system more accountable and more responsible.

With that, Madam Speaker, I urge my colleagues to support this legislation.

I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, as a senior member of the Judiciary Committee, I rise in support to H.R. 803, the "Workforce Innovation and Opportunity Act."

I support this bipartisan legislation because it will modernize existing federal workforce development programs and prepare workers for the global economy of the 21st century.

This bill represents a bicameral compromise between the SKILLS Act passed by the House in March 2013 and the workforce training bill reported by the Senate HELP Committee in July of the same year.

The Senate passed this bipartisan agreement on June 25, thus passage by the House today will send the bill to the President's desk for his signature.

Madam Speaker, by 2022, the United States will need 11 million workers with postsecondary education to stay competitive in the global economy.

Currently, 52 percent of adults between the ages of 16–65 in the United States lack the literacy skills necessary to succeed in postsecondary education and work.

Additionally, individuals with disabilities have the highest rate of unemployment of any group, and more than two-thirds do not participate in the workforce at all.

Madam Speaker, we need to help put more Americans back in the workforce.

This legislation will support access to real-world education in fields that are in demand locally and help more workers, including those with disabilities, across the country find a good job or train for a new career.

This bill invests in America's competitiveness by:

1. Providing adult education and workplace skills, such as English Literacy and Civic Education Program for adult learners;
2. Supporting programs and training for disconnected youth, Native Americans, migrant, and seasonal farm workers; and
3. Strengthening vocational rehabilitation programs to assist individuals with disabilities to enter the workforce.

In addition to helping workers attain the skills for 21st needed for the jobs of the 21st century, this bill will create a more streamlined workforce development system that will better coordinate services by:

1. Eliminating 15 existing programs;
2. Applying a single set of outcome metrics to every federal workforce programs;
3. Creating more strategic state and local workforce development boards; and
4. Eliminating the "sequence of services" to allow local areas to better meet the unique needs of individuals.

Madam Speaker, in Houston, Texas, we have three centers which help the economically disadvantaged learn a career, earn a high school diploma or GED, and find and keep a good job: Gary Job Corps Center, Job Corps, and Workforce Solutions.

H.R. 803 will provide much needed assistance to these centers and enable them to continue their good work of providing the technical and job training skills that will enable adults, dislocated workers, and youth residents to succeed in the workplace.

Madam Speaker, this bipartisan legislation will prepare workers for the 21st century workforce, while helping businesses find the skilled employees they need to compete.

I urge all of my colleagues to join me in supporting passage of H.R. 803.

Mr. LANGEVIN. Madam Speaker, I rise to express my strong support for H.R. 803, the Workforce Innovation and Opportunity Act (WIOA). This bill passed the Senate by a vote of 95–3, and I hope it will clear the House with similar support so it can be quickly signed into law by the President.

It is expected that by 2022, the United States will face a shortage of 11 million workers with the necessary level of postsecondary education, including 6.8 million workers with bachelor's degrees, and 4.3 million workers with a postsecondary vocational certificate, some college credits or an associate's degree.

As co-chair of the bipartisan Congressional Career and Technical Education Caucus, reauthorizing the Workforce Investment Act has been one of my longstanding priorities. The Workforce Investment Act was originally passed in 1998 in an effort to improve federal job training programs. Since the law expired in 2003, it has been supported by annual appropriations, but funding levels have not been adjusted to reflect the many economic changes that have taken place over the past 16 years.

One of the biggest challenges confronting our economy is the skills gap. In conversations with businesses across my home state of Rhode Island, I constantly hear that they are unable to find workers with the skills necessary to succeed. WIOA modernizes and improves existing federal workforce development programs and helps workers attain skills for 21st century jobs, while helping businesses find the skilled employees they need to compete. Among its many provisions, the agreement also reauthorizes and amends the Rehabilitation Amendments of 1973 to improve disability-related workforce training, employment, independent living, and research programs.

Under this bill, workers, employers, and educators will be able to better coordinate on workforce development programs and skills training, and ensure that individuals with disabilities have the skills necessary to be successful in businesses that provide competitive, integrated employment. Meanwhile, local workforce investment boards will be able to tailor services to their region's employment and workforce needs.

WIOA also makes significant improvements to Job Corps. In Exeter, RI, we are fortunate to have one of the nation's top-performing Job Corps centers. Now we can build on our past successes through increased data collection and greater technical assistance from the Department of Labor, while allowing operators of high-performing facilities to compete for contract renewal.

The bill before us today is the product of bipartisan negotiations between the House and Senate. Both parties and both chambers have worked hard on this, and I am pleased that we are now taking action. Every community across the country benefits from workforce training programs to provide the skills necessary to drive job creation and economic growth. I urge my colleagues to support this bill.

Mr. KLINE. Madam Speaker, I submit the following explanation of Manager's Views for H.R. 803. The entire Statement of Managers to Accompany the Workforce Innovation and Opportunity Act can be found in the CONGRESSIONAL RECORD on June 25, 2014 (beginning on S3982) and on the Committee on Education and the Workforce website at www.edworkforce.house.gov.

IV. EXPLANATION OF THE BILL AND MANAGERS' VIEWS

Sections 1, 2, and 3. Sections 1, 2, and 3 describe the short title for the bill, the Workforce Innovation and Opportunity Act; include the purposes of the Act; and state the definitions for the Act, which are intended to have the same meaning under each program authorized under the Act unless otherwise stated. The definitions identify the "core programs" under the Act, which consist of title I State grant programs; title II adult education programs; the employment service under title III amendments to the Wagner-Peyser Act; and State vocational rehabilitation programs under title IV.

Title I—Workforce Development Activities; Providers; Job Corps; National Programs; and Administration

Title I of the underlying bill includes the primary components of State and local area workforce development systems as well as several national programs for youth and special populations. In order to strengthen and streamline the workforce system, the title focuses on changes to governance, including reducing the number of required board members at the State and local level; requiring one, unified State plan; and promoting local workforce areas more closely aligned to labor markets and economic development regions while preserving a locally driven workforce system. The bill also promotes the themes of providing employment services and workforce development along a career pathway for participants, and education training in line with in-demand industry sectors and occupations for a region.

WORKFORCE BOARDS

In order for boards to be more strategic, the bill reduces the number of required board members at both the State and local level. The boards remain a business majority with a business chairperson, while the representation for the workforce is increased. At the local level, with the exception of the core programs under the Act, the one-stop partners are no longer required members.

WORKFORCE PLANS

To support a strategic, comprehensive, and streamlined system, the bill requires one, unified State plan, covering four years, to meet the requirements for each of the core programs The plan also requires a description of the State's overall strategy for workforce development and how the strategy will help meet identified skill needs for workers, job seekers and employers in the State. This unified plan will improve service delivery to individuals as well as reduce administrative costs and reporting requirements at the State level. In order to promote a one-stop system that accommodates the needs of individuals with disabilities, the State and local plans must include a description of how the one-stop system in the State will comply with the applicable requirements of section 188 and the Americans with Disabilities Act

regarding the accessibility of programs and facilities for people with disabilities.

WORKFORCE DEVELOPMENT AREAS

In order to maintain the balance between governors and local elected officials, the bill requires States to consult with local boards and chief elected officials in order to identify local areas and planning regions that are in alignment with labor markets and regional economic development areas. The bill allows for initial and subsequent designations based on performance, fiscal integrity, and participation in regional coordination activities, including regional planning, information sharing, pooling of administrative costs, and coordination of service delivery.

PERFORMANCE ACCOUNTABILITY

In order to promote increased transparency about the outcomes of Federal workforce programs, the bill includes six primary indicators of performance for adults served under programs authorized under the Act, and six primary indicators for youth served under the Act. Commonality among the indicators will allow policymakers, program users, and consumers to better understand the value and effectiveness of the services. The managers recognize that for those participants who have low levels of literacy skills, or who are English language learners, the acquisition of basic English literacy and numeracy skills are critical steps to obtaining employment and success in postsecondary education and training. Therefore, the term ''measurable skill gains'' referred to under indicator V in this section for adults and youth, is intended to encourage eligible providers under title II to serve all undereducated, low-level, and under prepared adults. The managers agree that reporting and evaluation requirements are important tools in measuring effectiveness, especially for the core programs. Therefore, the legislation includes performance reports to be provided at the State, local and eligible training provider levels, as well as evaluations of the core programs by States.

ONE-STOP INFRASTRUCTURE

To improve the quality of the one-stop delivery system, the bill requires the State board, in consultation with chief local elected officials and local boards, to establish criteria for use by the local board in assessing the effectiveness, physical and programmatic accessibility, and continuous improvement of one-stop centers and delivery systems at least every three years. Regarding infrastructure funding for one-stop centers, the bill maintains requirements for the mandatory one-stop partners in a local area to reach a voluntary agreement, in the form of a memorandum of understanding, to fund the costs of infrastructure, other shared costs, and how the partners will deliver services under the system. If local areas fail to come to an agreement regarding sufficient funding of one-stop infrastructure costs, a State one-stop infrastructure funding mechanism can be imposed for those local areas. Mandatory partner program contributions, pursuant to the State one-stop infrastructure funding mechanism, are based on the proportionate use of the one-stop centers and subject to specified caps.

EMPLOYMENT AND TRAINING ACTIVITIES

For youth, the bill utilizes the existing formula to allot funds to States for youth services. It improves upon existing youth services by placing a priority on out-of-school youth (75 percent of funding at the State and local level), and focusing on career pathways for youth, drop-out recovery efforts, and education and training that lead to the attainment of a high school diploma and a recognized postsecondary credential. A priority is also included for work-based learning activities.

For adults and dislocated workers, the bill utilizes the existing formulas with the inclusion of a minimum and maximum allotment percentage for the dislocated worker formula beginning in fiscal year 2016. The managers believe the addition of the minimum and maximum percentages will help bring stability to the only formula that currently does not include such mechanisms, and will reduce funding volatility for States year to year. The bill preserves the governor's 15 percent set aside for statewide activities.

To eliminate the perceived ''sequence of services'' under current law, requiring an individual to proceed through core and intensive services before training eligibility can be determined, the bill consolidates core and intensive services into a new ''career services'' category. While the services remain similar to those under current law, the structure is intended to provide more flexibility to one-stop staff in determining a participant's need for training. Local boards are required to convene, use, or implement industry or sector partnerships. The bill also improves upon the mechanisms for local boards to provide education and training to eligible participants by adding the following optional methods, under certain guidelines, for training—contracting for classes of training for multiple participants or on a pay-for performance basis; incumbent worker training; and transitional jobs strategies. Finally, the title includes authorization levels for appropriations for the State grant programs

JOB CORPS

The bill improves upon the current Job Corps program by strengthening the contracting requirements for centers, requiring the program use the performance accountability indicators for youth described in section 116 and strengthening reporting requirements, and allowing the Department of Labor to provide technical assistance to centers. The bill includes requirements for a financial report and a third party review of the program every five years. The bill also includes a provision allowing operators of a high-performing center, defined by performance criteria, to be eligible to compete in any procurement process for that center. Where there is not sufficient performance information for the time period required under section 147(b)(2)(B) or section 147(b)(3) due to the effects of a natural disaster or the participation of the center in a performance pilot program, it is the intent of the managers the Secretary apply the provisions of that section to any performance information that is available to the Secretary from the relevant period preceding the time the determination under that provision is made. This would allow entities operating the center to have an opportunity to meet performance requirements allowing them to compete where the absence of complete information is not the fault of the operating entity.

NATIONAL PROGRAMS

The bill reauthorizes the Native American program; the Migrant and Seasonal Farmworker program; and YouthBuild. It also includes provisions for National Dislocated Worker Grants; technical assistance under title I; and evaluations, research, studies and multistate projects conducted by the Secretary of Labor. The bill requires the Secretary of Labor to conduct a multistate study on strategies for placing individuals in jobs and education and training programs that lead to equivalent pay for men and women, including the participation of women in high-wage, high-demand occupations in which women are underrepresented. We believe this is important because a key element of raising women's wages is to provide access to occupations that are predominantly held by men, pay well, and are in demand in the economy. Many occupations today are still dominated by one gender, with more than 75 percent of the jobs in that occupation held by men or by women. Jobs that are predominantly held by men—in industries like transportation, manufacturing, or construction trades—often pay considerably more than jobs traditionally held by women, such as child care workers, health care workers, clerical workers, or workers in retail or other service sectors industries. The managers expect the Secretary to review existing programs and research, State laws and initiatives, and any other relevant project, to determine successful strategies for placement and retention of women in relevant training or jobs and to provide States and localities with the information, tools, and assistance they need to develop programs and activities that will replicate such strategies. We request completion of this project within eighteen months of enactment.

The bill requires an independent evaluation of the activities under title I at least once every four years for the purpose of improving the management and effectiveness of programs and activities. In recognition of the changing demands of the economy, the bill allows the YouthBuild program to expand into additional in-demand industry sectors or occupations in the region.

The bill includes authorization of appropriations for the programs under subtitle D.

ADMINISTRATION

The bill adds restrictions against lobbying activities with funds under this title. The managers do not intend for these provisions to restrict awareness or outreach activities regarding services and activities under title I.

Title II—The Adult Education and Family Literacy Act

In reauthorizing title II, the Adult Education and Family Literacy Act, the bill places an emphasis on ensuring States and local providers offer basic skills, adult education, literacy activities, and English language acquisition concurrently or integrated with occupational skills training to accelerate attainment of secondary school diplomas and postsecondary credentials. Making sure these skills are solidly in place for all students is a priority. The bill also emphasizes utilization of a career pathway approach for adult learners to support transitions to postsecondary education or training and employment opportunities.

The bill requires all adult basic education and literacy programs to use the same set of primary indicators of performance accountability outlined for all employment and training activities authorized under this Act. Individuals receiving these services should be able to use these skills in obtaining a regular secondary school diploma or its recognized equivalent, obtaining full time employment, increasing their median earnings, and enrolling in postsecondary education or training, or earning a recognized postsecondary credential.

It is essential for adult educators to work closely with workforce development stakeholders in the State, including State and local workforce boards. To help in achieving a seamless statewide workforce development system, the bill requires title II programs to submit a unified State plan with the other core programs within this Act. The bill also provides funds for States to use in offering eligible providers of adult education technical assistance, providing professional development training to improve the instruction and outcomes for adult learners, and conducting evaluations. It encourages State and local leaders to provide activities contextually and concurrently with workforce preparation and training activities for a specific occupation or occupational cluster for

the purpose of educational and career advancement.

The bill authorizes national activities to assist States and local providers in developing valid, measurable, and reliable performance data, and in using such performance information for the improvement of adult education and family literacy education programs. The bill also includes provisions to support research and evaluation of adult education activities at the national level. Finally, the bill places an emphasis on integrating English literacy with civics education, as well as adult education and occupational training activities.

Title III—Amendments to the Wagner-Peyser Act

Title III of the Workforce Innovation and Opportunity Act makes amendments to the Wagner-Peyser Act of 1933, which authorizes the public employment services and the employment statistics system. Amendments to the Wagner-Peyser Act generally maintain current law but also reflect the need to align the statute with the other changes in the bill such as including the State employment services in the unified State plan; aligning performance accountability indicators with those indicators used for core programs—as described in section 116 of title I; renaming ''employment statistics'' to the ''workforce and labor market information system'' and updating the Workforce Information Council; and providing for staff professional development in order to strengthen the quality of services. Authorization of appropriations for the workforce and labor market information system and the workforce information council is provided for each of the fiscal years of 2015 through 2020.

Title IV—Amendments to the Rehabilitation Act of 1973

Title IV of the Workforce Innovation and Opportunity Act amends and reauthorizes the Rehabilitation Act of 1973. The Rehabilitation Act was last reauthorized in 1998.

The Rehabilitation Act is an important law for individuals with disabilities, particularly those with significant disabilities. It authorizes programs that affect the daily lives of many individuals with disabilities, including the vocational rehabilitation program (training, services, and supports for employment); the independent living program; and research and information on new technology to assist individuals with disabilities.

There remains a critical need for employment and training services for individuals with disabilities. Almost 25 years after the passage of the Americans with Disabilities Act, it is still difficult for many individuals with significant disabilities to find full time employment that is commensurate with their skills, interests, and goals. Yet State vocational rehabilitation programs can play a significant role in meeting this need by providing training, services and supports for individuals with disabilities.

It is especially important to provide young people with disabilities more opportunities to practice and improve their workplace skills, to consider their career interests, and to get real world work experience. Those activities are prioritized in the amendments to the Act. For example, the bill requires State vocational rehabilitation agencies to make ''pre-employment transition services'' available to all students with disabilities, and to coordinate those services with transition services provided under the Individuals with Disabilities Education Act. State vocational rehabilitation programs will set aside at least 15 percent of their Federal program funds to help young people with disabilities transition from secondary school to postsecondary education programs and employment.

In addition, these amendments establish a framework to ensure every young person with a disability, regardless of their level of disability, has the opportunity to experience competitive, integrated employment. These requirements will provide young people with disabilities with the opportunity to develop their skills and to use supports, available through State vocational rehabilitation programs, to experience competitive, integrated employment as they leave school and enter the workforce.

In order to better align the Independent Living program that serves individuals with significant disabilities living in the community with other similar efforts, the amendments transition the administration of the Independent Living program from the Department of Education to the Department of Health and Human Services, Administration for Community Living. The transition moves the program to an agency with a lifespan and community focus and will better allow the program to fulfill its goal to support ''independent living . . . and the integration and full inclusion of individuals with disabilities into the mainstream of American society.''

The amendments also incorporate ''independent living'' into the name and mission of the National Institute on Disability and Rehabilitation Research and similarly move that program's administration from the Department of Education to the Department of Health and Human Services, Administration for Community Living in order to better align the program priorities with agency goals and priorities.

Title V—General Provisions

The bill repeals the Workforce Investment Act of 1998 in its entirety, replacing it with reforms to better serve unemployed and underemployed workers as well as employers. In doing so, authority is provided to the Secretaries of Labor, Education, and Health and Human Services to establish a smooth and orderly transition period to implement this Act.

Mr. KLINE. Madam Speaker, the Workforce Innovation and Opportunity Act maintains without change from the Workforce Investment Act of 1998 a nondiscrimination requirement. The requirement not only prohibits participating organizations from discriminating against those who need job training assistance, but it also requires faith-based organizations to stop considering religion when hiring staff as the price of partnering with the federal government to help these job seekers.

The Religious Freedom Restoration Act of 1993 (RFRA) prohibits the government from substantially burdening religious exercise. RFRA applies to every federal law, and it protects the right of religious hiring, notwithstanding the restrictive language we just affirmed. This specific use of RFRA is explained in an extensive Office of Legal Counsel (OLC) memorandum dated June 29, 2007.

This use of RFRA to protect religious hiring by religious organizations even when a federal grant program prohibits it was recently reaffirmed by the Office on Violence Against Women (OVAW) of the Department of Justice. In reauthorizing the Violence Against Women Act (VAWA) last year, Congress inserted into the law a broad nondiscrimination requirement such as the one we maintain in today's workforce bill. On April 9, 2014, OVAW issued "Frequently Asked Questions" about [this new—should this read "the VAWA"] nondiscrimination requirement. In Q and A 6, OVAW explained the OLC memorandum on RFRA's applicability and set out the way a religious organization that engaged in religious hiring may take part in VAWA-funded services despite the addition of the nondiscrimination requirement.

Q and A 6 further includes a link to a longstanding Department of Justice form, the Certificate of Exemption for Hiring Practices on the Basis of Religion, used by religious organizations to appeal under RFRA to participate in DOJ programs.

The religious hiring freedom is a vital freedom for religious organizations. Therefore I am pleased to stress this important protection found in the Religious Freedom Restoration Act.

The SPEAKER pro tempore (Mrs. WALORSKI). The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 803.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. TIERNEY. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 9, 2014.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 9, 2014 at 10:47 a.m.:

That the Senate agreed to S. Res. 496.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2015

GENERAL LEAVE

Mr. SIMPSON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4923, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 641 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4923.

The Chair appoints the gentlewoman from Tennessee (Mrs. BLACK) to preside over the Committee of the Whole.

□ 1329

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4923) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2015, and for other purposes, with Mrs. BLACK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Idaho (Mr. SIMPSON) and the gentlewoman from Ohio (Ms. KAPTUR) each will control 30 minutes.

The Chair recognizes the gentleman from Idaho.

Mr. SIMPSON. Madam Chair, it is my distinct honor to present the fiscal year 2015 Energy and Water bill for consideration before the full House. I would like to recognize the efforts of our chairman, Mr. ROGERS, and Ranking Member LOWEY to bring this bill to the floor. Their efforts to bring the appropriations process back to regular order ensures that our Federal discretionary spending receives the full scrutiny of this body and our committee process.

□ 1330

I would also like to thank Ranking Member KAPTUR for all of her work. Her contributions and advice have made this legislation stronger.

The bill before us totals $34.01 billion for activities for the Department of Energy, Army Corps of Engineers, Bureau of Reclamation, and other agencies under our jurisdiction. This is a $50 million reduction from last year's funding levels.

The bill prioritizes investments in this Nation's infrastructure and national defense. As we do each year, we worked hard to incorporate priorities and perspectives from both sides of the aisle.

For instance, this bill overcomes the budget request's proposed cut of nearly $1 billion to the critical programs of the Army Corps of Engineers. The request would have led to economic disruptions at our ports and waterways as our ports and waterways filled in and would have left our communities and businesses vulnerable to flooding. Instead, this bill recognizes the critical work of the Corps and provides $5.492 billion for these activities, $959 million above the request and $25 million above last year.

This bill takes a strong stand against government overreach by prohibiting changes to the definitions of the ''waters of the United States'' and ''fill material.''

The bill also provides $11.361 billion for the automatic security, nonproliferation, and naval reactors programs of the National Nuclear Security Administration, a $154 million increase from fiscal year 2014.

This bill is clear about our concerns with Russia's recent activities in Eastern Europe. It eliminates all new funding for nonproliferation funding in Russia and requires that, before the Secretary of Energy funds any activity in Russia, he must certify that the activity is in our national security interests.

Madam Chairman, Russia's activities in Ukraine have shown once again how important our nuclear security umbrella is to our allies. We have also seen how Russia has used Ukraine's reliance on natural gas to put pressure on its new leadership. The movements by insurgents to occupy Iraq threaten to drive oil prices through the roof.

Our country has abundant natural energy resources, and it is our national security and economic interest to ensure that they are fully and responsibly used. That is why this bill makes a strong, balanced investment in our energy sector to ensure that our constituents continue to have reliable, affordable energy.

Fossil energy, which provided more than 71 percent of our electricity production in 2013, receives $593 million, a $31 million increase above fiscal year 2014. Nuclear energy is increased by $10 million above last year. Energy efficiency and renewable energy is slightly reduced by $113 million from last year. This balanced investment prioritizes improvements to energy sources that we rely upon today while making long-term investments in alternative energy sources.

I appreciate the full committee's attention to this bill, and I reserve the balance of my time.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, FY 2015 (H.R. 4923)
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil					
Investigations	125,000	80,000	115,000	-10,000	+35,000
Construction	1,656,000	1,125,000	1,704,499	+48,499	+579,499
Mississippi River and Tributaries	307,000	245,000	260,000	-47,000	+15,000
Operations and Maintenance	2,861,000	2,600,000	2,905,000	+44,000	+305,000
Regulatory Program	200,000	200,000	200,000	---	---
Formerly Utilized Sites Remedial Action Program (FUSRAP)	103,499	100,000	100,000	-3,499	---
Flood Control and Coastal Emergencies	28,000	28,000	28,000	---	---
Expenses	182,000	178,000	178,000	-4,000	---
Office of Assistant Secretary of the Army (Civil Works)	5,000	5,000	2,000	-3,000	-3,000
Rescission	---	-28,000	---	---	+28,000
Total, title I, Department of Defense - Civil	5,467,499	4,533,000	5,492,499	+25,000	+959,499
Appropriations	(5,467,499)	(4,561,000)	(5,492,499)	(+25,000)	(+931,499)
Rescissions	---	(-28,000)	---	---	(+28,000)
TITLE II - DEPARTMENT OF THE INTERIOR					
Central Utah Project Completion Account					
Central Utah Project Completion Account	8,725	---	9,874	+1,149	+9,874
Bureau of Reclamation					
Water and Related Resources	954,085	760,700	856,351	-97,734	+95,651
Central Valley Project Restoration Fund	53,288	56,995	56,995	+3,707	---
California Bay-Delta Restoration	37,000	37,000	37,000	---	---
Policy and Administration	60,000	59,500	53,849	-6,151	-5,651
Indian Water Rights Settlements	---	90,000	---	---	-90,000
San Joaquin River Restoration Fund	---	32,000	---	---	-32,000
Central Utah Project Completion Account	---	7,300	---	---	-7,300
Bureau of Reclamation Loan Program Account (Rescission)	---	-500	-500	-500	---
Total, Bureau of Reclamation	1,104,373	1,042,995	1,003,695	-100,678	-39,300
Total, title II, Department of the Interior	1,113,098	1,042,995	1,013,569	-99,529	-29,426
Appropriations	(1,113,098)	(1,043,495)	(1,014,069)	(-99,029)	(-29,426)
Rescissions	---	(-500)	(-500)	(-500)	---
TITLE III - DEPARTMENT OF ENERGY					
Energy Programs					
Energy Efficiency and Renewable Energy	1,912,104	2,316,749	1,789,000	-123,104	-527,749
Rescission	-10,418	---	---	+10,418	---
Subtotal, Energy efficiency	1,901,686	2,316,749	1,789,000	-112,686	-527,749
Electricity Delivery and Energy Reliability	139,306	180,000	160,000	+20,694	-20,000
Defense function	8,000	---	---	-8,000	---
Subtotal	147,306	180,000	160,000	+12,694	-20,000
Nuclear Energy	795,190	753,386	795,000	-190	+41,614
Defense function	94,000	110,000	104,000	+10,000	-6,000
Subtotal	889,190	863,386	899,000	+9,810	+35,614
Fossil Energy Research and Development	562,065	475,500	593,000	+30,935	+117,500
Naval Petroleum and Oil Shale Reserves	20,000	19,950	19,950	-50	---
Elk Hills School Lands Fund	---	15,580	15,580	+15,580	---

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, FY 2015 (H.R. 4923)
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Bill	Bill vs. Enacted	Bill vs Reques
Strategic Petroleum Reserve	189,400	205,000	205,000	+15,600	---
Northeast Home Heating Oil Reserve	8,000	1,600	7,600	-400	+6,000
Rescission	---	---	-6,000	-6,000	-6,000
Subtotal	8,000	1,600	1,600	-6,400	---
Energy Information Administration	117,000	122,500	120,000	+3,000	-2,500
Non-defense Environmental Cleanup	231,765	226,174	241,174	+9,409	+15,000
Uranium Enrichment Decontamination and Decommissioning Fund	598,823	530,976	585,976	-12,847	+55,000
Science	5,071,000	5,111,155	5,071,000	---	-40,155
Nuclear Waste Disposal	---	---	150,000	+150,000	+150,000
Advanced Research Projects Agency-Energy	280,000	325,000	280,000	---	-45,000
Office of Indian Energy Policy and Programs	---	16,000	---	---	-16,000
Title 17 Innovative Technology Loan Guarantee Program	42,000	42,000	42,000	---	---
Offsetting collection	-22,000	-25,000	-25,000	-3,000	---
Subtotal	20,000	17,000	17,000	-3,000	---
Advanced Technology Vehicles Manufacturing Loans program	6,000	4,000	4,000	-2,000	---
Clean Coal Technology (Rescission)	---	-6,600	-6,600	-6,600	---
Departmental Administration	234,637	248,223	255,171	+20,534	+6,948
Miscellaneous revenues	-108,188	-119,171	-119,171	-10,983	---
Net appropriation	126,449	129,052	136,000	+9,551	+6,948
Office of the Inspector General	42,120	39,868	42,120	---	+2,252
Total, Energy programs	10,210,804	10,592,890	10,323,800	+112,996	-269,090
Atomic Energy Defense Activities					
National Nuclear Security Administration					
Weapons Activities	7,845,000	8,314,902	8,204,209	+359,209	-110,693
Rescission	-64,000	---	---	+64,000	---
Subtotal	7,781,000	8,314,902	8,204,209	+423,209	-110,693
Defense Nuclear Nonproliferation	1,954,000	1,555,156	1,592,156	-361,844	+37,000
Rescission	---	---	-37,000	-37,000	-37,000
Subtotal	1,954,000	1,555,156	1,555,156	-398,844	---
Naval Reactors	1,095,000	1,377,100	1,215,342	+120,342	-161,758
Office of the Administrator	377,000	410,842	386,863	+9,863	-23,979
Total, National Nuclear Security Administration	11,207,000	11,658,000	11,361,570	+154,570	-296,430
Environmental and Other Defense Activities					
Defense Environmental Cleanup	5,000,000	4,864,538	4,801,280	-198,720	-63,258
Defense Environmental Cleanup (legislative proposal)	---	463,000	---	---	-463,000
Other Defense Activities	755,000	753,000	754,000	-1,000	+1,000
Total, Environmental and Other Defense Activities	5,755,000	6,080,538	5,555,280	-199,720	-525,258
Total, Atomic Energy Defense Activities	16,962,000	17,738,538	16,916,850	-45,150	-821,688
Power Marketing Administrations /1					
Operation and maintenance, Southeastern Power Administration	7,750	7,220	7,220	-530	---
Offsetting collections	-7,750	-7,220	-7,220	+530	---
Subtotal	---	---	---	---	---

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, FY 2015 (H.R. 4923)
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Bill	Bill vs. Enacted	Bill vs. Request
Operation and maintenance, Southwestern Power Administration	45,456	46,240	46,240	+784	---
Offsetting collections	-33,564	-34,840	-34,840	-1,276	---
Subtotal	11,892	11,400	11,400	-492	---
Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration	299,919	304,402	304,402	+4,483	---
Offsetting collections	-203,989	-211,030	-211,030	-7,041	---
Subtotal	95,930	93,372	93,372	-2,558	---
Falcon and Amistad Operating and Maintenance Fund	5,331	4,727	4,727	-604	---
Offsetting collections	-4,911	-4,499	-4,499	+412	---
Subtotal	420	228	228	-192	---
Total, Power Marketing Administrations	108,242	105,000	105,000	-3,242	---
Federal Energy Regulatory Commission					
Salaries and expenses	304,600	327,277	304,389	-211	-22,888
Revenues applied	-304,600	-327,277	-304,389	+211	+22,888
General Provisions					
Sec. 309 Rescissions:					
Department of Energy:					
Energy Efficiency and Energy Reliability	---	---	-18,111	-18,111	-18,111
Science	---	---	-5,257	-5,257	-5,257
Nuclear Energy	---	---	-1,046	-1,046	-1,046
Fossil Energy Research and Development	---	---	-8,243	-8,243	-8,243
Office of Electricity Delivery and Energy Reliability	---	---	-4,809	-4,809	-4,809
Advanced Research Projects Agency - Energy	---	---	-619	-619	-619
Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration	---	---	-1,720	-1,720	-1,720
Subtotal	---	---	-39,805	-39,805	-39,805
Total, title III, Department of Energy	27,281,046	28,436,428	27,305,845	+24,799	-1,130,583
Appropriations	(27,355,464)	(28,443,028)	(27,395,250)	(+39,786)	(-1,047,778)
Rescissions	(-74,418)	(-6,600)	(-89,405)	(-14,987)	(-82,805)
TITLE IV - INDEPENDENT AGENCIES					
Appalachian Regional Commission	80,317	68,200	80,317	---	+12,117
Defense Nuclear Facilities Safety Board	28,000	30,150	29,150	+1,150	-1,000
Delta Regional Authority	12,000	12,319	12,000	---	-319
Denali Commission	10,000	7,396	10,000	---	+2,604
Northern Border Regional Commission	5,000	3,000	3,000	-2,000	---
Southeast Crescent Regional Commission	250	---	250	---	+250
Nuclear Regulatory Commission:					
Salaries and expenses	1,043,937	1,047,433	1,052,433	+8,496	+5,000
Revenues	-920,721	-925,155	-880,155	+40,566	+45,000
Subtotal	123,216	122,278	172,278	+49,062	+50,000
Office of Inspector General	11,955	12,071	12,071	+116	---
Revenues	-9,994	-10,099	-10,099	-105	---
Subtotal	1,961	1,972	1,972	+11	---
Total, Nuclear Regulatory Commission	125,177	124,250	174,250	+49,073	+50,000

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, FY 2015 (H.R. 4923)
(Amounts in thousands)

	FY 2014 Enacted	FY 2015 Request	Bill	Bill vs. Enacted	Bill vs. Request
Nuclear Waste Technical Review Board	3,400	3,400	3,400	---	---
Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects	1,000	---	---	-1,000	---
Total, title IV, Independent agencies	265,144	248,715	312,367	+47,223	+63,652
Appropriations	(265,144)	(248,715)	(312,367)	(+47,223)	(+63,652)
Grand total	34,126,787	34,261,138	34,124,280	-2,507	-136,858
Appropriations	(34,201,205)	(34,296,238)	(34,214,185)	(+12,980)	(-82,053)
Rescissions	(-74,418)	(-35,100)	(-89,905)	(-15,487)	(-54,805)

1/ Totals adjusted to net out alternative financing costs, reimbursable agreement funding, and power purchase and wheeling expenditures. Offsetting collection totals only reflect funds collected for annual expenses, excluding power purchase wheeling

Ms. KAPTUR. Madam Chair, I yield myself 5 minutes.

I thank Chairman SIMPSON for his leadership.

This energy, water, and nuclear security bill is liberty's business. It is about national nuclear security, about energy security, about jobs and economic growth here at home through upgrading our ports, preventing flooding, assuring fresh water from coast to coast, and inventing the new energy technologies required to reposition America for energy security in our homeland for a new century. Bottom line: our bill is about the business of ensuring liberty for our country.

The United States entered this 21st century with a net reliance on foreign oil. Renewed conflicts in Iraq, Ukraine's Crimea, and Syria once again warn us that U.S. energy dependence on imported product remains our chief strategic vulnerability. Throughout the last century, American reliance on foreign oil grew dangerously. Our share of imports in the Nation's total energy supply rose from 42 percent in 1990 to more than 50 percent by 1998 and, frankly, keeps bobbing between 40 and 50 percent now. It consumes over half of the trade deficit we hold with the world. This energy dependence seriously weakens America.

As Michael Klare states in his book, ''Blood and Oil'':

> Every economic recession since World War II has come on the heels of a petroleum shortage.

I would add, the millions of lost jobs associated with those recessions has harmed America gravely.

Just since 2003, the United States has spent $2.3 trillion—trillion—importing foreign petroleum. At a price per barrel of $100, the total bill for America importing oil over the next 25 years could cost us over $10 trillion. That is $10 trillion of hemorrhage of U.S. wealth, millions of lost jobs, and the economic muscle that goes with it.

If you want to understand why our middle class is shrinking and more people are falling into poverty, just look at the energy trade deficit this country endures and has endured for a quarter century. Those numbers clearly demonstrate the lost energy opportunity inside our own Nation. We are ceding wealth, jobs, economic power, and our national security. If you really want to understand why America has developed a horrendous budget deficit, you had best take a look at the energy trade deficit as a major cause of our condition as we have ceded our wealth elsewhere. In fact, the entirety of our committee bill at $34 billion cannot begin to compensate for the over $200 billion in imported foreign oil that will pour into our country this year alone—eight times more than the value of our bill.

Recent natural gas discoveries and added domestic oil drilling provide our Nation with some breathing room, but only for a while, as these supplies are not endless—they are precious—to help us as we transition to a broad, diversified energy portfolio that captures the energy wealth here for our Nation.

Congress must lead our Nation to restore energy security and greater prosperity for our Nation through the innovation that this bill incentivizes. The horizontal drilling technologies that are creating a boom in domestic natural gas discoveries were made possible by research done through our bill at the Department of Energy.

America must invest in our own energy future across all energy sectors. We must restore some of our lost economic luster. Alternatively, if we cede our future to China, Russia, and Singapore, we will have missed the call of our generation.

A focus on high-impact energy research at the Department through renewable technologies, advanced energy, and applied energy are critical, as well as funding for the Advanced Manufacturing Office to lead us to a new era of energy and job creation.

Further, the increased allocation for the Corps of Engineers is vital to restore our infrastructure, supporting thousands of jobs in economic growth as we upgrade our fresh water systems while our Nation adapts to climate change and more parched places as deserts grow in places we thought were easily habitable.

Though our bill provides $5.492 billion to support the Corps, keep in mind there are no new starts in it, and there are over $60 billion worth of project requests that are backlogged that we simply can't address. Imagine what potential job creation could be induced coast to coast by meeting this massive Corps backlog.

The bill before us today takes a modest step forward in diversifying America's energy sources. Frankly, based on the challenge facing our Nation for almost a third of a century now, this bill's bottom line should be tripled to get us faster to a solution for liberty and security. We know with energy conservation and additional innovation we can meet our goal, but our imperative must be sooner rather than later. Our generation should make it easier for the next generation, not hand the problem to them.

I do have concerns with amounts provided to certain accounts within the nonproliferation activities of the National Security Agency and the Defense Environmental Cleanup account, where, despite the chairman's best efforts, the subcommittee's allocation was simply insufficient to address the many competing needs.

The CHAIR. The time of the gentlewoman has expired.

Ms. KAPTUR. I yield myself an additional 10 seconds.

I look forward to the debate and working with Chairman SIMPSON, a gracious chairman, to complete the task before us to strengthen liberty as she encounters the challenges of a new era.

I want to thank Rob Blair and Taunja Berquam, our able staff, for moving us to this point.

I reserve the balance of my time.

Mr. SIMPSON. Madam Chair, I now yield as much time as he may consume to the gentleman from Kentucky (Mr. ROGERS), the chairman of the full committee.

Mr. ROGERS of Kentucky. Madam Chairwoman, I thank the gentleman for yielding.

This is a balanced bill. It makes important investments in our Nation's nuclear defense capabilities, as well as the water infrastructure and energy resources that keep the economy moving. It does so in a fiscally sound manner, finding ways to save taxpayer dollars wherever possible.

First and foremost, this legislation prioritizes national security by increasing funding for nuclear weapons programs above last year's level to support the safety and readiness of our nuclear stockpiles. Maintaining this Nation's nuclear deterrence posture remains critical to our safety, particularly during a time of global instability and increasing risks of future nuclear threats.

Next, this bill includes investments in our water infrastructure that will also help grow our economy, facilitate trade and commerce, and ensure the well-being of the Nation. Recognizing the importance of what the Army Corps of Engineers does, we have rejected the administration's proposed cuts to these programs, providing nearly $1 billion more than requested and $25 million above last year's levels. That funding will allow the Corps to continue its important work performing flood mitigation, updating dam safety, and improving our waterways to facilitate increased import and export capability.

Within the Department of Energy, the bill prioritizes funding for programs that encourage economic competitiveness and energy independence and that help promote an all-of-the-above solution to the Nation's energy needs. By making sound investments in coal, natural gas, and other fossil energy sources, we are moving our Nation closer to a balanced energy portfolio, as well as keeping down energy costs for hardworking Americans across the country.

To make these important investments, the bill targets lower priority programs for cuts. For example, renewable energy programs with the Department of Energy are cut by $113 million from last year's levels. By implementing these types of savings and including stringent oversight requirements for the DOE, the Army Corps, and other Federal agencies, we have produced a bill that will support economic growth and security, while encouraging the government to act with greater efficiency.

The legislation also puts the brakes on the administration's destructive and misguided regulatory agenda that threatens our Nation's small businesses and other industries. For example, within this bill, we have included a

provision prohibiting the unnecessary expansion of Federal jurisdiction over our Nation's waterways.

At one of the subcommittee's many hearings about the Federal budget just a few weeks ago, the Assistant Secretary for the Corps could not provide clear answers as to how much these regulations would cost the American taxpayer, how many man-hours it would take to implement, and how such a change would affect this struggling economy. Since the Corps plainly has no idea what it is doing with this rule, it would be irresponsible, if not disastrous, to allow such a change to move forward.

The bill also stops the administration from changing the definition of ''fill material,'' an action that could drastically alter Federal regulations and could effectively shut down coal and other mining operations throughout the country. While this proposal is very troubling on many levels, I am most concerned about the unknown costs of this large-scale, invasive change. This is the type of overzealous, unneeded regulation that will harm, not help, the economy in this very sensitive time.

Madam Chairwoman, before I close, I want to thank Chairman SIMPSON—this is his maiden voyage as chair of this subcommittee—and Ranking Member KAPTUR and all of the subcommittee and the staff for their hard work on the bill, and I want to commend Chairman SIMPSON for a job well done on his first bill as chairman of the Energy and Water Subcommittee.

This is a good bill. It reflects smart budget decisions to invest tax dollars in effective, necessary programs that will help keep our Nation safe and our economy growing. I urge my colleagues to vote ''yes'' on the bill.

Ms. KAPTUR. Madam Chair, I yield 6 minutes to the gentlewoman from New York (Mrs. LOWEY), the ranking member of our full committee.

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Mrs. LOWEY. Madam Chair, I want to thank the chairman and the ranking member, whose bipartisan cooperation and hard work are evident in the bill before us.

This bill invests in a number of important programs that have strong Democratic backing. It underscores the constraints of virtually flat discretionary spending.

According to the American Society of Civil Engineers, underinvestment in our marine ports and inland waterways endangers more than 1 million U.S. jobs and $270 billion in U.S. exports by 2020.

While the Corps of Engineers would be given a slight increase above this year's level, budget caps won't help the Corps make a dent in its $60 billion project backlog, forcing them once again to put off vital projects that would protect homes, businesses, and communities.

We are also missing an opportunity to ramp up investments in science and technology. Research and development spending has fueled our economic growth for the last 60 years, and dramatic increases in this area are needed to sustain our economic recovery.

Flat funding for ARPA-E and the Office of Science is particularly problematic, given that other countries, including China, Russia, Germany, and Singapore, are increasing investments in these fields. We cannot permit an innovation deficit. We must ensure that tomorrow's breakthroughs occur in American labs and universities.

Given, however, the subcommittee's allocation, I am pleased that these critical accounts were mostly protected from cuts or slightly increased, but we could do better.

There are a number of shortcomings I would like to mention.

First is the continued safeguarding of Federal spending that benefits Big Oil and fossil fuel companies instead of supporting investments in emerging renewable technologies.

I strongly disagree with the $113 million cut to the energy efficiency and renewable energy account and the decision to fund the fossil energy account at $117.5 million above the President's request. Our country is home to a robust fossil fuels industrial base that makes over $100 billion annually in profits and actively invests in robust private sector R&D spending to advance its interests. With such a tight allocation, we should invest in creating green jobs of the future instead of backing an industry which already benefits from billions in tax breaks.

Second, the bill includes unnecessary riders related to navigable waters and the definition of fill materials under the Clean Water Act. The Corps of Engineers and EPA recently released a proposed rule regarding navigable waters, and their work needs to move forward in order to address the ambiguity created by Supreme Court rulings in 2001 and 2006.

Despite strong disagreements regarding the merits of the proposed rule, these issues should be resolved through the rulemaking process, not in this bill. By preemptively stopping any efforts to update the definition of fill materials, this bill ensures that communities in coal country will continue to live with public health threats and the environmental consequences of mountaintop removal mining.

Lastly, this bill does not do nearly enough to address the incredibly damaging effects of climate change. Rising sea levels and increased flooding from torrential downpours and hurricanes demonstrate the overwhelming need to invest in new water infrastructure to safeguard our communities. Yet the subcommittee can't invest in new projects because its allocation is dwarfed by the growing backlog of ongoing projects, which includes projects that were authorized decades ago.

Clinging to outdated fossil fuels instead of doubling down on the promise of renewable energy slows future job growth that saves lives by lessening the impact of climate change.

Mr. SIMPSON. Madam Chair, I yield such time as he may consume to the gentleman from Washington (Mr. HASTINGS) for the purpose of a colloquy.

Mr. HASTINGS of Washington. I thank the gentleman for yielding, and I want to thank you for restoring a portion of the administration's proposed cut to the Richland Operations Office at Hanford in my district. I appreciate your willingness to work with me on funding, and I know the provisions on Yucca Mountain and MOX that are in this bill are also key to the Hanford cleanup success.

Madam Chair, the Richland Operations Office is responsible for many critical cleanup projects and legal commitments, and progress there has largely been a success. This represents a new model for cleanup. And it has been successful. It is nearing completion and will save taxpayers $250 million.

I am encouraged that the $235 million in this bill provided for cleanup for the River Corridor will focus on the 300 Area milestones under the River Corridor Closure Contract.

As the appropriations process continues, I look forward to working with you to ensure appropriate restoration for Richland, given the budget constraints that we have.

Mr. Chairman, this is my last Energy and Water bill, yet I am confident that Hanford has a friend and an advocate in your leadership.

When it comes to the other project at Hanford, the Office of River Protection, there are a number of challenges. Among other things, I am hopeful that DOE and the State of Washington will reach an agreement on an achievable path forward for WTP.

Mr. SIMPSON. Will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from Idaho.

Mr. SIMPSON. First, I would like to thank the gentleman from Washington for his continued advocacy of Hanford cleanup funding in the Energy and Water bill. His leadership on these issues will be sorely missed in the future.

I am pleased to support funding for the cleanup of the River Corridor, and I am hopeful that the Department of Energy will soon provide the necessary details for the Waste Treatment Plant project. WTP is a critical project, but Congress needs more answers and greater transparency.

I look forward to working with you to make sure adequate funding is available should a new agreement on the path forward be reached.

Mr. HASTINGS of Washington. I thank the gentleman.

Ms. KAPTUR. Madam Chair, I yield 2 minutes to the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM), a member of the Agriculture, Budget, and Oversight Committees.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. I thank my colleague for

yielding time, and I commend her and the chairman for their efforts to put together a bipartisan bill and bring it to the floor. I do have a couple of a concerns with the bill that I am addressing today.

First, it provides additional funding for the Waste Isolation Pilot Project in southeastern New Mexico. I am pleased that the committee has seen the need to provide additional funding so that the causes of an incident that occurred earlier this year can be better understood and remedied, but I urge the committee to find a different source of funding for those efforts.

Altering the payment schedules for pension fund payments, I think, is bad fiscal policy. These pension plans face significant liabilities, and they simply cannot afford it.

I am also concerned about the way the bill deals with Laboratory Directed Research and Development, or the LDRD. LDRD is the primary source of funding for fundamental research at our national security laboratories, like Sandia National Laboratories, which is based in my district.

LDRD allows these critical facilities to sustain their mission-essential science and technology capabilities, anticipate and address emerging mission needs, and advance technologies in a wide range of areas critical to national security.

The provision in this bill, coupled with last year's cuts to LDRD, combine to decrease the funds available for this important program by over 20 percent and increase the labs' administrative burden.

In my view, these policy changes will have a negative impact on the labs' ability to conduct critical national security work, and I look forward to continuing to work with the chairman and the ranking member to address both of these issues as the bill moves through the legislative process.

Mr. SIMPSON. Madam Chair, I yield such time as he may consume to the gentleman from Nevada (Mr. AMODEI) for the purpose of a colloquy.

Mr. AMODEI. Mr. Chairman, thank you for the chance to speak on programs at the Nevada National Security Site that are critical to our Nation's ability to ensure the safety and performance of our nuclear weapons stockpile and for the excellent job you and the ranking member have done in managing the fiscal year 2015 Energy and Water Development Appropriations bill.

However, the bill before us does not include the full amount requested for a new advanced radiography capability that will establish an integrated facility at the Nevada National Security Site to help us understand the effects of aging and manufacturing processes on proposed approaches to stockpile life-extension programs.

I appreciate that in this fiscal environment we must all make difficult choices. Yet, I am hopeful in conference there will be budget flexibility to support the full request for advanced radiography.

Furthermore, going into conference, I appreciate, Mr. Chairman, the fact that you would be open-minded to additional information from the Department of Energy on this proposed capability to better understand its strategic value to our nuclear weapons stockpile.

We stand ready, willing, and able to assist you in getting more transparency and more information from the Department of Energy regarding proposed plans for advanced radiography capability.

Mr. SIMPSON. Will the gentleman yield?

Mr. AMODEI. I yield to the gentleman from Idaho.

Mr. SIMPSON. I thank the gentleman. I look forward to working with you to making sure adequate funding is available to support the needs of our nuclear weapons stockpile and to receiving more information on the Department of Energy's proposal to construct this new capability.

Ms. KAPTUR. Madam Chair, I yield such time as he may consume to my colleague from California (Mr. LOWENTHAL) for the purpose of a colloquy.

Mr. LOWENTHAL. First, I would like to thank the ranking member and Chairman SIMPSON for bringing to the floor a bill that has incorporated interests from both parties within the limit of the Bipartisan Budget Act.

In particular, I want to thank the committee for increasing funding for a specific activity within the Department of Energy's fossil energy research and development. That is the risk-based data management system.

This activity supports the funding of a tool which is used by many States for public disclosure of hydraulic fracturing operations. It is called FracFocus. While this tool is intended to be easily usable by the public, it has been pointed out by a special Department of Energy task force that some improvements must be made to this government-funded database in order for it to be more accurate, accessible, and transparent.

That is why I was very pleased to hear from the chairman and the ranking member that a portion of the increased funding for the risk-based data management system is intended to help update the FracFocus database to meet modern data, usability, and public transparency standards.

Ms. KAPTUR. Will the gentleman yield?

Mr. LOWENTHAL. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. I thank the gentleman for raising this important issue. I agree we should set our public transparency standards high when looking at taxpayer-funded projects. A portion of the risk-based data management activity is intended to be used for improving FracFocus, and as we move forward I will work with the gentleman to ensure that our intent is included in the conference report language.

Mr. LOWENTHAL. I thank the ranking member, and I look forward to working with her in the future.

Ms. KAPTUR. Madam Chair, I would like to inquire as to the time remaining.

The CHAIR. The gentlewoman from Ohio has 15½ minutes remaining.

Ms. KAPTUR. Madam Chair, I reserve the balance of my time.

Mr. SIMPSON. Madam Chair, I yield 2 minutes to the gentleman from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. Madam Chair, I rise today to speak in favor of the work the committee did in this bill to protect Americans from additional, unnecessary regulatory burdens. In particular, I want to thank them for protecting landowners in rural Kansas—and elsewhere across this Nation—from attempts by the Army Corps and the EPA to regulate, from Washington, every single drop of water that falls to the ground.

□ 1400

When it passed the Clean Water Act, Congress never contemplated and certainly never authorized a definition of ''navigable waters'' that covered roadside ditches, prairie potholes, water tanks, or farm ponds in Kansas or elsewhere.

This proposed rule by some bureaucrats in far-off Washington is a clear violation of the separation of powers within our Constitution. Ultimately, it is nothing more than a power grab of private property.

In practice, this rule would require Kansas farmers and ranchers to apply for costly permits—to apply for permission to perform routine farming activities like building a fence, fertilizing, or even plowing, and if our food producers have to pay more to comply with Washington's overregulations, Americans will see it in higher prices at the grocery store.

Madam Chairman, only in Washington would one try to define ''standing water'' in a ditch that is surrounded by prairie in Kansas as water that is capable of navigation. It is time for the administration to ditch this rule. Until then, this Congress should not spend a single penny in advancing this massive 370-page rule. I support the provisions in this bill.

Ms. KAPTUR. Madam Chair, I continue to reserve the balance of my time.

Mr. SIMPSON. Madam Chair, it is now my pleasure to yield 2 minutes to the gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. I thank the gentleman for yielding.

Madam Chair, I rise for the purpose of engaging in a colloquy with Chairman SIMPSON, and I thank the chairman for including language in the committee's report, which would require that the Army Corps of Engineers also look to strategic seaport designations

when allocating funding for additional work.

However, the President's budget for FY 2015 proposes to cut the maintenance budget for the Sabine-Neches Waterway by 35 percent over last year. No other area of the country, at least that I have been able to identify, has seen such a dramatic cut to its maintenance resources in the President's budget. This simply does not make sense.

The Sabine-Neches Waterway is located between Texas and Louisiana. It is responsible for the third highest tonnage volume of foreign trade in the Nation and supplies 55 percent of our Nation's strategic petroleum reserves.

Refineries located there manufacture 60 percent of our Nation's commercial jet fuel and a significant majority of our military's jet fuel. It is also used by the U.S. military to transport cargo to and from overseas deployments via the Port of Beaumont and Port Arthur, which are located along the waterway and handle over 33 percent of military cargo.

Reducing resources to maintain waterways and harbors like this will restrict commerce, increase costs, and jeopardize safety at a time of increasing trade volume. I believe this cut is extremely shortsighted.

Will the chairman agree that Congress needs to hold the administration accountable in how it allocates precious taxpayer resources for economically significant national infrastructure? Will the chairman work with me and others to ensure that harbors and waterways that play a critical role for our economy and national security are a priority in the allocation of maintenance resources?

Mr. SIMPSON. Will the gentleman yield?

Mr. WEBER of Texas. I yield to the gentleman from Idaho.

Mr. SIMPSON. I thank the gentleman from Texas for highlighting the importance of allocating sufficient resources to the maintenance of our waterways and harbors.

It is for this very reason that he articulated that the bill being considered today increases funding for navigation maintenance by 18 percent above the budget request.

Madam Chair, I agree that Congress needs to hold the administration accountable in this regard, and I promise to work with the gentleman to ensure that we prioritize maintenance funding for all of our Nation's economically and strategically significant waterways and harbors.

Ms. KAPTUR. Madam Chair, I continue to reserve the balance of my time.

Mr. SIMPSON. Madam Chair, it is my pleasure to yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Madam Chair, I am particularly pleased to see section 401 in this bill, which requires the Chair of the Nuclear Regulatory Commission—currently Allison Macfarlane—to notify the other members of the Commission and the House and Senate Appropriations Committees, the House Energy and Commerce Committee, and the Senate Environment and Public Works Committee, within 1 day after the Chairwoman or Chairman begins using emergency powers.

This provision was included in the last Congress, and I am hopeful that the underlying policy can be put into permanent statute. In fact, over the last 2 years, Madam Chairman—two Congresses—I have had a bill to make these permanent changes. The bill is H.R. 3132.

For example, currently, no definition of an ''emergency'' exists, and no requirement of notice by the Chair to fellow Commissioners or to Congress exists.

That is why this language is so important in this bill, yet the current Chair, Ms. Macfarlane, opposes this language as ''too burdensome.'' This follows on the heels of a former Chair—her immediate past Chair—who declared an emergency without telling anybody and used it for a political purpose.

There is obviously a need for this type of language, and we should make it permanent, instead of having to do this every year on the Energy and Water Appropriations bill.

I am glad to see that the current Commission is more collegial now, but it is incumbent upon us in the House and Senate to make sure that these changes are made permanent, so this abuse of power doesn't occur anymore.

Ms. KAPTUR. Madam Chair, I continue to reserve the balance of my time.

Mr. SIMPSON. Madam Chair, I yield myself such time as I may consume, and I yield to the gentleman from Alabama (Mr. ROGERS) for the purpose of a colloquy.

Mr. ROGERS of Alabama. I thank the chairman.

Madam Chair, yesterday, we received a letter and white paper from the Chief of Naval Operations and the Director of the Naval Reactors program. I will include these documents and statement for the RECORD that I will be submitting shortly.

This eight-star letter from our Nation's most senior naval officer makes clear that the cuts made to the Naval Reactors' budget request over the last 4 years are endangering the safety and reliability of the Navy's nuclear fleet.

With the 12 percent reduction proposed by the bill before us today, Naval Reactors will have taken over $600 million in cuts over 5 years.

The letter from the admiral is clear:

The persistent cuts have put Naval Reactors in the position of being unable to provide for a safe and reliable nuclear fleet, to design and test the nuclear reactor plant for the Ohio replacement program, and to safely and responsibly manage the aging infrastructure and the facilities for processing naval spent nuclear fuel. This approach is no longer sustainable.

Naval Reactors is a critical defense priority contained in this much larger appropriations bill. I share the admiral's concern that, if sustained, these reductions will endanger national security and the Naval Reactors' unparalleled 60-year record of safe and reliable nuclear operations.

I urge the gentleman from Idaho to review these proposed reductions and their impacts as this bill progresses and to restore the Naval Reactors' funding to the budget request level in a conference or in a potential continuing resolution.

I and my colleagues on the Armed Services Committee stand ready to support these efforts.

DEPARTMENT OF THE NAVY,
Washington, DC, July 7, 2014.

Hon. HOWARD P. ''BUCK'' MCKEON,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: We write today to express our strong concern over proposed cuts to Naval Reactors' (NR's) portion of the FY15 National Nuclear Security Administration budget request.

Our Navy and our national security rely on a nuclear Fleet of 10 aircraft carriers and 73 submarines, including our 14 Ohio-Class ballistic missile submarines—over 40 percent of our major combatants. These warships form the backbone of our Navy, enabled by the 93 reactors that power them—reactors provided, operated, and regulated solely by NR. NR has been doing this for our nation for over 60 years, compiling over 166 million miles safely steamed on nuclear power—it is an unmatched record of safety and effectiveness.

The funding level proposed in H.R. 4923, the Energy and Water Development and Related Agencies Appropriations Act, 2015, proposes reducing NR's funding below the request by $162 million which places operation of that nuclear Fleet including sustained carrier operations and the nation's security at risk. If enacted, this would be the fifth consecutive year of significant marks to NR's requests for funding. To date, these reductions below requested levels have totaled over $450 million; this bill would bring that total to well over $600 million. These shortfalls have resulted in delaying the construction of needed facilities, effectively halting research and development, and deferring procurement of equipment needed to address emergent fleet issues. The persistent cuts have put NR in the position of being unable to provide for a safe and reliable nuclear fleet, design and test the reactor plant for the OHIO Replacement Program, and safely and responsibly manage aging infrastructure and the facilities for processing naval spent nuclear fuel. This approach is no longer sustainable.

Moreover, the bill includes a number of provisions on the use of funds, continuing a trend that reduces NR's ability to manage the Program consistent with the priorities of safe and reliable operation of the fleet.

As the Committee moves forward with H.R. 4923, we respectfully ask that you consider full funding for NR at the FY15 budget request and removal of restrictive provisions on the expenditure of funds. This is essential for continued operation of the nation's nuclear-powered fleet now and into the future.

An identical letter has been sent to Representatives Rogers, Frelinghuysen, and Simpson; and Senators Mikulski and Levin.

Sincerely,

JOHN M. RICHARDSON,
Admiral, U.S. Navy, Director, Naval Nuclear Propulsion Program.

JONATHAN W. GREENERT,
Admiral, U.S. Navy,
Chief of Naval Operations.

FY15 HOUSE ENERGY & WATER APPROPRIATIONS REDUCTION IMPACTS

H.R. 4923, the Energy and Water Development and Related Agencies Appropriations Act, 2015, reduced Naval Reactors funding by $162 million. This cut, on top of multi-year reductions to Naval Reactors Operations and Infrastructure and Naval Reactors Development, places the Navy's nuclear-powered fleet at risk. These funding constraints impede Naval Reactors' ability to respond to emergent issues in the Fleet, maintain its operating nuclear power plants, and address issues associated with its aging facilities and infrastructure.

Naval Reactors Operations and Infrastructure (NOI) was funded $44M below the FY 2015 budget request. This budget line funds operation and maintenance of Program research and training reactors, environmental compliance and protection activities, spent fuel handling including packaging for dry storage, environmental and radiological remediation, demolition of legacy facilities, and recapitalization of the nearly 60 year old aging infrastructure. This reduction will result in the following:

Planned disposal of radioactive waste equipment and materials in Pennsylvania and Idaho will be delayed. This will result in the loss of approximately 20 jobs in Idaho.

Planned decontamination and dismantlement (D&D) work in New York, inclusive of DIG prototype remediation, will be scaled back. Planned D&D in Idaho, such as removal of legacy Expended Core Facility water pool tunnel piping, will not be executed. Reductions in this work will cause the loss of approximately 20 jobs in New York and 60 jobs in Idaho.

Planned capital investment projects in Idaho, including replacement of the undersized storm water sewer system at the north end of the Naval Reactors Facility, will not be executed.

Planned infrastructure sustainment work in Idaho will be deferred. Potential examples include refurbishment of rail spurs necessary for receipt of naval spent nuclear fuel and replacement of a degrading, 50-year old, switchgear that provides power to critical loads across the Naval Reactors Facility.

Naval Reactors' infrastructure exists solely to support the nation's nuclear-powered fleet. Reductions to NOI jeopardize the operation of those facilities. If site operations are stalled, whether as a result of infrastructure failures or failure to meet regulatory requirements, the nuclear-powered fleet will be placed at risk. Naval Reactors continues to identify specific impacts as a result of the FY15 HEWD reduction, including possible loss of jobs comparable in size to those already identified. However, concerns about adverse impacts to worker and public safety, regulatory compliance, and court-enforceable commitments are impeding identification of practical alternatives.

Naval Reactors Development (NRD) was funded $15M below the FY2015 budget request. Additionally, the HEWD directed that an additional $2M of NRD funds be specifically directed toward the Advanced Test Reactor. The NRD funding line provides for the research, development, analysis, engineering, and testing required to support current Fleet operations, as well as future nuclear-powered warship technologies. Reductions to NRD continue to erode unique laboratory capabilities required solely for naval nuclear propulsion plants. Because NR will not compromise reactor safety, the impacts ultimately manifest as impacts to cost, schedule, and operational availability of the Navy's nuclear-powered combatants. Among the ramifications of reduced NRD funding in FY15:

Inability to replace failing specialized analytical and chemical analysis equipment needed to characterize material properties of failed reactor plant components and weld surfaces. Common problems that require investigation include effects of materials under various manufacturing and operating environmental conditions (e.g., corrosion). Without the proper equipment to investigate these problems, our only safe response to problems in the Fleet is likely overly conservative and will include limitations on ship speed, reactor lifetime, or costly component replacements.

Inability to replace a specialized 30-year old heat treatment furnace that supports investigation of nuclear fuel material specimens and resolution of complex manufacturing problems that without timely resolution will delay our ability to deliver new and refueling reactor cores for existing and planned Fleet reactors.

Inability to replace a failed motor generator needed to conduct acoustic performance testing to ensure reactor components meet submarine stealth requirements.

Inability to begin refurbishment of the failing linear accelerator; the only facility in the US capable of providing the fundamental physics data needed to validate nuclear reactor performance assumptions and support nuclear criticality safety assessments.

Inability to fund advanced development innovation work—the type of work that has lead in the past to our most successful cost savings and performance increasing initiatives such as higher energy density fuel and electric drive.

Inability to fund improvements aimed at reducing the cost of future reactor cores, consolidating test facilities and personnel, reduction of expensive large-scale prototypic thermal-hydraulic testing.

The proposed FY15 NRD reductions continue the gradual, cumulative effect of degrading Naval Reactors' facilities, capabilities and expertise. Maintaining the operational availability of today's nuclear fleet and ensuring that the future fleet meets military needs requires a sustained commitment. By continuing the process of diminishing the foundational technical excellence of the NR Program, the proposed budget reductions increase the risk of long-term damage to this premier national capability.

Mr. SIMPSON. I would like to thank the gentleman from Alabama for his continued advocacy for the important national security activities funded in the Energy and Water bill, which includes the Naval Reactors program.

Madam Chair, as the appropriations process continues, I look forward to working with him and his colleagues on the Armed Services Committee, to ensure that Naval Reactors receives the funding it requires to sustain, support, and to modernize the nuclear fleet.

I reserve the balance of my time.

Ms. KAPTUR. Madam Chair, I continue to reserve the balance of my time.

Mr. SIMPSON. Madam Chair, I would like to inquire how much time is remaining.

The CHAIR. The gentleman from Idaho has 10 minutes remaining, and the gentlewoman from Ohio has 15½ minutes remaining.

Mr. SIMPSON. Madam Chair, I yield myself such time as I may consume, and at this time, I yield to the gentleman from New Mexico (Mr. BEN RAY LUJÁN) for the purpose of a colloquy.

Mr. BEN RAY LUJÁN of New Mexico. Madam Chair, for over 70 years, our national laboratories have worked to ensure the security of our Nation. We have a responsibility to be good stewards of the environment in relation to the historic and ongoing radiological work at these laboratories.

At Los Alamos, there are legal obligations, including the 3706 campaign to remove transuranic, or TRU, waste and the broader 2005 consent order between the DOE and the State of New Mexico to remediate legacy waste at Los Alamos.

Two major wildfires near Los Alamos National Lab have highlighted the importance of removing aboveground waste from this facility. The DOE was nearing its completion of the 3706 campaign when the Nation's only repository for TRU waste, the Waste Isolation Pilot Plant, experienced, first, a fire and then a radiological release.

As we work to restore WIPP operations, we must ensure that our national laboratories have the resources to meet their legal obligations for environmental remediation. We also must recognize our moral obligation to these communities that have served our great Nation.

It is with this intention that I request the chair to work with me and Representatives from other affected communities, as this bill moves forward to conference, to ensure that adequate and appropriate funds are available not only for the restoration operations of WIPP, but also for legally-mandated environmental remediation efforts at Los Alamos and at other affected national laboratories.

I thank you for this time to address this important issue. I look forward to working with you to find a solution, Mr. Chairman.

Mr. SIMPSON. Madam Chair, I would like to thank the gentleman from New Mexico for his continued advocacy of the cleanup program at Los Alamos.

I look forward to working with you on ensuring that adequate funding is available to support the Department of Energy's cleanup program, including the cleanup work at Los Alamos and the restoration of operations at WIPP.

I thank the gentleman, and I reserve the balance of my time.

Ms. KAPTUR. Madam Chair, I would like to inquire if the gentleman is ready to close.

Mr. SIMPSON. I believe we have two more speakers.

Ms. KAPTUR. Madam Chair, I continue to reserve the balance of my time.

Mr. SIMPSON. Madam Chair, it is now my pleasure to yield 2 minutes to the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. I thank the chairman for yielding.

Madam Chair, I am happy to see $20 million included in this appropriations bill for the reimbursement of uranium and thorium cleanup.

I also want to highlight the language in the bill that directs the Department of Energy to provide sufficient resources in future budgets to eliminate the reimbursement backlog, which stands at $54 million, and return to a more normal reimbursement schedule to ensure that a backlog doesn't occur again.

The current backlog of $54 million grows year by year, with sites in Illinois, Colorado, Wyoming, Washington, South Dakota, and New Mexico.

The way this works out in my constituency is that, in the community of West Chicago, Illinois, it had an adverse situation years and years ago with thorium that was spread throughout the community. They have done a tremendous job in the cleanup, but the cleanup needs to continue.

I commend the chairman for his commitment, and I look forward to being part of this solution for the full remediation of this issue in West Chicago, Illinois, and in other places around the country.

Ms. KAPTUR. Madam Chair, I continue to reserve the balance of my time.

Mr. SIMPSON. Madam Chair, it is my pleasure to yield 2 minutes to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Thank you, Mr. Chairman.

Madam Chair, I rise in strong support of this Energy and Water Development Appropriations bill, which makes important investments in our communities, our energy jobs, and our Nation's energy future.

This bill prioritizes using abundant coal reserves to produce clean, efficient energy. I am very pleased that the bill makes a strong investment in fossil energy research and development, including work on clean coal technologies. I ask my colleagues to join me in opposing amendments that would strip this funding.

West Virginia is a leader in this technology, with the National Energy Technology Lab in Morgantown conducting much of this important research.

This administration has continued to attack coal and the people who rely on coal for energy and employment. This bill not only rejects the administration's 15 percent cut to fossil energy research, but sends a clear message: coal is, will be, and must be an important part of a national all-of-the-above strategy, and we will continue to invest in developing ways to make it more efficient and cleaner.

The Energy and Water Appropriations bill also rejects the Army Corps of Engineers' and the EPA's proposed rule to expand Federal jurisdiction under the Clean Water Act. Finally, this bill maintains funding for the Appalachian Regional Commission, underscoring its importance to local communities.

My State of West Virginia is the only State that is entirely within the boundaries of the ARC, and the people of West Virginia have truly benefited from the ARC's proven record of spurring economic development and of improving access to health care and education in lower-income communities.

I want to thank the chairman of the Appropriations Committee, HAL ROGERS, and the chairman of the subcommittee, MIKE SIMPSON, for bringing this piece of legislation to the floor, which makes the right choices and sets the right priorities for our country's energy future.

With that, I ask my colleagues to join me in supporting this bill.

□ 1415

Mr. SIMPSON. Mr. Chairman, I would inform the gentlewoman that we have no more speakers, and if the gentlewoman is ready to close, I will close.

Ms. KAPTUR. I am prepared to close, Mr. Chairman, and I yield myself such time as I may consume.

Mr. Chairman, an energy-hungry world will continue to push up global energy prices and availability. America must not get caught in this ensuing juggernaut. Our liberty and economic security truly are at stake. The world is changing and so America must adapt, and adapt sooner rather than later.

Over a quarter century ago, President Jimmy Carter was not wrong when he equated the struggle for energy independence as the moral equivalent of war. America, since, has been engaged in plenty of fighting abroad in oil-rich, unstable regions of our world. Instead, we must refocus and draw forth the powers of our own land, performing something worthy to be remembered, as DANIEL WEBSTER reminds us every day. Energy security is such a calling.

Certainly, this bill leaves unmet opportunities on the table—too much, in my view—but its direction is clear. It aims at liberty. It looks forward to meeting that objective by moving this bill forward.

I want to thank Chairman SIMPSON, Rob Blair, Taunja Berquam, and our entire staff for their willingness to work together, for preparing a bill that is inclusive and pragmatic. I appreciate Chairman SIMPSON's gentlemanly reach out to our side of the aisle.

I also want to thank all the staff who helped. Their countless long hours, late nights during holidays and so forth, and their thoughtful insights have been critical to helping us prepare this legislation that is aimed at restoring liberty, creating jobs in America, reassuming economic power here at home, strengthening our energy portfolio and water security for future generations, and, fundamentally, our national security.

I ask our colleagues as we move through the amendment process to help us move this bill forward in America's interest.

Mr. Chairman, I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I thank the gentlewoman for her work on this bill. She has been a valuable partner in crafting a bill.

In trying to address the needs of all Members on both sides of the aisle, obviously you can never address all of them, but I think both the Republican and Democratic members of the committee and of the House ought to be proud of the bill that is before them and our efforts to try to address their desires and their needs.

With that, I would encourage all Members to support this legislation. I look forward to the debate on the amendments that are going to be coming up.

Mr. Chairman, I yield back the balance of my time.

Mr. CONNOLLY. Mr. Chair, I often say, there are some in this Chamber who seem to know the cost of everything yet the value of nothing. Without question there are savings to be found in the federal government, but sometimes to realize those savings we have to invest a little money.

Let's take the federal government's energy consumption as a case in point.

Since coming into office in 2009, the Obama administration has made it a priority to make the federal government a leader in reducing energy consumption and increasing energy efficiency. The administration recognizes that as the nation's largest energy consumer, the federal government has a tremendous opportunity and a clear responsibility to lead by example in energy efficiency.

The federal government operates more than 500,000 buildings and other structures comprising more than 3 billion square feet, and it operates a fleet of more than 600,000 civilian and non-tactical military vehicles. The total cost of energy consumption to the Federal government was nearly $25 billion in FY2012.

I am pleased the President has made energy efficiency in federal buildings a priority of his Climate Action Plan. The President's recent commitment of another $2 billion in energy efficiency in federal buildings is a critical step in reducing both energy costs and carbon emissions.

As a result of these actions we have reduced energy use per square foot in federal buildings by more than 9 percent since FY2008, curbing pollution and reducing utility bills. The federal government also purchased more than 7% of its electricity from renewable sources such as solar and wind in 2013, exceeding statutory requirements and promoting homegrown energy industries. And we have reduced greenhouse gas emissions by more than 15 percent from 2008 levels—the equivalent of permanently taking 1.5 million cars off the road.

However, I fear cutting the Department of Energy's Federal Energy Management Program by almost 30% will jeopardize this progress.

FEMP is a critical component in enabling federal agencies to meet their energy-related and sustainability goals. FEMP helps other agencies to accomplish energy, water, and greenhouse gas improvements within their organizations by providing expertise in federal

energy project and policy implementation and coordination to enhance national efforts in energy management.

In addition, FEMP activities reduce the energy intensity at federal facilities, lowering their energy bills and providing environmental benefits through increased use of performance contracting which includes energy saving performance contracts, utility energy service contracts, and power purchase agreements. From 2009 to 2011, FEMP negotiated performance contracts that saved taxpayers more than $3.5 billion in federal energy costs.

Through these and other efforts, FEMP strives to reduce the federal government's energy footprint by 30% by the end of 2015 compared to 2003 levels, reduce water consumption intensity by 16% by the end of 2015 relative to 2007 baseline, and increase renewable electricity energy equivalent to at least 5% of total federal facility electricity use.

FEMP plays other important roles both in interagency coordination to align federal government efforts related to federal energy management planning and legislation compliance, and in training federal agency managers about the latest energy requirements, best practices, and technologies available.

The savings FEMP has helped agencies achieve over the past 15 years is roughly equal to one year's worth of federal energy consumption, and it has produced more than a 2.5-to-1 return on investment. Mr. Speaker, we all want to find savings in the government, but let's not be blinded by short-term spending cuts that jeopardize this program that has proved it can save taxpayer dollars in the long run.

Ms. LEE of California. Mr. Chair, let me thank the Chair and our Ranking Member LOWEY and of the subcommittee, Congresswoman KAPTUR for their very hard work on this bill.

This appropriations bill is intended to provide the Department of Energy, Army Corps of Engineers, Department of the Interior, the Environmental Protection Agency, and other offices with the funds they need to safeguard our natural resources.

Unfortunately, instead of adequately funding these critical agencies, this bill has been turned into a vehicle for Republican efforts to cut protections that keep our drinking water safe, protect our rivers and oceans from toxic dumping, and to protect critical wildlife.

The Clean Air Act and Clean Water Act are proven public health tool to reduce dangerous pollution known to make people sick and cut short lives.

That is why I am opposed to the Republican policy riders included in this bill that are designed to block or weaken clean air protections, specifically the EPA's proposed limits on carbon pollution from existing power plants.

This bill also cuts Federal investment in innovative clean energy research and development (R&D) at a time of significant global competition and progress.

Mr. Chair, as a member of the Budget and Appropriations Committee, I know spending bills are difficult enough to pass without weighing them down with toxic policy riders.

We need to continue this Appropriations process in good faith, and I am disappointed that the bill in front of us today does not reflect that.

The Acting CHAIR (Mr. POE of Texas). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment each amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment. No pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate. The chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose. Amendments so printed shall be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 4923

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development and related agencies for the fiscal year ending September 30, 2015, and for other purposes, namely:

TITLE I—CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration, projects and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, $115,000,000, to remain available until expended.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); $1,704,499,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104–303; and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law.

AMENDMENT OFFERED BY MRS. WALORSKI

Mrs. WALORSKI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 16, after the dollar amount, insert ''(increased by $500,000)''.

Page 26, line 24, after the dollar amount, insert ''(reduced by $500,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentlewoman from Indiana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Indiana.

Mrs. WALORSKI. Mr. Chairman, my amendment would provide a $500,000 increase for the Army Corps of Engineers Continuing Authorities Program, or CAP, and would pay for the increase with a small $500,000 cut from the Department of Energy's departmental administration account. For small communities struggling to pay for $25,000 projects, this minor amendment can be a major help around the country.

The CAP program allows for funding of small local projects without the lengthy study and authorization process typical of most larger Corps projects. The program funds projects dealing with issues like stream bank erosion, navigation improvements, and flood control, and it is incredibly important to local communities that cannot afford to fund these studies and projects on their own.

Two specific sections of the program are vitally important to my district: section 205, which deals with flood control, and section 14, which deals with stream bank erosion.

The city of Peru, Indiana, lives within an area designated as a floodplain because of a ditch that runs through it, but the ditch hasn't flooded in the entire time the city has been keeping records, which is more than 80 years. This floodplain designation has made insurance premiums so expensive, business developers are reluctant to locate to the area and residents are struggling to pay their premiums.

Corps engineers have been to the site, and they don't think the floodplain is correct either. The ditch hasn't flooded. So CAP funds are desperately needed in places like Peru, Indiana, so the Corps can conduct a study to determine whether the ditch really is ever likely to flood and, if so, what type of project could be done to prevent flooding and bring down flood insurance premiums.

In a place called Rochester, Indiana, the Tippecanoe River runs along a stretch of East County Road 350 North. The river is eroding soil from underneath the road, and over the last decade, the road has lost several feet of its

embankment. The situation has become so dangerous authorities have closed the road until it can be fixed. An examination is needed to determine how to stop this stream bank erosion, and then a project must be able to be done to fix it. County officials can't afford to conduct the study or repairs on their own.

The Army Corps of Engineers said they can conduct the examination and repairs, but CAP funds are needed. However, the Continuing Authorities Program is so popular with local communities like Peru and Rochester, the Corps of Engineers routinely receives many more projects than it can fund, and CAP funds for the year run out quickly.

Chairman SIMPSON and his staff have worked hard to address this problem and put together a great bill. President Obama's budget request only provided $10 million for CAP and only funded four of the CAP sections, but Chairman SIMPSON rejected that devastating cut and has allocated $56.8 million for eight CAP sections. My amendment would provide a small funding bump for CAP that would enable the Army Corps of Engineers to help dozens of communities making very small funding requests.

Some people will say that the Department of Energy can't afford another cut to its administrative funding, but that is simply not true. This year's bill provides $255 million for the Department of Energy's departmental administration budget. This is $20.5 million more than last year. My amendment would only cut $500,000 from this amount. That is a 0.19 percent cut. Given the enormous importance of local infrastructure, I believe this is one very small cut that Congress should make.

I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim time in opposition, although I am not opposed to amendment.

The Acting CHAIR. Without objection, the gentleman from Idaho is recognized for 5 minutes.

There was no objection.

Mr. SIMPSON. Mr. Chairman, we support the amendment and thank the good lady for offering it.

I yield back the balance of my time.

Mrs. WALORSKI. Mr. Chairman, I would like to thank the chairman and the ranking member. I appreciate the work that has gone into this bill, and I appreciate your willingness to accept my amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Indiana (Mrs. WALORSKI).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. MURPHY OF FLORIDA

Mr. MURPHY of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 16, after the dollar amount, insert ''(increased by $1,000,000)''.

Page 7, line 3, after the dollar amount, insert ''(reduced by $1,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MURPHY of Florida. Mr. Chairman, I rise today to offer the Murphy-Cleaver amendment to the underlying Energy and Water Appropriations bill to support the Army Corps' construction account by an additional $1 million.

Supporting the Corps' ongoing construction efforts is crucial to the well-being of regions like the Treasure Coast and Palm Beach communities in Florida that I am so proud to represent. The restoration projects in our area are vital to restoring the natural flow of water south of Lake Okeechobee, reducing the harm that is currently caused by discharges from the lake into our St. Lucie River and Indian River Lagoon. All these projects work together to improve the water quality throughout the system, with our local waterways being no exception.

The urgency to move these ongoing projects forward could not be more clear. The record rainfall in our area resulted in last year being dubbed the ''lost summer,'' with major die-offs of important species in this unique ecosystem as well as health warnings that kept the public out of the water and harmed our local economy that relies so heavily on our waterways.

While $1 million might not seem like a lot, this money could be used to help projects that are near completion cross the finish line. For example, the Kissimmee River Project just north of my district is 86 percent near completion, and this funding could be used to fund one of the final steps needed to complete this project. Once completed, this project will restore up to 20,000 acres of wetland, storing more water north of the lake, lessening the amount of harmful discharges that must be released to the east and west into our local estuaries, and cleaning the water before it flows into the already inundated waterways.

For Florida's 18th District, $1 million can make a real difference in the fight to protect our waterways.

Mr. Chair, I now yield as much time as he may consume to the gentleman from Missouri (Mr. CLEAVER), my good friend. Mr. CLEAVER is a great champion of infrastructure projects such as these that invest in our future and come back to our economy in multiples.

Mr. CLEAVER. Thank you, first, Mr. MURPHY, and to the chair, ranking member, and the chairman of the committee.

Mr. Chairman, our amendment would transfer a modest amount, as Mr. MURPHY stated, $1 million, from the Corps' expense account to the construction account. The boost in funding can help flood control projects that communities, including several in my district, are pushing in hopes that they can be completed.

The United States has, as I believe we all know, an aging water infrastructure system and a colossal $80 billion backlog of Army Corps projects. Over 1,000 authorized projects vigorously compete for funding. This is understandable when you consider the fact that America's levees, dams, and inland waterways were given a grade of D by the American Society of Civil Engineers in their 2013 report card. How can we expect our economy to flourish when its bedrock is deteriorating?

Water infrastructure funding is vital to my district. It sits on the confluence of several rivers, and flood control projects protect thousands of lives and billions in economic investment.

One such project, Swope Park Industrial Area, lies within a 100-year floodplain. When it floods, access to and from the park is cut off, risking the lives of over 400 workers. Without a 7,000-foot floodwall and levee, those 400 workers and over $61 million in manufacturing remain unprotected.

□ 1430

Another project in my district, Dodson Industrial Park, is ready to start its final phase. But until that final segment is completed and connected, the rest of the project, the investment $250 million within the park, remain at risk.

Mr. Chairman, most Army Corps projects contain agreements between the Federal Government and local communities to share the funding and responsibilities for their construction. It is time for the Federal Government to hold up its end of the agreement, for us to step up to the plate, and fully invest in our water infrastructure.

I want to thank the gentleman from Florida (Mr. MURPHY) for his collaboration on this amendment.

Mr. MURPHY of Florida. Mr. Chairman, I want to thank the gentleman from Missouri (Mr. CLEAVER) for his support of this commonsense amendment and urge my colleagues to support this proposal that, as you have heard, has the potential to make a major difference in the well-being of communities from Florida to Missouri.

Mr. SIMPSON. Will the gentleman yield?

Mr. MURPHY of Florida. I yield to the gentleman from Idaho.

Mr. SIMPSON. We will accept the amendment.

Mr. MURPHY of Florida. I want to thank the ranking member and the chairman for their support of this amendment and for all of their hard work.

Ms. KAPTUR. Will the gentleman yield?

Mr. MURPHY of Florida. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. I wanted to thank the gentleman from the Lake Okeechobee region of Florida (Mr. MURPHY) and the gentleman from Missouri (Mr. CLEAVER) for the very effective manner in which they have handled themselves in bringing this to our attention. And I want to thank the chair for accepting this important amendment, which is so important to Florida.

Mr. MURPHY of Florida. Again, I thank the chair and ranking member for their hard work, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MURPHY).

The amendment was agreed to.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. MCCLINTOCK) assumed the chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2015

The Committee resumed its sitting.

AMENDMENT NO. 4 OFFERED BY MR. CASSIDY

Mr. CASSIDY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR (Mr. POE of Texas). The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 16, after the dollar amount, insert ''(increased by $5,000,000)''.

Page 26, line 24, after the dollar amount, insert ''(reduced by $5,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Louisiana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. CASSIDY. Mr. Chairman, this amendment is about setting priorities. The Army Corps of Engineers construction account has a serious backlog of over $60 billion. According to a recent CRS report, there is a backlog of more than 1,000 authorized studies and construction projects.

The President's budget inadequately addresses this backlog, only allocating $1.1 billion for these important infrastructure projects, a 32 percent reduction over fiscal year 2014-enacted levels.

Now, I applaud the committee for providing $48 million more for Corps construction over the 2014-enacted levels, but more needs to be done. This is especially prevalent with the recent passage of the bipartisan water resources conference report, which contained authorizations for existing projects, such as the Louisiana Coastal Area, and new projects, such as Morganza to the Gulf.

Mr. Chairman, my amendment transfers $5 million out of the Department of Energy's administrative account and moves that money into the Corps of Engineers construction budget. The goal is to move more projects forward, to reduce the backlog, and to open up the door for projects across the country vital to our Nation's waterways, our economy, and our ability to export.

Louisiana, for example, contains 3 million acres of coastal wetlands. Louisiana's coast is home to over 2 million people, supporting vital ecosystems, national energy security, thousands of jobs, and a unique culture.

As you may know, our coastal wetlands are rapidly disappearing. The U.S. Geological Survey estimates that if present land-loss trends continue, Louisiana will lose 2,400 square miles of land between 1932 and 2050. That is an area about 25 times that of Washington, D.C.

Morganza to the Gulf, which is one of five new projects authorized in WRRDA's hurricane and storm damage risk reduction subsection, is of immense importance to Louisiana's coastal restoration and protection efforts. The project's purpose is to protect the remaining fragile marsh and wetlands from hurricane storm surge. This is one of many projects around the country that needs funding and is vital to our Nation's infrastructure.

Taxpayers wish to see this backlog cleared out and other projects important to our Nation's economy moved forward. That is what this amendment intends to help achieve.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I must rise in opposition to the amendment.

I appreciate the gentleman's passion for coastal restoration. I know it is a high priority for his district, his State, and, in fact, for the country.

The committee often hears complaints that projects take too long and cost too much to build, in large part attributed to inefficient funding. If that is true, then the only responsible way to allow for new starts is to finish understanding the impacts of the selected new starts on the Corps' future budget requirements and on the expected costs and timelines of ongoing projects. Unfortunately, we do not have that information, and the administration has shown no willingness to provide it.

The fiscal year 2014 act allowed for a limited number of new construction starts, with the requirement that the administration provide information to show that these projects would be affordable at reasonable construction account levels and that these new projects would not unduly delay or increase the cost of ongoing projects.

To say that the so-called analysis from the administration was inadequate would be an understatement. And no information at all was provided for the new start proposed in the fiscal year 2015 budget request.

Additionally, the administration continues to propose budgets with significant cuts to the construction account, including a 32 percent cut for fiscal year 2015. In fact, several individual projects authorized in the recent WRRDA are each estimated to cost more than what the administration requested for the entire nationwide construction program. Clearly, as promising as some new projects may be, it would be fiscally irresponsible to initiate new projects with no information on the impact of doing so.

I understand that some Members with authorized projects in their districts are anxious to get construction underway. I also understand, however, that many Members with projects already under construction in their districts want to see those projects completed and to start realizing the benefits of these Federal, State, and local investments.

I yield back the balance of my time.

Mr. CASSIDY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. CASSIDY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BEN RAY LUJÁN OF NEW MEXICO

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 16, after the dollar amount, insert ''(increased by $15,000,000)''.

Page 7, line 3, after the dollar amount, insert ''(reduced by $15,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from New Mexico and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, I rise to amend the Energy and Water Appropriations bill to increase the construction account by $15 million to ensure local governments like the city of Rio Rancho, the county of Bernalillo, and the Middle Rio Grande Conservancy District get reimbursed for work they have done in conjunction with the Army Corps of Engineers. The Army Corps of Engineers works with local governments in New Mexico to construct levies, implement flood control measures, and other important infrastructure for the safety of the public.

More specifically, the city of Rio Rancho entered into a reimbursement contract with the Army Corps of Engineers and has not been paid back for several years due to the lack of appropriations. The same goes for the county of Bernalillo, the Middle Rio Grande

Conservancy District, and other communities across the United States.

This delay in reimbursement has led to interruptions in financing for other city projects and also has the potential to hurt the credit rating of these entities if they do not recover these funds via reimbursement, as stated in their contracts with the Federal Government.

By increasing the dollar amount in this account, which includes a number of programs and accounts that are critical to local governments—like engineering, construction, technical assistance, flood control, and environmental infrastructure—we can get these entities reimbursed and get these liabilities off the books of the Army Corps of Engineers to get other projects going.

According to the Congressional Budget Office, this increase has zero impact on the budget and, in fact, would save money by reducing liability for the Federal Government.

Mr. Chairman, local governments have been left holding an IOU from the Federal Government for doing work based on the good faith written agreements with the Army Corps of Engineers.

Mr. Chairman, I understand there may be opposition from some of my colleagues, but I am hoping that I can persuade the chairman to support me in this effort.

Under section 593 of the Water Resources Development Act of 1999, the city of Rio Rancho and other local governments entered into agreements with the Army Corps of Engineers. When city and local governments enter into reimbursement contracts, they expect to be reimbursed. They have annual budgets with the expectations they will get paid back. Congress should live up to these obligations in the authority given to the agency by Congress.

Mr. Chairman, I understand the constraints that the subcommittee dealt with, with the allocations given to them. But we need to make sure that we are working to make these local governments whole with the agreements and contracts they have with the Federal Government.

With that, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise to oppose the amendment.

First, though, let me assure my colleague that I am sympathetic to the need for increased construction funding. In fact, the underlying bill increases construction funding by almost $50 million above fiscal year 2014 and by almost $600 million, or 52 percent above the budget request.

While I understand there is always more that can be done, we could shift the entire expenses account to construction, and there still would be more that needs to be done.

Although it may seem like an easy offset here on the floor, Members should recognize that a $50 million cut to the expenses account cannot be sustained in conference. Funding for the expenses account in the underlying bill already reflects a 2 percent reduction from fiscal year 2014 and a 4 percent reduction from fiscal year 2012.

For those reasons, I must oppose the amendment, and I urge my colleagues to vote ''no.''

I yield back the balance of my time.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, I would like to pose a question either to the chairman or the ranking member:

With local governments like this entering into agreements with the Army Corps of Engineers and doing work like this, is there something that could be done associated with trying to get an assessment of those, and maybe we can chip away at those reimbursements in a timely manner? Is that something that we might be able to work on?

Mr. Chairman, I would yield to anyone who might be able to respond to that.

Mr. Chairman, my question is:

With local governments, like the ones in New Mexico and other parts of the United States, that have entered into agreements with the Army Corps of Engineers or others for reimbursement in a timely manner, is there a way that we might be able to chip away or work at this? I would be willing to withdraw the amendment if I could get an assurance that this is something that we can look at and work at.

I have offered this amendment in years past. And, again, there are local governments across the United States that are waiting for reimbursement, and I think it is something that would be good for us to take a look at.

I yield to the gentleman from Idaho.

Mr. SIMPSON. I certainly understand the gentleman's concern, and I agree with him. It all comes down to funding levels.

But I would be more than willing to work with the gentleman to try to see if we could address his concern, which is a concern for all of us, as we move forward into the conference process.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, would that be agreeable or amenable to the ranking member?

Ms. KAPTUR. Will the gentleman yield?

Mr. BEN RAY LUJÁN of New Mexico. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. The chairman and I work very closely on matters like this. It is difficult because of the fact that we have no new starts. We have a backlog that is enormous. And the Corps is under pressure. But we will be very happy to work with the gentleman and to try to resolve situations that you may face in your region.

Mr. BEN RAY LUJÁN of New Mexico. Thank you very much.

Mr. Chairman, I want to thank the staff for their time and their effort and the courtesy of the chairman and the ranking member.

I will not offer this amendment today and we will see if we might be able to work together, Mr. Chairman, and if not, we will come back next year and we will see what we can do. Maybe we will need to take a vote. But I appreciate everyone's courtesy today.

Mr. Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

AMENDMENT OFFERED BY MR. CICILLINE

Mr. CICILLINE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 17, before the semicolon, insert ''; of which $44,000,000 shall be for environmental infrastructure projects for financially distressed municipalities''.

Mr. SIMPSON. Mr. Chairman, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 641, the gentleman from Rhode Island and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chairman, I first want to thank the chairman and the ranking member for the hard work that they have done on this piece of legislation.

My amendment is a simple one. As we all recognize, the Army Corps of Engineers provides invaluable assistance to financially strapped communities through its general construction fund, specifically for wastewater and water improvements and, in past years, has allocated specifically funds for this purpose. However, this year's report does not include any money for this account.

So the amendment I offer would direct that $44 million, which is 3 percent of the total allocation for construction projects in the Army Corps of Engineers, be set aside to support environmental infrastructure programs specifically for financially distressed communities around the country.

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As we know, Mr. Chairman, there are approximately $298 billion of unmet needs for wastewater and stormwater treatment that are projected over the next 20 years. Of that, about 15 to 20 percent represents water treatment, and that percentage is expected to grow over time because of increases in Federal regulations.

In older cities, a single system, in fact, combines both stormwater and sewage; and rain, obviously, and snow can overwhelm those systems and present tremendous challenges.

Seventy-two percent of the United States population is served by sewage treatment plants, and 3.8 million Americans are served by facilities providing less than secondary treatment, which is the basic requirement of law.

This is a huge unmet need, and for municipalities—particularly financially distressed municipalities—investing in water treatment facilities can be a tremendous burden that they can't meet alone.

In fact, since 2007, the Federal Government has required cities to invest more than $15 billion in new pipes, plants, and equipment to address sewer and wastewater treatment.

So we are imposing—and rightly so, I am not criticizing that—but we are imposing these standards, and the costs of those are being borne by municipalities.

What this amendment attempts to do is to ensure that at least some portion of that account is set aside for wastewater treatment projects and particularly targets facilities that have financial challenges—financially distressed communities.

I have spoken with the ranking member, and I recognize the chairman has reserved a point of order. I would ask if my ranking member would continue to make the case that these wastewater treatment facilities require some additional investment, and if that is the case, I look forward to working with the chairman and my ranking member, so that we can be sure that this investment is preserved, as it has been in past years, so that communities that really need assistance with their wastewater treatment facilities will have some access to these resources, and if so, I am prepared to withdraw my amendment.

Ms. KAPTUR. Will the gentleman yield?

Mr. CICILLINE. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. There is no objection from our side. We look forward to working with the gentleman.

In your region of the country, the Midwest, the Great Lakes, and the Northeast, in particular, those needs are huge.

Mr. CICILLINE. Mr. Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $260,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

AMENDMENT OFFERED BY MR. MCALLISTER

Mr. MCALLISTER. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 7, after the dollar amount, insert ''(increased by $47,000,000)''.

Page 19, line 12, after the dollar amount, insert ''(reduced by $127,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Louisiana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. MCALLISTER. Mr. Chairman, first, let me just say to Chairman SIMPSON that I appreciate all the hard work you all have done on this whole committee bill and appropriation process.

I know it is not an easy task, and there is a lot of juggling to offset prices on everything, but my amendment will increase the MR&T, the Mississippi River and Tributaries project, by $47 million, to bring it back to FY14 levels. The FY14 enacted $307 million, and FY15 committee was $260 million.

The offset for this is reducing the Office of Energy Efficiency and Renewable Energy by $127 million. This number is necessary to make it outlay neutral. This is less than 7 percent of the proposed spending by the committee. Budget authority will be reduced by $80 million.

The Mississippi River and tributaries are the main arteries of commerce for the Nation—as we see in the reports today, that we have flooding going on in the Mississippi River, starting from the north up above St. Louis, coming down.

This MR&T project is the largest flood control project in the world, providing protection for the 36,000-square mile lower Mississippi valley acreage.

The navigation features of the MR&T project seek to facilitate navigation and promote commerce on the Nation's most vital commercial artery. Waterborne commerce on the Mississippi River increased from 30 million tons in 1940 to nearly 500 million tons today.

Since the initiation of the MR&T project in 1928, the Nation has received a $24 return for every dollar invested. The remaining work to be completed will have an estimated 37 to 1 return on investment.

With the Panama Canal expansion project underway, we must continue to invest in this vital resource, not reduce funding. These waterways are too important to our Nation.

I just want to say how important the Mississippi River is to the Nation as a whole, not just to my district and those of us that border the Mississippi River and their tributaries all up and down the central United States.

It is very vital to the agriculture industry, to the commerce industry, to everything, and the flood control. It just has a tremendous impact that we all need to be aware of. I know that this $127 million looks like a lot in the Office of Energy Efficiency and Renewable Energy, but we try to find different places that we can take it.

This is one that we found the less neutral, only reducing it 7 percent of its total budget. It was the largest that we found that we could take it from.

Again, I just want to commend the committee on the hard work they have done, and I know it is not an easy challenge at all for them to reduce and have to answer to certain parties for what was reduced and not reduced.

We have worked on this bipartisan—got a lot of bipartisan support on it throughout yesterday and today, and I appreciate your consideration and support on trying to make sure that we do everything we can to take care of the MR&T.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise to oppose the amendment. Let me assure my colleague, though, that I agree with him about the importance of making investments in navigation and flood control infrastructure.

In fact, a lot of the problem was trying to find an offset for $47 million, and as the gentleman knows, it is very difficult because there are things in this bill that are very important to at least someone within this body.

Because of the importance of navigation and flood control, that is why the underlying bill increases funding for MR&T by 6 percent above the President's budget request and focuses funding, such that navigation is increased by 21 percent and flood control by 15 percent above the budget request.

While I understand that there is almost always more that can be done, we must balance several competing activities within the Energy and Water bill. The amendment would reduce the EERE account, which is already cut by $113 million below last year's level and $528 million below the President's budget request.

So while we did increase funding for the MR&T account above the President's request, the EERE account is already $528 million below the budget's request by the administration. Within the EERE account, the funding the bill preserves is just as important as the funding it cuts.

The bill focuses funding for three main priorities: helping American manufacturers remain competitive, supporting weatherization assistance programs, and addressing future high gas prices.

This funding supports breakthrough research to reduce what Americans pay at the gas pump and to help our companies compete in the global market, which creates jobs here at home.

For these reasons, while I sympathize with what the gentleman is trying to do with the amendment and tried to help on crafting an amendment that we can find $47 million for, I must oppose the amendment and urge my colleagues to vote ''no.''

With that, I yield back the balance of my time.

Mr. MCALLISTER. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. MCALLISTER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SIMPSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

AMENDMENT OFFERED BY MR. CRAWFORD

Mr. CRAWFORD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 7, after the dollar amount, insert ''(reduced by $18,800,000) (increased by $9,500,000) (increased by $9,300,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Arkansas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. CRAWFORD. Mr. Chairman, first, I want to thank the chairman and the committee for their hard work putting this bill together. I know it has taken a lot of time and effort to get here, and I appreciate that.

My amendment addresses a very real threat to the lives and livelihoods of Arkansans and Americans across the country and the citizens and businesses in areas of the depletion of aquifers and lack of water for agriculture during times of drought.

The Bayou Meto and Grand Prairie projects in my district, which are well on the way to completion, will provide an economical and environmentally sensible alternative for protecting aquifers from catastrophic depletion and provide both a renewable agriculture water supply, as well as a valuable role in water quality and quantity control efforts for one of our Nation's most critical waterways, the Mississippi River.

In most of the Mississippi Delta, aquifers provide significant portions of water used for ag irrigation. With the increasing water demands of agriculture, businesses, and municipalities, aquifers across the country, especially the alluvial and Sparta-Memphis aquifers which supply much of the Mississippi Delta, face the increasing threat of depletion.

This takes the immediate form of drastically lowering well yields and the requirement to drill more often and deeper to access sufficient quantities of water.

Bayou Meto and Grand Prairie were designed to address the threat of aquifer depletion, both to ease demands on aquifers and to ensure a steady and renewable water supply for agriculture in Arkansas' Mississippi Delta region.

First authorized in 1996, these projects are a framework of canals, pumps, and pipes that pull excess water from the delta's rivers in times of abundance and store it for future use.

During periods of drought, farmers are able to take from those canals and reservoirs, instead of further depleting the aquifers or taking from the rivers and streams that feed the Mississippi, helping ensure a continued and reliable water supply, both for agriculture and municipalities.

In addition to the ag benefits, Bayou Meto and Grand Prairie will work to ease demands on the water table, help mitigate the flood damage done to homes and businesses, ensure a safe and steady food and water supply for American citizens, and provide a habitat for various amphibians and waterfowl across the South.

Most importantly, Bayou Meto and Grand Prairie will support jobs for a region of our country persistently above the national unemployment rate.

Without these two important projects, Mississippi Delta farmers will be forced to continue depleting aquifers, the same aquifers municipalities and businesses depend on, risking losing their livelihood.

Mr. Chairman, with that, I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. I rise in opposition, although I am hopeful that my colleague will withdraw the amendment.

First, let me assure the gentleman that I am sympathetic to the issues that he has highlighted in his statement.

Adequate water supply, whether it is for agricultural irrigation or municipal or industrial use, is a basic necessity for economic prosperity. In the committee's view, however, navigation and flood control are top priorities for the Corps of Engineers, and the bill before us prioritizes funding accordingly.

My colleague from Arkansas has proven to be a strong advocate for his constituents and for the projects that seek to further develop the agricultural irrigation infrastructure important to his constituents.

If the gentleman will agree to withdraw the amendment, I will agree to work with him, moving forward, to try to address these needs, if additional funding beyond that necessary for navigation and flood control becomes available.

Mr. CRAWFORD. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Arkansas.

Mr. CRAWFORD. I thank the chairman for his commitment.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, $2,905,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104–303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: *Provided*, That 1 percent of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities.

AMENDMENT OFFERED BY MS. HAHN

Ms. HAHN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 24, after the dollar amount, insert ''(increased by $57,600,000)''.

Page 20, line 11, after the dollar amount, insert ''(reduced by $73,309,100.00)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. HAHN. Mr. Chairman, I yield myself however much time I may consume.

I rise to offer the Hahn-Huizenga amendment to the Energy and Water Appropriations bill to utilize the harbor maintenance trust fund as the target set forth in the recently passed Water Resources Reform and Development Act.

As a representative of the Nation's busiest port complex and the cofounder, along with you, Mr. Chairman, of the Ports Caucus, I have fought hard, from my first day here in Congress, to increase the funding for our Nation's ports and to fully utilize the harbor maintenance trust fund to ensure that the money that we collect at

our ports goes back to our ports. Around here, they are starting to call me ''Miss Harbor Maintenance Tax.''

After working for months with my colleagues, we reached a plan to finally put the harbor maintenance trust fund to work and fully utilize this trust fund by 2025.

I appreciate the chairman and the ranking member and the hard work that you put on the bill before us today, but I have one little problem with it. The bill on the floor today fails to follow the law that we just passed 7 weeks ago in such a bipartisan fashion, and we are falling behind by over $57 million towards utilizing that harbor maintenance fund.

That is money that our ports have paid for and they need. I understand the difficult task the Appropriations Committee has in front of it, but for our ports to remain competitive, they need this funding.

Mr. Chairman, with that, I reserve the balance of my time.

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Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise to oppose the amendment, but let me assure my colleagues that I agree with her about the importance of sufficient maintenance of our Nation's water resources infrastructure, including our waterways. It seems like the amendments that Members are offering, I agree with them; however, there are challenges that they face.

I also agree that since the harbor maintenance tax is collected for a specific purpose and since the need for dredging is apparent, we should be using these funds for their intended purpose to the greatest extent possible rather than allowing a balance to accumulate in the trust fund. That is an issue we have been dealing with for the last several years, trying to figure out how we can do that without harming all of the other programs within the budget. Unfortunately, that is what they do. Until we change our budget rules or something, and I don't have the answer to it yet, but we have been trying to work with the Budget Committee and with the Appropriations Committee to try to make sure that those taxes collected for the harbor maintenance trust fund are used for what they are intended to do. And if the account is just growing, then we shouldn't be collecting the tax.

Ms. HAHN. That sounds like support for my amendment.

Mr. SIMPSON. I know that is what it sounds like. In fact, the bill continues to increase funding for harbor maintenance trust fund activities above the previous year and above the budget request, as the committee has repeatedly done over the past few years. The bill includes more than $1.1 billion for these activities, which equates to more than a 20 percent increase over the amount requested by the administration for fiscal year 2015. While I understand that there is almost always more work that can be done, we must balance several competing activities within the Energy and Water bill.

The amendment would reduce the nuclear energy account by $12.8 million, which would bring the account below the fiscal year 2014 level. The underlying bill provides a total of $899 million for nuclear energy programs, only $10 million above last year. That is what seems strange about this, doing what we all think is the right thing to do using the harbor maintenance trust fund to do harbor maintenance. By increasing that, we hurt nuclear energy, which I don't think is the intent of the gentlelady or the gentleman from Louisiana who want to do this.

In addition to protecting the Department of Energy's nuclear energy materials, this funding protects a range of national security programs at the NNSA, Department of Homeland Security, and other Federal agencies. Furthermore, I oppose the reduced funding for nuclear energy research and development, which is a critical part of this bill's support for a balanced energy portfolio. Nuclear power currently generates 20 percent of the Nation's electricity, and it will continue to play a large role in the future.

As I said, I am sympathetic to what the gentlelady is trying to do. In fact, I was cosponsor at one time of a bill by my friend from Louisiana that said you have to use the harbor maintenance trust fund and use it to dredge the harbors. If there is a need out there, we ought to be using that to do it.

We need to work together to try to solve this problem. And believe me, it would help us a lot in crafting this bill if somehow we could do that. Otherwise, we shouldn't be collecting the tax if we have a need and the account is growing. But it is because of our budget rules and so forth that it creates this problem. I understand what the gentlelady is doing. Unfortunately, her amendment would hurt the nuclear account and other accounts within the bill which has been the problem in the past.

I yield the balance of my time to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the chairman for yielding and for your sympathy toward the intent of the amendment. I commend Congresswoman HAHN and Congressman HUIZENGA for elevating the question of our ports. Waterborne shipping is the most-efficient mode for moving goods in and out of this country. I think they are performing for this Congress an extraordinary service by uniting on a bipartisan basis and kind of ringing the bell and saying, Hey, pay attention to what is happening here with this harbor maintenance tax and how we help our ports compete, as we see the Panama Canal come online and shipbuilding occurring in other countries like South Korea, for example, and China and Singapore and lots of other places, and saying, Hey, America, wake up.

I feel some urgency to want to support the direction of their efforts, but, as with the chairman, it comes to where the offset is. It is true that, with harbor maintenance tax funds, $185 million has been moved into the fund as a result of our efforts that the administration had not requested, so we as a subcommittee are moving in the right direction, but I am hoping that this might begin a conversation with our subcommittee and how we work with them on the harbor maintenance tax in a more effective manner. So I thank the chairman for yielding. They brought an important issue before us that we need to resolve more effectively.

Mr. SIMPSON. Mr. Chairman, I yield back the balance of my time.

Ms. HAHN. Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. I thank my colleague from California for working with me on this. I am glad to hear the elevation that this issue is getting. In fact, on Monday I met with Andrie Shipping out of Muskegon, Michigan, in my district about this issue, among other issues regarding Great Lakes shipping.

I can tell you, though, that it seems to me as we passed the WRRDA bill just a short 7 weeks ago, as you pointed out, I was willing to compromise on that glide path. What I don't see currently is that glide path to the direction. We are, as you point out, nearly $58 million below what was laid out in that WRRDA bill.

The chairman from Idaho has a very difficult job balancing all this, and he has pointed out that the nuclear energy program is the way that we are going to offset this. I will point out, though, that it is appropriated for $899 million this year, a level that is $36 million above the President's budget request, $10 million above the fiscal year 2014 enacted level, and $243 million above the level proposed by the House Appropriations Committee for fiscal year 2014. So it doesn't seem to me we are exactly raiding that when everybody has said that we are overfunding that portion of the bill, and it seems to me that this is a great way of impacting our economy to help create jobs and to help create the momentum to continue to move forward.

So with that, I just want to thank the committee for working towards a solution. I know that I, too, had signed on to Mr. BOUSTANY's bill earlier and have been a champion of this, and we are working towards a true solution on this.

I encourage my colleagues to support this amendment and this critical maritime activity.

Ms. HAHN. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GENE GREEN).

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Chairman, I stand to speak in favor of the Hahn amendment. I would like to commend the Appropriations Committee's efforts to increase the Army Corps of Engineers' budget.

In Texas, we have serious water and infrastructure needs. At the Port of Houston, which I represent, our need for operation and maintenance as well as construction money is significant. I greatly appreciate the committee's efforts to fund our needs by appropriating $31 million, but this amount does not reflect the amount that is needed. The Port of Houston is the second-largest port in the country by tonnage. The Port of Houston ranks number one in foreign tonnage. In 2012, we expanded operations to include cruise ships.

For maintenance dredging operations alone, the Port of Houston requires more than $70 million annually. The Port of Houston generates significant tax revenue both for the State and Federal Government. That is why I am a strong supporter of the Hahn amendment.

To meet the challenges and opportunities of the 21st century, the Port of Houston needs more than $31 million from the Harbor Maintenance Trust Fund.

The Water Resources Reform and Development Act (WRRDA) required that 67 percent of Harbor Maintenance Trust Fund fees be spent on related activities.

Unfortunately, this bill short changes the Port of Houston and many other ports around the country.

I support the Hahn amendment.

The funding shortfall significantly impacts the ability of the Port of Houston to receive larger ships and it is our job to help them meet those demands.

I ask that my colleagues support the Hahn amendment.

Ms. HAHN. Mr. Chairman, I yield 45 seconds to the gentleman from Michigan (Mr. BENISHEK).

(Mr. BENISHEK asked and was given permission to revise and extend his remarks.)

Mr. BENISHEK. Mr. Chairman, I rise today in support of the Hahn-Huizenga amendment which would increase funding for the United States Army Corps of Engineers operations and maintenance account by $57 million, a funding level that was established in the House-passed WRRDA bill. This funding is fully offset and is bipartisan in nature.

I am here today to support additional funding because my district—Michigan's First—urgently needs to address the backlog of projects on the book, from dredging to basic port maintenance to the Soo Locks, which are in desperate need of replacement. The backlog impacts jobs and our local economy in Northern Michigan.

I understand tough decisions must be made during these economic times, but Michiganders and all Americans depend on the Great Lakes for transportation of goods and services. I appreciate consideration of this amendment. I ask for a ''yes'' vote from my colleagues.

Mr. Chairman, I rise today in support of the Huizenga-Hahn Amendment, which would increase funding for the United States Army Corps of Engineers Operations and Maintenance account by $57.6 million, a funding level that was established in the House-passed WRRDA bill. This funding is fully offset, and is bipartisan in nature.

I am here today to support additional funding for the Army Corps O&M budget because my district—Michigan's First—is in urgent need of funding to address the backlog of projects on the books. From dredging to basic port maintenance, to the Soo Locks the needs in Northern Michigan are only getting worse. This backlog impacts jobs and our local economy. While $57 million will certainly not suffice to meet the backlog on the Great Lakes, nor even begin to address a number of the other already authorized projects around the country, this represents a small step forward.

What types of projects are we talking about? In my district, we have the Soo Locks. The Soo Locks represent the primary point of passage for goods in the Great Lakes. Products travel on ships from all around the world through the Soo Locks, which are in desperate need of replacement. This is truly a national security issue, and the estimated cost for replacement is approximately $580 million.

The inability to replace the Soo Locks leads has lead to light-loading and collisions at the entry point, which also increases annual maintenance costs. This is costly to taxpayers and the shipping industry, ultimately leading to higher costs for Northern Michiganders and all Americans who utilize goods that are transported through the Great Lakes.

The work done by the Army Corps impacts the economy and jobs not only in Northern Michigan, but around the world. Commodities transported on the Great Lakes Navigation System represent 10 percent of all U.S. waterborne domestic traffic. The 60 large and smaller federal commercial ports on the Great Lakes are linked in trade with each other, with Canadian ports, and with ports throughout the rest of the world.

Mr. Chairman, I understand that tough decisions must be made during these economic times. However, Michiganders and all Americans depend on the Great Lakes for the transportation of goods and services.

I thank you for your consideration, as this amendment would work to support projects not only in my district, but across the country.

Ms. HAHN. Mr. Chairman, I yield 10 seconds to the gentleman from Minnesota (Mr. NOLAN).

Mr. NOLAN. Mr. Chairman, I rise in support of the amendment. The Great Lakes are operating at 80 percent of capacity. It is costing us $3 billion in annual business, jobs, growth, and income. The Hahn-Huizenga amendment would restore these funds and move our country forward economically.

Ms. HAHN. Mr. Chairman, I urge an ''aye'' vote on this amendment. When our ports are strong, our country is strong.

I yield back the balance of my time.

Mr. PIERLUISI. Mr. Chair, I rise today in support of the bipartisan amendment offered by my colleague Ms. HAHN from California and Mr. HUIZENGA of Michigan, which would increase the appropriation provided in the underlying bill for Army Corps operations and maintenance dredging of harbors by $57.6 million. This amendment would fulfill the obligations made in the recently-enacted Water Resources Reform and Development Act of 2014 (P.L. 113–121), an important one of them being the increase in expenditure of the Harbor Maintenance Trust Fund as a way to adequately address maintenance needs at our nation's ports and harbors.

Specifically, I support adoption of this amendment because it would position the Army Corps to be more responsive to the maintenance needs at Puerto Rico's six federally-authorized harbors, which are located in Arecibo, Fajardo, Mayagüez, Ponce, San Juan and Yabucoa. Through these harbors, Puerto Rico engages in domestic trade with U.S. states and territories and international trade with foreign countries. In 2012, the San Juan and Ponce harbors alone accounted for over 13 million tons in trade of commodities, making them some of the busiest ports in the United States. Access to the Harbor Maintenance Trust Fund to maintain these harbors at their federally-authorized depth levels is crucial to the expanding $103 billion trade industry in Puerto Rico. Maintenance and development of the harbors is essential to Puerto Rico's waterborne economy and its ultimate its viability as a commercial maritime waypoint hub between North and South America.

Additionally, I take this opportunity to note that the underlying bill includes an appropriation of $800,000 specifically for maintenance dredging of the harbor in San Juan—which ranked as the 52nd busiest port in the nation in 2012 in terms of tonnage of total cargo handled. I also appreciate the Committee's expressed concern in its report accompanying the bill about the accessibility of navigation maintenance funds for small, remote and subsistence harbors and waterways across the United States. I believe the Army Corps should review its criteria for allocating harbor maintenance funds in order to develop a more reasonable and equitable allocation for small, remote or subsistence harbors. The current criteria results in those ports with the heaviest cargo traffic being allocated funding from the Harbor Maintenance Trust Fund. The criteria presents a paradoxical situation in that harbors that are not maintained to their federally-authorized depth become less available and less attractive over time to the berthing of maritime vessels. As a consequence, the diminishing number of port calls reduces cargo volume, which in turn makes the harbor less likely to receive maintenance funding. If the overall Harbor Maintenance Trust Fund allocation criteria are not realigned to better account for maintenance needs at smaller harbors, designing a separate budgeting mechanism or criteria to address these needs would be warranted.

In Puerto Rico, for example, although the San Juan Harbor has been given regular maintenance attention in recent years and the harbor in Arecibo recently received maintenance dredging as a result of sediment build-up associated with a hurricane, the island's four other federally-authorized harbors have received minimal to no HMTF funds for much-needed maintenance dredging. Potential improvements to these harbors would be beneficial to the economic revitalization of some of Puerto Rico's 44 coastal municipalities. For

these reasons, I support the renewed call for the Army Corps to update Congress on its review of criteria used for determining which navigation projects at harbors across the United States are funded.

In closing, I urge adoption of this amendment. It is through increased expenditure in 2015 by the Army Corps of Engineers of funds available through the Harbor Maintenance Trust Fund that the domestic economy will be strengthened, and that our constituents who rely upon the free, timely and safe flow of goods at our nation's ports will be supported. This amendment gives us an opportunity to better ensure operations at the nation's federally-authorized harbors—including the harbors in Puerto Rico—can reach their full capacity.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. HAHN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SIMPSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT OFFERED BY MR. CASSIDY

Mr. CASSIDY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 24, after the dollar amount, insert ''(increased by $1,000,000)''.

Page 26, line 24, after the dollar amount, insert ''(reduced by $1,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Louisiana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. CASSIDY. Mr. Chairman, unfortunately, the President's 2015 budget request cuts O&M funding by 28 percent, reflecting an overall $1 billion cut in the Corps of Engineers' civil works budget from the levels set in the fiscal year 2014 omnibus budget bill.

While I appreciate the House Appropriations' mark of $44 million above the fiscal year 2014 level, more must be done to help ensure our waterways are properly maintained.

This is especially true with the Water Resources conference report, which allows for 100 percent of the funds generated by the cargo tax to be utilized for harbor maintenance and dredging by the year 2025. We need to help bridge this gap now, as nearly 1,000 Federal ports and harbors have not been adequately maintained, and are dredged to their authorized depths and widths only 35 percent of the time.

The amendment myself and my colleague from Louisiana are coauthoring directs $1 million from the Department of Energy's administrative offices and directs $1 million to the U.S. Army Corps of Engineers' operation and maintenance accounts.

The purpose of the funding redirection is to make strategic and justified investments in our Nation's port and waterway infrastructure, such as the Calcasieu Ship Channel. For example, Port of Lake Charles officials announced yesterday that vessel traffic is expected to increase by more than 50 percent over the next 5 years and double within the decade. With more than $67 billion worth of capital investments in southwest Louisiana, the increased channel use is attributed to expanded operations of existing terminals and the construction of several proposed facilities.

Mr. Chairman, we need to work to provide the resources to maintain and dredge these vital navigation and shipping channels.

□ 1515

Mr. Chair, I yield to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Chair, first of all, I want to compliment Chairman SIMPSON on all the work he has done on this bill, but also the work he has done with me to plus up the harbor maintenance account and the funds available for dredging. It is critically important.

I am very proud to stand with my colleague from Louisiana in support of this very important amendment. As my colleague expressed, the President's fiscal year '15 budget creates even more of a shortfall.

We have got a significant backlog in harbor maintenance. This is going to hurt American competitiveness. In fact, roughly $3 billion worth of coastal navigation operations and maintenance work could be done if the funds that are collected for this were actually made available to be used for it.

Louisiana is a leading State in trade, international trade, with three of our top ten ports that conduct trade in goods and energy.

More U.S. merchandise travels by ocean-going vessels than by airplanes, trucks, freight trains, and pipelines combined. That is why these funds are critical for American competitiveness, and that is why they are really important in facilitating U.S. foreign trade.

Our waterways are vital economic pathways for our Nation's commerce and the ability to move American goods to these foreign markets. Hundreds of thousands of jobs depend on this—jobs in Louisiana and across the United States. This infrastructure is vital.

Our amendment would take a modest step. It would redirect $1 million from the Department of Energy's administrative offices to the U.S. Army Corps of Engineers operations and maintenance account. I believe this was a simple, strategic, and commonsense approach to help prioritize necessary maintenance and move us in the right direction.

The Federal Government has the principal responsibility for maintenance of these harbors and shipping channels. Let's make sure that the Corps has the tools to do the job with the money that is collected for that job. The President failed to do that in his budget request. We can make that change now.

I urge my colleagues to support the amendment.

Mr. CASSIDY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. CASSIDY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LANKFORD

Mr. LANKFORD. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 25, after ''expended,'' insert ''of which such sums as are necessary to carry out the study authorized in section 6002 of the Water Resources Reform and Development Act of 2014;''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Oklahoma and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. LANKFORD. Mr. Chair, earlier this year, there was a bill that authorized the Corps' projects that was passed in the House and the Senate and signed into law. It also included into that a study that would allow the Corps of Engineers to be able to evaluate their projects.

As simple as this may be, the Corps of Engineers has a tremendous number of things on their inventory that they are doing operation and maintenance for. The study required them to be able to go through all the different projects that they have nationwide and just do a simple evaluation of which projects met the simple focus of the Corps of Engineers and which projects might not meet the central focus. It allowed them to be able to make a simple determination of what, if you will excuse the pun, are the core projects of the Corps.

There are projects that are all over the country. There may be boat ramps, picnic pavilions, or in Oklahoma we have a place called Lake Optima that was a lake built in the 1970s that has never had more than 5 percent water in it. It was a project that did not work effectively as it was originally planned but the Corps still has to maintain because it is on their inventory.

This study would allow them to be able to look at all of their inventory and develop what is the core focus of that. This amendment just ensures that the Corps would have the money necessary to be able to fulfill that study.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. LANKFORD).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $200,000,000, to remain available until September 30, 2016.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, $100,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, $28,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, $178,000,000, to remain available until September 30, 2016, of which not to exceed $5,000 may be used for official reception and representation purposes and only during the current fiscal year: *Provided*, That no part of any other appropriation provided in this title shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: *Provided further*, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 3, after the dollar amount, insert ''(reduced by $4,000,000)''.

Page 59, line 20, after the dollar amount, insert ''(increased by $4,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer a simple amendment to save precious taxpayer resources and to reduce the amount of money spent on paying inefficient bureaucrats with a history of mismanagement and disorganization.

Specifically, my amendment reduces net outlays for the administration of the Army Corps of Engineers by $1 million from the fiscal year 2014 level, which reduces the budget authority in this bill for the Corps' administration by 2.25 percent. The Corps of Engineers received an overall increase of $25 million in the bill above the fiscal year 2014 level.

While I can support more funds going to worthwhile projects, I take issue when the Corps continually receives the budget request level for administrative officials who fail to curb their bad behavior and competently perform their jobs.

I would like to read a quick excerpt from the committee report for this bill that highlights some of the continued mismanagement from within the Corps of Engineers:

The Corps of Engineers has suffered several significant failings in recent years that have resulted in cost increases for projects, such as the massive cost escalation associated with the Olmsted Locks and Dam project.

In some cases, the administration has not requested authorization increases in time for the Congress to act before projects experience delays.

The committee enacted new requirements in fiscal year 2014 intended to address these problems, but to date—5 months after enactment—the Corps has not complied with the committee's directions.

In addition, the committee notes that the Corps still has not submitted a complete work plan for fiscal year 2014 nor complied with several other oversight initiatives necessary to safeguard taxpayer dollars.

Another blatant example of the administrative ineptitude within the Corps is the agency has now been working on one chief's report for a particular project in Arizona for 5-plus years now. Throughout the country, this is the norm and not the exception to the rule. This failure to perform even the most simple of tasks drives up the costs of projects and leads to projects not being completed in a timely manner.

Due to frustrations with these delays, Congress was forced to enact a provision that recently passed WRRDA that requires Chiefs' reports to be completed within 3 years.

Let me provide another example of mismanagement by the Corps in Arizona.

An important flood control project was initially estimated by the Corps to cost roughly $24 million. Now, several years past the deadline for completing this project, the total cost estimate for the project exceeds more than $100 million. I realize projects have issues sometimes, but this is a clear example of failed leadership within the agency. Unfortunately, mismanagement has become prevalent in the Corps for quite some time now. Several years ago, former Senate Majority Leader Tom Daschle, a Democrat from South Dakota, said the Corps is ''one of the most incompetent and inept organizations in all the Federal Government.''

One final example of significant malfunction within the Corps' administration was cited by the Government Accountability Office. The GAO had nothing but negative things to say about a Corps study justifying a $332 million project in the Delaware River. GAO found that the study ''was based on miscalculations, invalid assumptions, and outdated information.'' GAO found that projected benefits for this project were nearly 75 percent fraudulent.

With an almost $18 trillion debt that continues to grow, it is irresponsible to throw more money at a department that cannot manage its own affairs. My amendment does not reduce funding for important projects. Again, my amendment simply reduces net outlays for incompetent Corps of Engineers bureaucrats from the fiscal year 2014 level.

I ask my colleagues to support this amendment.

I thank the chairman and ranking member for their continued work on the committee.

With that, I yield back the balance of my time.

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes

Ms. KAPTUR. Mr. Chairman and Members, I rise to oppose the amendment because it doesn't make any sense to me to make it harder for the Corps to do its job when we know they have backlogs in projects of over $60 billion. We are increasing funding for the Corps to try to meet the needs of States like Arizona—and the other 49 States as well—and there seems to be no shortage of complaints about the Corps' response time on project issues because they can't get their work done because they don't have enough money to complete their projects.

This gentleman may be unaware that oversight funding has already been cut by $4 million from the current year. We are giving the Corps more project money to try to deal with their backlog; but then if we don't have proper oversight, we are going to dig the hole deeper. We need to have the resources in order to complete the projects.

The amendment, in a way, is pennywise and pound-foolish because it reduces Federal oversight of more than $5 billion. The problem with the Corps historically has been that every Member has projects that they want completed, but we don't have the money to do it. If you are going to cut the legs out of staff that are there to do the job, it is going to make it much more difficult to manage the money. It is like trying to send an army into battle and not giving them the weapons to do it or creating all these barriers to completion.

We need to turn around and allow the Corps to resolve the projects that are on the books—there are no new starts in this bill—and give them the staff to do the job and to get it done and to get it done well and within budget, not stretch it out. The reason these projects are stretched out over the years: they simply don't have the money. To put the infrastructure in the ground, whether it is Arizona, Ohio, or California, they are just shortchanged at every end. We make it really difficult for them.

I think the gentleman is well-intended. He wants to get the work done. I want to get the work done. I don't think that the amendment actually leads us to that end. Respectfully, we

would oppose the amendment and ask our colleagues to join us.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SIMPSON. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), $2,000,000, to remain available until September 30, 2016.

AMENDMENT OFFERED BY MR. BILIRAKIS

Mr. BILIRAKIS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 21, after the dollar amount, insert ''(reduced to $0)''.

Page 59, line 20, after the dollar amount, insert ''(increased by $2,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. BILIRAKIS. Mr. Chair, I rise today to ask my colleagues to support increased accountability of the Army Corps of Engineers.

I thank, of course, Chairman ROGERS and Chairman SIMPSON for their work on this appropriations bill and leadership to ensure scarce taxpayer dollars are well spent.

My amendment seeks to strike all funding for the Office of the Assistant Secretary of the Army for Civil Works.

Under current law, fringe groups are allowed to, for the cost of a postage stamp, Mr. Chair, file lawsuits against any infrastructure project needing a clean water permit that they spot in the Federal Register. This is outrageous. These lawsuits and the fear of them have stopped a number of worthy projects that were necessary for local governments to protect their constituents.

The Corps' failure to defend the public safety is because of a serious lack of leadership by the Corps, in my opinion. One such project in Pasco County, Florida, my Congressional District, is the Ridge Road extension, a much-needed route for hurricane evacuation.

□ 1530

For over two decades, this project has been in the permitting process because of the bureaucratic paper shuffling and duplicative environmental studies. During this time of scarce taxpayer dollars and economic uncertainty, we have pending infrastructure projects that can create jobs and protect the public, but the Corps often drags out the application process to push the applicant to drop their application out of fear that the agency will have to engage in litigation. These lawsuits are solely to kill worthy public safety projects, in my opinion, and not based on the merits of the projects.

I note this bill's committee report, which says that, ''the committee is concerned that the administration has not been taking congressional direction seriously,'' in regards to these permit projects.

There is clearly a serious leadership problem at this agency. This is an opportunity for the administration to act and ensure the public is protected.

The committee report also includes encouragement from the committee ''to keep in mind the public safety aspects of the project when considering permit applications and to pursue ways to shorten review times, including by performing reviews currently and eliminating duplicative reviews to the maximum extent practicable.''

I call the Corps to work with the communities across the country and approve these needed public safety projects to prevent needless loss of life. With reassurances from Chairman SIMPSON that the committee will continue to encourage the Corps to prioritize public safety projects, I would consider withdrawing the amendment at this time.

Mr. SIMPSON. Will the gentleman yield?

Mr. BILIRAKIS. I yield to the gentleman from Idaho.

Mr. SIMPSON. I would assure the gentleman that we share his concerns, and in fact, if you look at the underlying bill, we have reduced funding for the ASA's office by 60 percent, or $3 million, because of the same concerns we have that you are expressing and that Mr. GOSAR expressed before you. It is a concern that all of us have. We will work with you to make sure that we address this.

Mr. BILIRAKIS. Reclaiming my time, thanks for giving me those assurances. This is very important for public safety purposes. Our constituents need evacuation routes in case there is a hurricane or any kind of disaster.

Mr. Chairman, I ask unanimous consent that my amendment be withdrawn.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIR. The Clerk will read.

The Clerk read as follows:

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act;

(4) reduces funds that are directed to be used for a specific program, project, or activity by this Act;

(5) increases funds for any program, project, or activity by more than $2,000,000 or 10 percent, whichever is less; or

(6) reduces funds for any program, project, or activity by more than $2,000,000 or 10 percent, whichever is less.

(b) Subsection (a)(1) shall not apply to any project or activity authorized under section 205 of the Flood Control Act of 1948, section 14 of the Flood Control Act of 1946, section 208 of the Flood Control Act of 1954, section 107 of the River and Harbor Act of 1960, section 103 of the River and Harbor Act of 1962, section 111 of the River and Harbor Act of 1968, section 1135 of the Water Resources Development Act of 1986, section 206 of the Water Resources Development Act of 1996, or section 204 of the Water Resources Development Act of 1992.

(c) The Corps of Engineers shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 102. None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 103. None of the funds in this Act, or previous Acts, making funds available for Energy and Water Development, shall be used to award any continuing contract that commits additional funding from the Inland Waterways Trust Fund unless or until such time that a long-term mechanism to enhance revenues in this Fund sufficient to meet the cost-sharing authorized in the Water Resources Development Act of 1986 (Public Law 99–662) is enacted.

SEC. 104. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to $4,700,000 of funds provided in this title under the heading ''Operation and Maintenance'' to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 105. None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers to develop, adopt, implement, administer, or enforce any change to the regulations in effect on October 1, 2012, pertaining to the definitions of the terms ''fill material'' or ''discharge of fill material'' for the purposes of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 106. None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers to develop, adopt, implement, administer, or enforce any change to the regulations and guidance in effect on October 1, 2012, pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), including the provisions of the rules dated November 13, 1986, and August 25, 1993, relating to such jurisdiction, and the guidance documents dated January 15, 2003, and December 2, 2008, relating to such jurisdiction.

SEC. 107. As of the date of enactment of this Act and each fiscal year thereafter, the Secretary of the Army shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, at a water resources development project covered under section 327.0 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act), if—

(1) the individual is not otherwise prohibited by law from possessing the firearm; and

(2) the possession of the firearm is in compliance with the law of the State in which the water resources development project is located.

TITLE II—DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $9,874,000, to remain available until expended, of which $1,000,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: *Provided*, That of the amount provided under this heading, $1,300,000 shall be available until September 30, 2016, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior: *Provided further*, That for fiscal year 2015, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed $1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, $856,351,000, to remain available until expended, of which $25,000 shall be available for transfer to the Upper Colorado River Basin Fund and $6,840,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

AMENDMENT OFFERED BY MR. RUIZ

Mr. RUIZ. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 25, after the dollar amount, insert ''(reduced by $1,000,000) (increased by $1,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. RUIZ. Mr. Chairman, before I begin, I would like to thank Chairman SIMPSON and Ranking Member KAPTUR for their hard work and collaboration on this bipartisan and important bill.

I rise today to offer an amendment to H.R. 4923, the Energy and Water Appropriations Act, to provide additional, critical resources for Bureau of Reclamation environmental restoration projects that address or improve public health conditions.

The Bureau of Reclamation is responsible for managing, developing, and restoring our Nation's waters to support the interests of the American public. Mr. Chairman, I can think of fewer efforts more in the public interest than protecting the public's health.

Across the West, the Bureau helps water districts develop recycled water technology to provide safe irrigation water for crops, provides engineering assistance for restoration efforts, and monitors water quality so that communities can take preventative action to protect the environment and public health.

There are many examples in our Nation, and I will give just a couple.

In southern California, in the Coachella Valley, the Bureau of Reclamation plays a large role in protecting public health by monitoring and helping restore the water equality of the Salton Sea. For several decades now, deteriorating water quality and reduced water inflows have made the Salton Sea a threat to southern California residents, and eventually the sea could threaten public health in cities all across southern California.

As the sea dries and the water level recedes, exposed lake bed will release windblown contaminants containing selenium, arsenic, and pesticides. Exposure to these contaminants has been shown to increase the number and severity of asthma attacks; decrease the growth and development of lung function in school-age children; and increase the risk of cardiac disease, heart attacks, and mortality in adults.

Already, exposed lake bed on the southern portion of the sea has had an impact on local air quality, with rates of pediatric asthma-related hospitalizations in the region far above the national average. As an emergency medicine physician, I have seen firsthand the effects of poor air and water quality.

The public health danger to families and children from the Salton Sea is very real, and to help address the exposed lake bed in the southern portion of the sea, a partnership has put together the Red Hill Bay project to cover over 700 acres of exposed lake bed with clean water. These shallow pools will cover the dangerous contaminants in the lake bed, preventing them from becoming airborne and threatening the surrounding communities.

The Bureau of Reclamation supports projects like Red Hill Bay all across the Western United States, working with local stakeholders who recognize the value of ensuring our waters are well managed.

For example, in my neighboring district, California's 42nd District, the Bureau of Reclamation assisted in helping to mitigate public health concerns and water quality issues at Lake Elsinore. Lake Elsinore, like the Salton Sea, has faced chronic challenges related to water level and water quality. Algae blooms from the lake caused public health concerns, and even took the life of a child.

A collaboration between local governments, local water districts, and the Bureau of Reclamation came together to establish a supply of recycled water to maintain water levels and installed aerators to reduce algae blooms and prevent fish die-offs by keeping oxygen levels high.

Lake Elsinore now supports many local businesses, has a flourishing tourism industry, and is safer for residents to enjoy all the benefits the lake has to offer, including swimming and water sports.

My amendment would provide additional resources towards many Bureau water projects throughout the Nation that will protect the public's health. The health of the American people must be put above politics, and I urge my colleagues to come together to support my amendment.

I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I rise to support the gentleman's amendment and to say that he has worked so hard in the interest of maintaining both public health and restoration of the environment related to the Salton Sea. Unless you have actually seen the Salton Sea and the changing nature of the ecosytem in southern California, you can't imagine how enormous that challenge is. From the very first day he was elected, Mr. RUIZ was talking to us about the needs of that particular part of our country.

I know that polluted agricultural runoff had something to do with what has happened to the Salton Sea. The changing nature of rainfall has transformed it.

I think about the Sea of Azov in Russia and how dangerous that has become to the surrounding environment. We face the same challenge here in our country.

I know it is difficult to resolve this issue, and it will take many years, because it didn't just take one year for

the sea to become a wasteland, really, and the surrounding communities so affected.

I just want to thank the gentleman for his leadership and for keeping us and your part of America on the right course. You are very talented and very caring. I just wanted to stand in support of your efforts.

I yield back the balance of my time.

Mr. RUIZ. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. RUIZ).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARDNER

Mr. GARDNER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 25, after the dollar amount, insert ''(reduced by $3,000,000) (increased by $3,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. GARDNER. Mr. Chairman, I rise today in support of the amendment which allocates $3 million for water conservation and delivery.

The funding for this amendment is taken directly from the underlying bill's $56 million appropriation to the Bureau of Reclamation for water projects. The amendment directs $3 million of this sum specifically for water conservation and delivery projects.

The Bureau of Reclamation water conservation delivery fund provides critical assistance to Western areas of the country. In the arid West, water is our life. These projects improve water supply quality, address water shortage issues, improve conservation measures, and stabilize water supplies. These are projects like the Arkansas Valley Conduit, with over 100 miles of pipelines serving dozen of communities with clean, abundant, and affordable water.

In the Western United States, water is an economic driver. In order to attract more economic growth, either in business or agriculture, every industry in the West is dependent upon an ample and safe water supply.

This amendment will allow the Bureau of Reclamation more flexibility to continue with these types of projects while simultaneously improving public health and improving the environment. Also, these projects are critically important during drought years so that water is appropriately allocated for both municipal and agriculture uses.

The water conservation and delivery line in the Bureau's budget has been previously used for the California Central Valley Project, Washington State's Yakima River Basin Water Enhancement Project, the Arkansas Valley Conduit in Colorado, and the Lewiston Orchard Project in the chairman's home State of Idaho.

I urge support of the amendment, and I yield such time as he may consume to the gentleman from Colorado (Mr. TIPTON), the coauthor of this amendment, and I thank him for leadership on issues relating to water in the State of Colorado.

Mr. TIPTON. Mr. Chairman, I thank my colleague (Mr. GARDNER) for yielding to me and for his partnership in this critical matter.

As you know, water is the lifeblood of the Western United States and absolutely critical to the health of our communities and our local economies. In order to meet federally mandated water quality standards across the West, the Bureau of Reclamation water conservation and delivery fund is essential.

In Colorado, as is the case throughout the West, we have similar needs to be able to move forward with engineering design work on the authorized features of existing Reclamation projects. This amendment will provide the Bureau of Reclamation the flexibility it needs to be able to allocate funds to advance and complete ongoing work that will provide efficient delivery of water from an existing multipurpose Reclamation project as authorized by Congress in 1962.

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Among the eligible projects within the water conservation and delivery fund is, in my district, the Arkansas Valley Conduit. It is the final component of the Fryingpan-Arkansas Project, which is a water diversion and storage project in the lower Arkansas Valley.

Once constructed, the conduit will deliver clean drinking water to families, producers, and municipalities throughout southeastern Colorado.

By directing $3 million of this sum specifically for water conservation and delivery projects, the Bureau of Reclamation can proceed with ongoing work on water supply delivery projects at a more efficient pace to be able to reach our shared goals in meeting increased water demands by developing and maximizing clean water supplies.

It is our hope that Reclamation prioritizes these projects and resolves the water shortages that exist in the West while enhancing our regional development and promoting our job growth.

Mr. GARDNER. Again, I would like to thank the chairman of the subcommittee for his leadership. He is another Western lawmaker who has done tremendous good for our Western States when it comes to water conservation delivery efforts.

Mr. Chairman, I would urge the support of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. GARDNER).

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. NOEM

Mrs. NOEM. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 25, after the dollar amount, insert ''(increased by $10,000,000)''.

Page 19, line 12, after the dollar amount, insert ''(reduced by $7,000,000)''.

Page 26, line 24, after the dollar amount, insert ''(reduced by $6,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentlewoman from South Dakota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from South Dakota.

Mrs. NOEM. I thank the chairman and the ranking member and all of the committee staff for their hard work on this bill.

Mr. Chairman, one of the most important things during the appropriations process is making tough decisions and identifying priorities that need funding. One area that is specifically important is providing water throughout the country, including in rural areas.

In my State and across the West, there are critical water infrastructure projects that are waiting to be funded. They were promised to be funded by the Federal Government years ago, and construction is underway on many of these projects.

Many communities have put in more than their fair share of funding. The States have done so as well. The only entity that has failed to follow through on that commitment is the Federal Government.

Water is one of our most basic needs, and we need to ensure that we have safe and affordable drinking water across this country.

For rural areas, it is also a jobs issue. Without the completion of rural water projects, businesses aren't able to create much-needed jobs, and local economies suffer. Unfortunately, year after year, the funding for these projects continues to decline under the President's budget requests.

We have the opportunity here today to make some meaningful progress on these projects and ensure that the Federal Government follows through on its previous commitments. Even with my amendment, the funding for rural water projects is still below what it was for fiscal year 2014.

My bill increases the funding for rural water projects, and it does not increase net budget outlays. We need to support critical infrastructure and essential access to water, and I urge my colleagues to support the amendment.

Mr. Chairman, I yield as much time as he may consume to the gentleman from Montana (Mr. DAINES).

Mr. DAINES. I want to thank the gentlewoman for her leadership on this amendment, as well as the chairman for allowing us to have this debate.

Mr. Chairman, I rise in support of this amendment. In the appropriations process, we must prioritize funding for necessary projects and balance those with spending reductions to reduce the national debt.

In Montana, we depend on a steady supply of water to irrigate our crops, to water our livestock, and to provide energy through hydropower—a renewable resource.

The struggle for clean water continues to create health challenges for Indian Country and nearby communities, in addition to making economic development more difficult.

Without this critical funding for Rocky Boy's-North Central Mountain Rural Water System and the Fort Peck Reservation-Dry Prairie Rural Water System, thousands of Montanans in rural communities could go without quality water accessibility.

The President's budget requests for these critical projects continue to decline each year, while prioritizing other accounts that are not related to the basic needs of our rural communities.

Mr. Chairman, every year that we wait to delay the funding of these essential projects, the more expensive construction, operation, and maintenance become.

For instance, the Fort Peck project's reduced funding levels have doubled the authorization period, and inflation has nearly doubled the overall cost of construction, but the projected savings is still $11 million.

However, overhead will consume the projected savings on the project to date and will encroach upon the authorized construction ceiling.

The CBO has just scored this amendment. This decreases the net budget outlays. Passing this amendment is the responsible stewardship of tax dollars and is important to rural communities.

It is also a nonpartisan issue. Funding these projects is supported by the entire Montana delegation—both Republicans and Democrats—and last year, a similar amendment passed by voice vote. I urge the support of this amendment.

Ms. KAPTUR. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I rise to oppose the gentlelady's amendment, and I do so for several reasons.

First of all, the renewable energy accounts, where the funds are taken from, have already been reduced by $113 million from the prior fiscal year.

Frankly, those accounts are part of our future—of our future energy security for the country and, as I said in my opening statement, of the preservation of our liberty.

With over 40 percent of our energy resources being imported, there is no higher priority than for us to diversify our energy portfolio and to reclaim our own economic and energy security. Further reduction in those accounts will have a detrimental impact not just in Montana, but across this country.

In addition, the amendment, as I understand it, reduces Departmental administration by $6 million. Given my colleague's frustration with the Department's pace on many activities, including on the approval of our LNG export efforts, this seems to be a case of, really, making it much more difficult for the Department to do its job.

Let me put on the record again that, just since 2003, in the last decade, our country has spent $2.3 trillion on importing foreign petroleum. This is a vast shift of wealth, and thousands upon thousands—literally millions of jobs—are evaporating from our country.

Bloomberg New Energy Finance reports for 2030 that the market outlook estimates that renewables will command over 60 percent of the $7.7 trillion of power investment that is going to be made someplace.

When we think about our country's future, we must be vigilant, and we must be smart. We must be engaged in those markets because, if we aren't, we see what China is doing and we see what Russia is doing.

We have to pay attention. We can't rob Peter to try to pay Paul. Any water project, whether it is in Montana or whether it is in Ohio, is largely a public project, and you have to make money in the market to pay for it.

Reasserting ourselves and becoming leaders in energy, rather than importers of energy, is where America needs to head. I think this takes us in the wrong direction.

We should be leading investment in these technologies, not further eroding their capacity for our country, because other countries will displace us, and they are doing so.

Now, in terms of rural water projects in the Bureau of Reclamation, those water projects already will receive $21 million above the administration's request, so it is not like our subcommittee isn't doing its job.

Frankly, our part of America gets much less attention than the West does, in terms of rural water investment. We have a 50–50 match in our part of the country.

We don't have anything like the Bureau of Reclamation, and we have to compete in the Midwest for those precious dollars. We don't have enough, but we manage to move along as best we can.

I think that we have done what we can in our bill for rural water, and I really would take objection to the gentlelady's efforts to try to further cripple those renewable energy accounts that are going to help to create America's new future and to lead us toward energy independence and toward a reassumption of our liberties. I would hope that she would find another way to achieve her objectives.

I think I must also offer the comment that, as we look toward the West and its water needs, because of what is happening in the environment, we may be at a point in America's history at which we have to put our dollars where it makes the most sense, and if development is occurring in areas that are already water short or that are becoming desert—where the desert is growing and where literally nature can't provide what it did, maybe, 100 years ago—I think we have to manage the public dollars more wisely.

I oppose the gentlelady's amendment. I hope that we can find a different way to meet her genuine concerns.

I yield back the balance of my time.

Mrs. NOEM. Mr. Chairman, a couple of facts to follow up on the gentlelady's comments.

What we are trying to do is to get clean drinking water to individuals, to people, where the Federal Government has failed to follow through on commitments that it has made previously.

The reason that we have already plussed up some of these dollars is that the President's budget requests have been so low over the last few years, so we have had to do that in order to try to meet the need. Water projects still, even if my amendment is adopted, will receive less than they did in 2014.

I certainly understand your concerns, as I am a supporter of an all-of-the-above American energy supply as well, but we have people waiting for clean drinking water. That should be a priority, and this amendment should be adopted.

Last year, it was voice adopted because everybody recognized the importance of making sure that people in this country could get clean drinking water. They at least should have that basic privilege.

With that, Mr. Chairman, I ask for everyone's support on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from South Dakota (Mrs. NOEM).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $56,995,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575: *Provided further*, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, $37,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of

other participating Federal agencies to carry out authorized purposes: *Provided*, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: *Provided further*, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until September 30, 2016, $53,849,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

Of the unobligated balances available under this heading, $500,000 is hereby permanently rescinded.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed five passenger motor vehicles, which are for replacement only.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(5) transfers funds in excess of the following limits:

(A) 15 percent for any program, project or activity for which $2,000,000 or more is available at the beginning of the fiscal year; or

(B) $300,000 for any program, project or activity for which less than $2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than $500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category; or

(7) transfers, when necessary to discharge legal obligations of the Bureau of Reclamation, more than $5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term ''transfer'' means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the ''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

TITLE III—DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,789,000,000, to remain available until expended: *Provided*, That of such amount, $150,000,000 shall be available until September 30, 2016, for program direction.

AMENDMENT OFFERED BY MS. CASTOR OF FLORIDA

Ms. CASTOR of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 12, after the dollar amount, insert ''(increased by $112,686,000)''.

Page 21, line 2, after the dollar amount, insert ''(reduced by $165,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentlewoman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. CASTOR of Florida. Mr. Chairman, I rise today to offer an amendment to boost the energy efficiency initiatives across America that have a proven return on investment for taxpayers.

This amendment is paid for by reducing—but not by eliminating—accounts that do not have the same return on investment for taxpayers.

The appropriation in the bill for energy efficiency and renewable energy is $112 million below the 2014 appropriated level, and it is $528 million below the budget request.

Now, I wish we could meet the budget request this year, but, colleagues, we should at least restore the money back to last year's levels, which is still a very modest investment in energy efficiency and renewable energy for America.

The funds tied to energy efficiency and renewable energy fuel jobs across America in advanced manufacturing and clean energy.

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These investments in energy efficiency help make our businesses more competitive compared to businesses all across the globe. In addition, energy efficiency reduces the cost for consumers—wouldn't that be revolutionary, to put some money back into the pockets of our neighbors in this day and age—and has the added benefit of providing cleaner air.

Back home in Florida, I have noticed so many local governments investing in better lighting and energy efficiency. So this even has the potential to lower property taxes for our neighbors back home.

Mr. Chairman, we are on the cusp of a technological revolution when it comes to energy and energy efficiency. Look at what is happening all across America. We have a very diverse portfolio. But this budget today is skewed a little bit. It chops energy efficiency and renewable energy that has sufficient great potential to create jobs and it is a little too heavy on some of the fossil fuel areas.

I will suggest an area that my Republican colleagues on the Energy and Commerce Committee criticized during a committee meeting not too long ago, and that was the carbon capture and sequestration. Compare the return on investment right now provided in this bill for the multimillion-dollar amount we are putting into carbon capture that is not proven compared to what we could achieve on the return on investment on energy efficiency for our neighbors, for our businesses, and for jobs. So, therefore, this amendment will shift a little bit, not all, from those technologies and put it into a place where it works—energy efficiency.

I appreciate Ranking Member KAPTUR's vision. She understands that this is our future, this is a job creator. I appreciate her work and Chairman SIMPSON's work on the appropriations bill.

I ask for an ''aye'' vote on the Castor amendment, and I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, while I share my colleague's support for energy efficiency programs, the bill funds EERE, the Energy Efficiency portfolio, at $26 million above last year's level,

with targeted increases for weatherization assistance and advanced manufacturing.

What we did in this bill, actually, was refocus some of the administration's requested increases in the renewable energy arena to where we actually use energy. Coal, oil, and natural gas provide 82 percent of the electricity in this country, of the energy used in this Nation's homes and businesses, 82 percent. Reducing the fossil energy research—they are studying things like how heat can more efficiently be converted into electricity in a cross-cutting effort with the nuclear and solar energy programs, how water can be more efficiently used in power plants, and how coal can be used to produce electrical power.

The amendment would also reduce funding for a program that ensures we use our Nation's fossil fuel resources as well and as cleanly as possible. In fact, if we increased the efficiency of our fossil fuel plants by just 1 percent, we could power an additional 2 million households without using a single additional pound of fuel from the ground.

That is the research we are doing in the fossil energy area. That is where we would take the money out of, the area where most of our electricity is produced from, and shift it to an area, while important, doesn't produce nearly as much energy as the other areas in this bill.

So, while I understand what the gentlelady is trying to do, we have actually increased the energy efficiency budget, as I said, by $26 million above last year, and we will continue to work on that.

I would oppose this amendment and ask my colleagues to vote against it.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. MARCHANT). The question is on the amendment offered by the gentlewoman from Florida (Ms. CASTOR).

The amendment was rejected.

AMENDMENT OFFERED BY MR. WENSTRUP

Mr. WENSTRUP. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 12, after the dollar amount, insert ''(reduced by $10,421,000)''.

Page 23, line 12, after the dollar amount, insert ''(increased by $15,000,000)''.

Page 26, line 24, after the dollar amount, insert ''(reduced by $8,540,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Ohio and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. WENSTRUP. Mr. Chairman, I rise to follow through on a promise the American Government made to the people in my district and across the country to fund nuclear cleanup projects at cold war enrichment facilities. This amendment would direct $15 million to the Uranium Enrichment Decontamination and Decommissioning Fund.

At the height of the atomic age, the government began enriching uranium in our arms race against the Soviet threat. One of these facilities is the Portsmouth plant in Pike County, Ohio. Today, half a century later, it needs to be decommissioned and cleaned up, a task that has been entrusted to the Department of Energy.

Like other DOE projects, Portsmouth is largely funded through uranium sales. Since the price of uranium has dropped significantly since Fukushima, additional funding is necessary to make up for the loss of revenue.

The community cannot move forward without an adequate cleanup. The people of Pike County and the region worked extremely hard for the national security interests of this country. Unfortunately, we, the Federal Government, seem to be running from them in their time of need. This community is held hostage, unable to develop their economy and their land until the cleanup is complete. Delaying the cleanup punishes a community that answered our Nation's call, and now our Nation is willing to walk away from them, leaving a radioactive and chemical contamination.

Without adequate funding, the Federal Government is leaving a massively contaminated site right in the heartland of our country. A delay in funding for fiscal 2015 only means a higher cost to the government in future years.

The success of the environmental management work at the Portsmouth plant is critical to the Pike County area and the entire region. We are talking about good, honest, hardworking Americans, and we are standing in their way by undercutting the project's funding and leaving a contaminated cold war facility in the heart of their community.

In an effort to minimize wasteful delays, unnecessary layoffs, and job loss, our amendment would provide $15 million for this fund, completely paid for by offsets in the bill from less crucial administrative and energy accounts. This amendment prioritizes funding for an actual, existing, ongoing project that employs hundreds of hardworking Ohioans and keeps important environmental management work on schedule.

I acknowledge and appreciate the committee's work to include $15 million in funding for this project, but the bottom line is this is far short of the needed $65 million more to continue the cleanup project in a timely manner. Again, I urge my colleagues to support this amendment. With each delay, the cost goes up.

Our Nation benefited from the work conducted in Pike County, and now they are being left out and endure more uncertainty from Washington. This site must be cleaned up. It is an environmental imperative and an economic imperative, and it is the right thing to do.

Ms. KAPTUR. Will the gentleman yield?

Mr. WENSTRUP. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. So I understand, where are you taking the $15 million from?

Mr. WENSTRUP. The $15 million is coming from renewable energy accounts and less crucial administrative accounts.

Ms. KAPTUR. Could I offer the opinion that, if the gentleman found different offsets, this Member, as an Ohioan, would be very interested in supporting the workers in Portsmouth and in that region of Ohio which are so devastated.

At the moment, I can't do that because I don't agree with the offsets, but I wanted to place the opinion on the Record. And I thank the gentleman very much for his efforts on behalf of the State of Ohio and that region of Ohio.

Mr. WENSTRUP. Reclaiming my time, you know, renewable is not an option for this area of America until it is cleaned up, and waiting costs more and it paralyzes a large portion of Ohio.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment, although I understand what the gentleman is trying to do. The gentleman's amendment would increase appropriated funds to Portsmouth by another $15 million. Because of the overall reductions that were necessary in the Department of Energy's environmental cleanup programs, we balanced these reductions across all cleanup sites so that no one site is targeted.

I certainly understand the gentleman's concerns about the site, and this bill provides strong support for Portsmouth. Despite the fact that funding at most sites is going down, the bill actually boosts funding for the site by $37 million above the fiscal year 2014 and $15 million above the budget request.

However, I can't support further increases to compensate for the Department's off-budget uranium transfers, which our subcommittee has criticized for years. The Department has been transferring stockpiles of uranium to generate cleanup funds for the site, a practice the Government Accountability Office has determined to be illegal and which could be further held up in fiscal year 2015 due to recent litigation.

The Department's reliance on its uranium transfers has inappropriately circumvented the appropriations process, has adversely impacted our domestic uranium mining and conversion industry, and is now creating further problems as the market price of uranium continues to drop.

I am also concerned about the amendment's offsets, particularly the

cut to EERE, which is $113 million below the budget request. The last amendment, by Ms. CASTOR, proposed increasing EERE by taking money out of fossil energy. I opposed that. It wasn't because I don't like EERE. It was because I didn't like where they were taking the money from. This would take money out of EERE that is already reduced $113 million from last year, which I also oppose.

So I must oppose this gentleman's amendment and urge Members to do the same.

Ms. KAPTUR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. I wanted to make a point on this particular Portsmouth facility and the Department of Energy's seeming inability to help communities transition. Whether it is coal-fired utilities and the issues that coal country faces in general or here you have a facility that is important in the Nation's defense looking back and looking forward, and so many times it just seems that when technologies change, when situations change, the local people who have invested their lives just get spit out.

I just wanted to put that statement on the Record, because I know the Department of Energy is listening today, and we have the ability in this country to transition communities. Maybe in places like Portsmouth we should be doing more on renewables, because America is going to need renewables; and maybe there is a way the Department of Energy could be more creative, whether it is natural gas, whether it is storage of certain material and so forth. But to put all those people out of work, without a plan, without a transition plan, it is like, you know, the private sector giving them the pink slip at Christmas. That is when they always give them the pink slips, right before Christmas. It is so heartless. Here you have a community that is going to be heavily affected.

So I just wanted to say on the Record, Mr. Chairman of the full committee, that I just feel that the Department has been a bit laggard, and I would hope that they could work with us in a more constructive way. I understand what the gentleman is trying to do, and he is very well-intentioned as he comes to the floor today. I just wish I could do more to convince the Department to help him.

Mr. SIMPSON. Reclaiming my time, I agree with the gentlelady's comments.

I should say, it is not Portsmouth's or the gentleman from Ohio's fault that they have been using uranium transfers to fund this. It is not the people who are working there; it is not their fault. It is the Department's fault, and we have raised concerns for years that that is inappropriate and illegal. We knew that it was going to come to this when those uranium transfers couldn't be made anymore because of the price of uranium and other things, and it is the result of the choice of the Department to fund this by using the uranium transfers. Unfortunately, it has come to what we predicted would be a problem when we started raising these concerns with the Department.

So, while I understand what the gentleman is doing and sympathize with what the gentleman is doing and will be willing to work with him to see what could be done as we move this bill forward, I do have to oppose the amendment as it currently exists.

Mr. Chairman, I yield back the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I yield 60 seconds to my colleague from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Chairman, today I rise in strong support of the amendment offered by Dr. WENSTRUP. This much-needed amendment will blunt the job losses that are coming to the hardworking men and women who are currently working to try and clean up that Atomic Energy Commission plant there in Piketon.

I understand the committee's attempts, and I appreciate the committee's attempts. Unfortunately, the $15 million that they have put in this appropriation is still not enough to stop the hundreds of layoffs that will come if nothing more is done, nor is it enough to keep this critical cleanup project on track so that the property can be developed to create more jobs to replace the ones that are going to be lost anyway.

□ 1615

That is why this amendment is so necessary. It reroutes money from renewable and overhead costs to pay for the cleanup work that we promised to the Piketon, Ohio, folks; and we ought to stay with that. I urge my colleagues to support the amendment.

Mr. WENSTRUP. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. WENSTRUP).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WENSTRUP. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT OFFERED BY MR. SWALWELL OF CALIFORNIA

Mr. SWALWELL of California. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 12, after the dollar amount, insert ''(increased by $111,641,000)''.

Page 21, line 2, after the dollar amount, insert ''(reduced by $161,879,450)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SWALWELL of California. Mr. Chair, I yield myself as much time as I may consume.

This legislation asks the simple question: Will we look forward, as a country, as to where we draw our energy resources, toward cleaner, more renewable sources? Or will we continue to look backwards toward dirtier fossil fuels that will harm our environment? Do we want to be a part of a 21st century energy policy? Or do we want to be a part of a 20th century energy policy?

My amendment increases the Office of Energy Efficiency and Renewable Energy, or EERE, R&D funding levels by $111.6 million above what is in the bill. The offset comes from the fossil energy R&D in an amount necessary to make the outlays in my amendment budget-neutral.

The request from the majority exceeds the White House's request for fossil fuel R&D but cuts the request for EERE. This increase in EERE would bring the funding levels back to fiscal year 2014 level and help ensure that, at the very least, we are not moving backwards in our work towards energy security.

My colleagues across the aisle, instead, are seeking to cut this forward-looking program by $111 million. Reducing funding for EERE on top of the cuts that it suffered last year is incredibly shortsighted, not to mention it is done at the expense of protecting the fossil fuel industry which is already doing pretty all right, if you ask me.

I find it hard to believe that any of us actually have a problem with supporting efforts to become more energy efficient. The only reason I can think of that anyone would support any cuts to EERE would be a dislike on the part of some for the term ''renewable energy.''

By increasing energy efficiency in our homes, at our businesses, and through developing advanced models and methods of manufacturing, we will save money, we will improve productivity, and create new good-paying jobs here the United States. And, most importantly, yes, we can reduce emissions from power plants that are contributing to global climate change and leave an Earth that is much healthier for our children.

One great example of this is that EERE is partnering with Colorado State University to provide small- and medium-sized manufacturing companies no-cost energy assessments. More than 650 energy assessments have been done to date, with an average of $30,000 in energy savings per assessment. I would say that programs like this are worthy of a sustained support and that $5.6 billion in savings has been found across the country. EERE's manufacturing program is also enabling us to become a world leader in making new energy technologies.

So the choice is clear: we can accept this massive cut to EERE and risk becoming a net importer of next-generation energy technologies, or we can do what America has always done, and we can look forward, and we can make the needed investments to help us become a net exporter of these next generation technologies.

EERE supports all types of innovative and potentially groundbreaking research in solar, wind, geothermal, and water technologies. Given how abundant these resources are, from the sun in the southwest to the wind in the plains to the numerous rivers and potential for tidal power, we would be foolish to pull back on the potential for using these environmentally sustainable resources for power on a larger scale.

The greatest challenge today with the renewables is that when the sun is not shining and wind is not blowing, it is very hard to harness those energies. However we are very, very close to closing that gap, and EERE goes a very long way to bridging that gap.

They are also helping to pioneer research into advanced combustion engines that will drastically increase gas mileage, with EERE funding, in traditional cars, saving taxpayers countless amounts of money even as they remove harmful emissions from the atmosphere.

EERE R&D can help our Nation transform the way that we generate and use energy. This cut that is proposed by the majority is unnecessary, ill-conceived, and I urge my colleagues to support my amendment to restore the funding level of fiscal year 2014.

Appropriations is about priorities, and priorities reflect values. America has always looked forward. And we should not look anywhere but forward when it comes to where we receive America's energy needs.

I urge my colleagues to support this amendment, and I yield back the balance of my time.

Mr. SIMPSON. I rise in opposition to the amendment, Mr. Chairman.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, while I appreciate the gentleman from California's comments, I have to say that you can oppose this amendment and still like renewable energy, in contradiction to the gentleman's statement.

I rise to oppose this amendment that would increase funding for energy efficiency and renewable energy by $112 million using the fossil energy account, again, as an offset.

This year, funding for EERE is $1.789 billion, $113 million below last year and $528 million below the budget request. It is still $1.789 billion. It is not like we are eliminating EERE. They still have a substantial amount of money in that account. They have much more in that account than they have in the fossil energy account or that they have in the nuclear energy account.

This is a modest 6 percent cut from the robust funding level included in last year's omnibus appropriation bill and slightly below the fiscal year 2013 level presequester. Put another way, there is nearly $1 billion more than last year's House bill.

The funding that the recommendation provides is focused on three main priorities, where he is trying to take money out of the fossil energy account: helping America's manufacturers compete in the global marketplace; supporting the Weatherization Assistance Program; and addressing future high gas prices. These are areas with broad bipartisan support. We simply cannot afford to increase funding in this bill by diverting funds from research to fossil energy.

Fossil fuels, as I said during the last couple of amendments, such as coal, oil, and natural gas provide for 82 percent of the energy used by this Nation's homes and businesses and will continue to provide for the majority of energy needs for the foreseeable future. It is folly to believe that renewable energies are going to replace the base load that much of this produces for our energy needs in the future.

But renewable energies are an important part of an all-of-the-above energy strategy that we have in this country. But it is not renewable energies that are going to replace all of the fossil energies that we have. So we need to do research into the fossil energies, too, and what they do.

If we increase the efficiency of our fossil fuel plants, as I said earlier, by just 1 percent, we could power an additional 2 million households without using a single additional pound of fuel from the ground. That is energy efficiency. That is the research we are focusing on with funding this program. Therefore, I must oppose the gentleman's amendment.

Mr. SWALWELL of California. Will the gentleman yield for a question?

Mr. SIMPSON. I yield to the gentleman.

Mr. SWALWELL of California. I appreciate the gentleman from Idaho and his comments.

I would just ask that the majority's reasoning for—and I understand tough budgetary priorities have been made—but to reduce EERE's budget but to increase the fossil R&D budget, maybe if you could explain the reasoning behind an increase in fossil but a decrease in renewables?

Mr. SIMPSON. As I said, we tried to refocus the request from the administration to those areas that actually produce the energy. Eighty-two percent, as I said during my statement, is produced by coal, oil, and natural gas. That is where we do the majority of our research.

I am not saying we shouldn't do anything in the renewable energies. I love renewable energies. I don't believe that they are going to replace the majority of our base load.

And, as the gentleman said, you have got real problems when the sun isn't shining and you are using solar energy. You have got real problems if you are trying to address the base load. That means, when you turn on the switch, the power actually comes on and the light goes on. If you are trying to replace that base load and the wind isn't blowing, you have got no wind power. But they are a very important and vital part of our energy mix. But we are trying to put the research into those areas that produce most of the electricity while still maintaining research into those areas that are important for the future.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. SWALWELL).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SWALWELL of California. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. BYRNE

Mr. BYRNE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 12, after the dollar amount insert ''(reduced by $1,789,000,000)''.

Page 19, line 13, after the dollar amount insert ''(reduced by $150,000,000)''.

Page 59, line 20, after the dollar amount insert ''(increased by $1,789,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, this amendment seeks to strike all of the funding for the Department of Energy's Energy Efficiency and Renewable Energy program. This program, under the Department of Energy, allows the government to invest millions of taxpayer dollars in high-risk research and development schemes for ''green energy'' projects to the tune, as we have heard already, of over $1.7 billion.

The government should not be subsidizing the research and development initiatives of individual companies. Competition and innovation have been key aspects of private sector success from day one in the energy sector and other parts of our economy, and the government should not take the role of a private investor.

For example, the EERE program facilitated a $2.5 million grant to Massachusetts-based TIAX LLC to work with Green Mountain Coffee to reduce the energy used in roasting coffee beans. The program has also allowed for millions of dollars to large chemical and auto companies, such as providing a subsidy to Ford Motor Company to develop a new sheet metal forming tool.

I have nothing against those companies, but why should the government

be picking and choosing winners and losers?

Every business has a bottom line which, in and of itself, is a direct incentive for developing methods for becoming more energy efficient and innovative. By subsidizing this small sector of the energy economy, which includes renewables such as solar and wind, and allows for such focuses as the weatherization of houses, we are essentially allowing DOE to spend millions of taxpayer dollars on unconventional energy initiatives and projects that place taxpayer dollars at risk and that are not likely to produce a return on investment.

We, as a Congress, have continuously stated the need for an all-of-the-above energy strategy but continued investment into the EERE program focuses on a small portion of a largely unproductive portion of the energy sector at the expense of the more traditional energy sources, such as fossil fuels and nuclear, that we have a proven, reliable track record on.

□ 1630

With regard to the national energy policy, the committee report even highlights the President's failure to adequately focus our resources on an all-of-the-above energy strategy stating that ''his fiscal year 2015 budget request, like its predecessors, instead seems more ideological than practical,'' cutting ''this country's most important energy sources in order to increase funding for energy efficiency and renewable energy programs.''

It goes on to say that:

> As attractive as renewable energy may be, it will supply only a mere fraction of this country's energy needs over the next 50 years, and it presents considerable challenges to the Nation's existing electric power grid, given its increasing variability and uncertainty from supply and demand changes.

At a time when our economy continues to recover and many Americans continue to struggle to make ends meet, including paying their energy bills, we must focus on reasonable energy strategies that allow for the most affordable and reliable energy resources for consumers and businesses alike.

I am pleased that the committee has made reductions to this account in general. However, I believe that eliminating the energy efficiency and renewable energy program altogether under the Department of Energy will achieve all of our goals, while allowing savings to go towards the very important goal of reducing the deficit of this Nation.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Ms. KAPTUR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. I thank the gentleman very much for allowing me this privilege.

I just wanted to rise in opposition to the gentleman's amendment and to say that one of the reasons we have a budget deficit is because we have an energy deficit. We have had an energy deficit for over a quarter century—well over three decades now—and every year, the average family in our country puts out over $2,800 now, just for gasoline for their automobiles.

There were those who said we shouldn't incentivize the ethanol industry. Now, about 10 percent of every tank full of gasoline has ethanol in it, and that has reduced our imports. If you look at the hemorrhage from this country of over $10 trillion over the next quarter century with oil being $100 a barrel and you look at what is happening to the middle class in our country because we aren't energy independent, we had better be serious about changing the composition of energy production in this country because it is part of the major problem we face in lack of robust economic growth.

You can't import economic growth; you have to produce economic growth. One of the major ways we can produce economic growth in this country is to invent a future different from the past, so I completely oppose the gentleman's amendment because you are going to increase the Federal deficit because economic growth will not increase at the level that it should be.

It has been slowly creeping forward with the weight of two wars on our backs over the last decade or so, but you can't kill the future.

In Alabama especially, you have that major Huntsville operation with all those NASA facilities and all those subcontractors, and there are parts of Alabama that are doing very well as a result of Federal investment, but don't hurt the rest of the country on the energy front because you have some perspective about why we might have a deficit.

We have a deficit because we are not inventing the future fast enough, and we are importing too much of what we should be making here at home.

So I appreciate the courtesy in allowing me to place this on the RECORD. We can't kill renewable energy. We can't kill the future. We have got to be able to invent it and to cut off these imports and to begin to produce our way forward again in this country. I view it as our chief strategic vulnerability.

So I appreciate the gentleman wants to do something good in terms of reducing the deficit. The best thing we can do is to invent our way forward and create new energy sources for this country, including the renewables.

Don't kill the future. Oppose the gentleman's amendment, and I would respectfully yield the time that has been yielded to me back to the gentleman.

Mr. SIMPSON. Reclaiming my time, Mr. Chairman, I also oppose the amendment. While I opposed increasing EERE funding in previous amendments, I am also opposed to eliminating EERE.

When you look at the traditional energy sources that we use, the government has done research into the fossil fuels, into nuclear energy, into fracking, into other things, and hydrocarbons because they are important.

It is not the companies that we try to pick winners and losers from, but it is the technology that we try to do the research into, to try to advance certain technologies and help technologies become more efficient for the consumers to use.

We are trying to make automobiles more fuel efficient. We are trying to do work to make a SuperTruck that is much more fuel efficient.

I guess it could be argued whether the government should do any research at all. Years and years ago, a lot of those things used to be done by private companies, when you had the Bell Labs and other types of things like that.

Those aren't done anymore by companies because they are much, much too expensive for companies to do, but they are good for our economy.

You could make the argument that we really shouldn't have put any money into space research and putting a man on the Moon—that should have been done by a private company—yet the American economy and the world has benefited greatly from the investment that American taxpayers made into NASA. The same is true with the fuels that we use.

While we have tried in this bill to refocus what the administration had proposed, which was huge increases for renewable energies that produce a minority—a small amount—of energy compared to the others, we have tried to refocus that appropriation to where it more accurately reflects the actual energy used, the percentage of the actual energy used.

That doesn't mean that we can completely eliminate EERE and renewable energies. As I said previously, I like renewable energies. I think they are cute. They provide a small portion of our overall energy demand, and I don't see that increasing a whole lot because they can't address the base load needs of our energy demand in this country, but they are going to be a very important part of an overall energy strategy.

With that, Mr. Chairman, I oppose the amendment, and I yield back the balance of my time.

Mr. BYRNE. Mr. Chairman, I respectfully disagree with the gentlewoman. The reason we have a deficit problem is because we are spending money we don't have, and this is a clear example of where we are spending money we don't have.

Even under the most optimistic projections for this year, we are going to run a $400-plus billion deficit, and we have got to start cutting in areas that may be good things or nice things, things we would like to do. We have got to start prioritizing our spending, and this is one place we can start.

Mr. Chairman, I would urge this House to adopt this amendment, to make a concrete step forward in reducing our deficit and not favoring certain companies in our economy over the others.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BYRNE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BYRNE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama will be postponed.

AMENDMENT OFFERED BY MR. COHEN

Mr. COHEN. I offer an amendment, Mr. Chairman, which should be at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 12, after the dollar amount, insert ''(increased by $10,340,000)''.

Page 21, line 2, after the dollar amount, insert ''(reduced by $15,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. Mr. Chairman, I offer this amendment with Mr. SCOTT PETERS of California. Mr. PETERS and I both have an interest in saving money—and this amendment would save $5 million—and in putting our money wisely in research on renewable energies which saves individuals money—individual citizens money—and protects our environment and using that money, instead of putting the money in the budget to do research on coal and fossil fuels that contribute to global warming and a threat to our environment.

The fact is the Department of Energy's energy efficiency program has been effective. This would increase it by $10.3 million. This program is underfunded already in the bill, and it would take $15 million from funds that are in the budget for coal research and development—$15 million that are in excess of the President's budget request.

The Department of Energy's energy efficiency programs partner with private industry, small business, and academics to facilitate research, development, and deployment of innovative energy efficiency technologies in manufacturing, buildings, and homes.

In this collaboration with these different stakeholders, they have determined the best practices that can be found and then put into commercial use, resulting in energy-saving advancements that create jobs and give businesses competitive advantages with foreign competitors.

Increasing energy efficiency is often done in ways that the individual citizen benefits in their home by saving money by more energy-efficient devices and appliances.

We work on these in the Energy Department now, and they finalized new efficiency standards for more than 30 household and commercial products. These include dishwashers, refrigerators, water heaters—just the general stuff you have got in your kitchen and your home.

Because of the Energy Department's new efficiency standards, consumers are estimated to save more than $400 billion—$400 billion for our constituents, consumers—and we will be cutting greenhouse emissions by 1.8 billion metric tons through 2030. That is a lot of help to our environment and a whole lot of help to our constituents in saving money.

Just as an example, walk-in coolers and freezers, the rules that have been proposed will yield $37 billion in savings, while cutting 159 million metric tons of carbon dioxide. That is the equivalent of taking 30 million cars off the road.

As the cost of energy continues to pose a burden on the American consumers' wallets—our voters, our taxpayers, our constituents—and costs them more money and extreme weather causes climate change which threatens the fauna and the flora, our property and way of life, we need to find ways to reduce energy consumption and decrease those adverse affects upon our environment.

Mr. Chairman, we need to redouble our efforts at this point on renewable energy and energy efficiency, and the efforts by this amendment would save money—$5 million for the budget, energy deficit reduction—it would protect our environment by having more research on energy efficiency standards, save our consumers and constituents money, and protect our environment at the same time, and yet not have us invest needlessly in fossil fuels, which is the opposite direction we should be going.

I urge my colleagues to vote ''yes'' on this amendment and show their vote for fiscally conservative, sound budget deficit reduction programs, as well as protect the environment and be concerned about the effects on the pocketbook of our individual consumers.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise to oppose the amendment. The amendment would increase funding for the Office of Electrical Delivery and Energy Reliability by $10 million, using funds from fossil energy as an offset.

We have already had conversations about taking funds out of where we create most of our energy. Some of the things that are done in fossil energy—and while the gentleman speaks passionately about the environment, fossil energy also is doing the research into sequestration and carbon capture technology.

Now, I don't suspect that we are going to stop using fossil energy in the near future. In fact, if you looked at the predictions of the Department of Energy of what the percentage of fossil energy—what percentage of the energy is going to be used by fossil energy—be created by fossil energy 20 years from now, it is pretty close to what it is now.

So it is important that we do some things environmentally, like carbon capture and sequestration, and we need to do some research into that. You are taking money out of an account that would do that. I don't think that is a wise thing for us to do.

While I share my colleague's support for the electrical grid, that is why this bill before us already provides a $13 million increase for the Office of Electrical Delivery and Energy Reliability above last year—or a 9 percent increase over the last year.

That is the largest percentage increase of any of the other applied energy programs within this bill—the largest increase.

□ 1645

The bill prioritizes programs within OE that keep our electrical grid safe and secure, including $47 million for cybersecurity and $16 million for infrastructure security, which will provide $8 million for a strategic operations center to better respond to emergencies.

While I appreciate what the gentleman is trying to do, I have already spoken of the important investments that our fossil energy research does for our economy and our electrical prices; therefore, I oppose the gentleman's amendment and urge my colleagues to do the same.

Mr. Chairman, I yield 2½ minutes to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Mr. Chairman, this and other amendments challenging NETL and the fossil fuel research, I would oppose.

I would oppose because NETL is providing us the doorway—the pathway for energy independence. In the past, it has been funded by over $700 million. This administration, in the last 4 or 5 years, has seen that erode down.

Thanks to the appropriators, they have been putting that number back up again to what is appropriate, so it is a big difference, but we have already made a cut from $700 million down to $590-some million. We are talking about a huge cut that has already occurred.

What we have to understand is this facility, just in the sponsor of this amendment, there are 24 projects, $27 million being spent in his State, to be able to take care of 300 jobs that are at risk.

More importantly, what they are doing in these research laboratories

across the country—they are trying to find ways to have carbon capture, for example. If we truly want to reduce our carbon footprint, we need to spend it through the Department of Energy in their laboratories.

They are doing chemical looping. They are trying to develop ways of reducing our carbon footprint by energy-efficient high turbines for boilers to make energy from our coal and natural gas and steam. They are trying to find ways to improve it.

These are things NETL is working with. They are trying to find ways of fracking the gas, so we get more gas out of the ground than we are getting right now. Instead of 15 or 20 percent, we would get 25 or 30 percent.

So NETL has a terrific track record. We have some of the best scientists and physicists in the country trying to improve energy efficiency, and we have already cut their budget by over $100 million in the last few years.

This is not a time, Mr. Chairman, to be cutting their budget and challenging them even further. If we are going to reach this, I want them be able to reach internally to do the things that will give us energy independence.

It is not a time to poke an eye at these hardworking people and what they have done. This is a time to continue the funding and continue this. If we are going to get energy independence, this is a way to do it, so I ask my colleagues to reject this amendment and any others that further erodes the power of NETL to do their job.

Mr. SIMPSON. Mr. Chairman, I yield back the balance of my time.

Mr. COHEN. Mr. Chairman, I am going to close by saying that one day—one day, this House will see that we need to have more and more money put into research on energy efficiency and renewables and not into fossil fuel.

I feel a cold wind coming from the South, and I realize that today is not that day, but one day, one day. I feel a chill coming, and I don't want anyone else to get a cold.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

AMENDMENT OFFERED BY MR. MCCLINTOCK

Mr. McCLINTOCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 12, after the dollar amount, insert ''(reduced by $1,789,000,000)''.

Page 19, line 13, after the dollar amount, insert ''(reduced by $150,000,000)''.

Page 20, line 11, after the dollar amount, insert ''(reduced by $717,000,000)''.

Page 21, line 2, after the dollar amount, insert ''(reduced by $593,000,000)''.

Page 21, line 3, after the dollar amount, insert ''(reduced by $120,000,000)''.

Page 59, line 20, after the dollar amount, insert ''(increased by $3,099,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. McCLINTOCK. Mr. Chairman, this amendment requires energy companies of all kinds to fund their own research and development programs, rather than continuing to require taxpayers to subsidize this activity to the tune of $3.1 billion.

If we are serious about an all-of-the-above energy policy, we have got to stop using taxpayer money to pick winners and losers in the energy industry and start requiring every energy technology to compete on its own merits.

For too long, we have suffered from the conceit that politicians can make better energy investments with taxpayer money than investors can with their own money. It is this conceit that has produced a long line of scandals, best illustrated by the Solyndra fiasco.

This research doesn't even benefit the common good by placing these discoveries in the public domain. Any discoveries, although they are financed by the public, are owned lock, stock, and barrel by the private companies that received these public funds.

Public costs, private benefit—that is called corporate welfare. That is what these energy subsidies amount to.

My amendment protects taxpayers from being forced into paying the research and development budgets of these companies. It gets government out of the energy business and requires all energy companies and all energy technologies to compete equally on their own merits and with their own funds.

Last year, when we debated similar amendments, we heard about all of the technological breakthroughs financed by the Federal Government, from railroads to the Internet, and we heard promises of future breakthroughs from this massive expenditure of Federal funds.

Well, I freely recognize that, if you hand over billions of dollars of public subsidies to private business, those particular private businesses will do very well. I freely recognize that some of these dollars will produce breakthroughs that will then be owned by these private companies, and they will do extremely well.

What the advocates of these subsidies fail to consider is the vast dilemma between the seen and the unseen, the immediate effects that you can clearly see and the unintended effects that cannot be seen.

In this case, what we don't see clearly is the opportunity cost of these subsidies. Investors, using their own money, are very focused on making investments based on the highest economic return of these dollars. Politicians, using other people's money, make investment based on the highest political return of these dollars. This is the principal difference between Apple computer and Solyndra or between FedEx and the post office.

These public subsidies, in effect, take dollars that would have naturally flowed into the most effective and promising technologies and diverts them into those that are politically favored.

Dollar for dollar, this minimizes our energy potential, rather than maximizing it. For example, hydraulic fracking—it has revolutionized the fossil fuels industry. It offers us the very real potential of becoming energy independent.

Well, after the 1973 oil embargo, the Federal Government began heavily subsidizing research on this technology. How did it work out? According to CNN:

> Between 1978 and 2000, the Federal Government spent about $1.5 billion on oil and gas production research, much of it on extracting fuel from shale, according to a 2001 report from the National Academy of Sciences, but the process remained expensive, and research faded as oil prices came back down in the 1980s. By the 1990s, private industry began to step back into the business with new technologies with lower costs, leading to today's boom.

We were told last year that the little companies don't have the capital to develop their big ideas. Well, that is why there are private investors who can accurately evaluate those ideas and invest in the best of them.

Government investment doesn't do that very well or efficiently, and it is time we had done with it.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. I rise to oppose the amendment. This year, the committee continues its responsibility to reduce government spending, and we have worked tirelessly to that end. The bill cuts energy efficiency and renewable energy by $113 million below last year's level and $528 million below the budget request.

The fossil and nuclear energy programs received modest increases of $31 million and $10 million, respectively. The increase to fossil energy will support research into how heat can be more efficiently converted into electricity, how water can be more efficiently used in power plants, and how coal can be used to produce electrical power through fuel cells.

The increase to nuclear energy will accommodate a $10 million increase to support base physical and cybersecurity activities at the Idaho National Laboratory to protect the Nation's nuclear energy materials and a range of national security programs at the NNSA, Homeland Security, and other Federal agencies.

Although my colleague asserts that the amendment would keep the government from intervening in the private markets, these applied energy programs are strategic investments for our energy independence.

I appreciate my colleague's desire to reduce the size of government, but this

amendment goes too far by eliminating strategic investments we make for our own future.

I, therefore, oppose the amendment and urge my colleagues to vote against the amendment.

Ms. KAPTUR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. I thank the gentleman for yielding, and I rise in opposition to the gentleman's amendment. It is quite astounding that somebody from the State of California—a State that exists because of Federal investments through the entirety of its existence—would even come forward with an amendment like this. For someone from Ohio, it is very unusual to see this.

Let me just say that, in opposing this amendment, I wish to offer the perspective that America can't live in the past, that, in fact, when one looks at what we are enduring because of our dependence on energy that is imported, there is no greater imperative than for us to unhook from imports.

As I look at the gentleman's amendment, it is actually very destructive. You actually destroy our future. America is not innovating at the level that we should in renewables. We have a burgeoning solar industry, but China has captured it. She steals the patents. She steals the innovation, and we don't do much about it.

You take money from fossil programs. I don't have all of the scientific answers, but I know that a piece of our future relies on access that we have here in the ground.

The energy portfolio and the research portfolio of the Department of Energy is critical. The reason we have the horizontal drilling technologies—those weren't developed outside by some humanitarian group. They were developed by the American people's investment in drilling technologies, which have now given us a gas boom that will help us transition to a new energy future because the gas won't last forever, but at least we have the possibility of becoming independent here at home again.

I find the gentleman's amendment very backward-looking; and I would say, for someone from the State of California, if you look at the Bureau of Reclamation, if you look at all of the benefits that have accrued to the State of California and your own presence inside this 50–State Union, it is because of the investment in energy and water that you even exist.

So for you to come forward—and it may be a well-intentioned amendment, but to try to destroy the future of innovation through your amendment in the primary arena of imports—imported petroleum, which we have to unhook from and become energy independent—to me, is just astounding.

□ 1700

We live in very different universes—that is clear through your amendment—but there is no greater strategic imperative than for this country to become energy independent here at home. Our liberty depends on it. If you go back over the last 25 years and look at where our soldiers have died, it is very clear we are not independent.

I oppose the gentleman's amendment. I think it is backward looking. I think that it fails to move America into a new energy future. I oppose this amendment with full gusto.

Mr. SIMPSON. Mr. Chair, I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I forgive my friend from Ohio for not being up on California history. The fact is California exists because it had the freedom to develop its vast natural resources. It is government intervention that has caused this economy to decline dramatically.

Both of my friends miss the point. Government simply doesn't make these investments as wisely as private investors who are using their own money. Private investors invest to the highest economic value of a dollar; politicians invest to get the highest political return.

The gentlewoman is correct in one respect: California is the home of Solyndra and many, many other failed government investments in recent years. It is the private investors who took up the research on hydraulic fracturing after government investments failed that have produced the technologies that are giving us the economic boom in States like North Dakota that actually have the freedom to develop their resources on public lands.

It is simply a question of efficiency, a question of waste, and a question of right and wrong. Let's stop picking winners and losers in the marketplace and let the investors use their own money to make these research and development decisions.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCCLINTOCK).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MCCLINTOCK. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. MCALLISTER of Louisiana.

An amendment by Ms. HAHN of California.

An amendment by Mr. GOSAR of Arizona.

An amendment by Mr. WENSTRUP of Ohio.

An amendment by Mr. SWALWELL of California.

An amendment by Mr. BYRNE of Alabama.

An amendment by Mr. MCCLINTOCK of California.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. MCALLISTER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. MCALLISTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 132, noes 284, not voting 16, as follows:

[Roll No. 371]

AYES—132

Amash
Amodei
Bachmann
Bachus
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Broun (GA)
Bucshon
Byrne
Cantor
Cassidy
Chabot
Chaffetz
Clawson (FL)
Collins (GA)
Conaway
Cook
Cotton
Cramer
Crawford
Daines
Davis, Rodney
DeSantis
Duffy
Duncan (SC)
Farenthold
Fincher
Fleming
Foxx
Franks (AZ)
Garrett
Gibbs
Gingrey (GA)
Gohmert
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Guthrie
Hahn
Harper
Harris
Hartzler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Jenkins
Johnson (OH)
Jones
Jordan
Kingston
Kinzinger (IL)
LaMalfa
Lankford
Lucas
Luetkemeyer
Marchant
Massie
McAllister
McCarthy (CA)
McClintock
McMorris Rodgers
Meadows
Messer
Mica
Miller (FL)
Mullin
Mulvaney
Neugebauer
Nugent
Palazzo
Paulsen
Peterson
Petri
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Ribble
Rogers (AL)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Royce
Rush
Ryan (WI)
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Southerland
Stivers
Stockman
Stutzman
Thornberry
Tiberi
Wagner
Walorski
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—284

Barber
Barletta
Barrow (GA)
Barton
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Burgess
Bustos
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Carson (IN)
Carter
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay

Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (NY)
Connolly
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibson
Goodlatte
Gosar
Grayson
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutiérrez
Hall
Hanna
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Hurt
Israel
Issa
Jackson Lee
Jeffries
Johnson (GA)
Johnson, Sam
Jolly
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kirkpatrick
Kline
Kuster
Labrador
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Matheson
Matsui
McCaul
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Meng
Michaud
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
Nunes
O'Rourke
Olson
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pearce
Perry
Peters (CA)
Peters (MI)
Pingree (ME)
Pittenger
Pitts
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Shea-Porter
Sherman
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stewart
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Walz
Wasserman Schultz
Waters
Weber (TX)
Webster (FL)
Welch
Wilson (FL)
Wittman
Wolf
Yarmuth

NOT VOTING—16

Aderholt
Campbell
Cárdenas
Carney
Flores
Grimm
Hanabusa
Johnson, E. B.
McCarthy (NY)
Nunnelee
Pelosi
Perlmutter
Richmond
Rooney
Sewell (AL)
Waxman

□ 1730

Messrs. CARTER, SCHNEIDER, McHENRY, GOSAR, ROGERS of Michigan, Ms. WILSON of Florida, Messrs. McCAUL and DEUTCH changed their vote from ''aye'' to ''no.''

Ms. HAHN, Messrs. HOLDING, WOMACK, and Ms. GRANGER changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. ROONEY. Mr. Chair, on rollcall No. 371, I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MS. HAHN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. HAHN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 281, noes 137, not voting 14, as follows:

[Roll No. 372]

AYES—281

Amash
Bachmann
Bachus
Barletta
Barr
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Butterfield
Byrne
Camp
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Coffman
Cohen
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cooper
Courtney
Crawford
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
DeSantis
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fleming
Foxx
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Garrett
Gibbs
Gingrey (GA)
Gohmert
Granger
Grayson
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Gutiérrez
Hahn
Hall
Hanna
Harris
Hastings (FL)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Horsford
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Jackson Lee
Jeffries
Johnson (GA)
Jolly
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kingston
Kirkpatrick
Kuster
LaMalfa
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Marino
Massie
Matsui
McAllister
McClintock
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Meng
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Nolan
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Payne
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pocan
Poe (TX)
Posey
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruiz
Ruppersberger
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shuster
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (WA)
Southerland
Speier
Stockman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Titus
Tsongas
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Wasserman Schultz
Waters
Waxman
Weber (TX)
Webster (FL)
Welch
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NOES—137

Barber
Barrow (GA)
Barton
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bridenstine
Brooks (AL)
Burgess
Bustos
Calvert
Cantor
Capito
Carter
Chabot
Chaffetz
Clyburn
Coble
Cole
Cook
Costa
Cotton
Cramer
Crenshaw
Culberson
Daines
Davis, Rodney
Dent
DesJarlais
Ellmers
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foster
Franks (AZ)
Frelinghuysen
Gardner
Gerlach
Gibson
Goodlatte
Gosar
Graves (GA)
Graves (MO)
Griffith (VA)
Guthrie
Harper
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Holt
Hudson
Hurt
Israel
Jenkins
Johnson (OH)
Johnson, Sam
King (IA)
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Latta
Lipinski
Long
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Maffei
Maloney, Sean
Marchant
Matheson
McCarthy (CA)
McCaul
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Messer
Mica
Murphy (FL)
Murphy (PA)
Noem
Nugent
Nunes
Paulsen
Pearce
Pittenger
Pitts
Polis
Pompeo
Price (GA)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney
Rothfus
Runyan
Rush
Salmon
Schock
Scott, Austin
Sessions
Shimkus
Simpson
Sinema
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Terry
Thornberry
Tipton
Tonko
Turner
Valadao
Wagner
Walorski
Walz
Wenstrup
Williams
Wittman
Wolf
Womack
Woodall

NOT VOTING—14

Aderholt
Amodei
Campbell
Carney
Gowdy
Grimm
Hanabusa
Issa
Johnson, E. B.
McCarthy (NY)
Nunnelee
Pelosi
Perlmutter
Richmond

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1737

Mr. ROONEY changed his vote from ''aye'' to ''no.''

Messrs. PERRY, YOUNG of Indiana, BENTIVOLIO, and JORDAN changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GOSAR) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 104, noes 316, not voting 12, as follows:

[Roll No. 373]

AYES—104

Amash
Bachmann
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Brady (TX)
Broun (GA)
Bucshon
Burgess
Chabot
Coble
Collins (GA)
Conaway
Cook
Cooper
Cramer
Daines
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Flores
Foxx
Franks (AZ)
Garrett
Gohmert
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Guthrie
Hartzler
Hensarling
Holding
Hudson
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson, Sam
Jones
Jordan
King (IA)
Kingston
Labrador
Lamborn
Lankford
Long
Luetkemeyer
Lummis
Marchant
Matheson
McCaul
McClintock
McHenry
Meadows
Messer
Miller (FL)
Mulvaney
Neugebauer
Nugent
Palazzo
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Price (GA)
Ribble
Rice (SC)
Roe (TN)
Rokita
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Stockman
Stutzman
Tipton
Wagner
Wenstrup
Westmoreland
Williams
Woodall
Yoder
Yoho
Young (IN)

NOES—316

Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boustany
Brady (PA)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Byrne
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cárdenas
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chaffetz
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (NY)
Connolly
Conyers
Costa
Cotton
Courtney
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Granger
Grayson
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Gutiérrez
Hahn
Hall
Hanna
Harper
Harris
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Huizenga (MI)
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson (OH)
Jolly
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matsui
McAllister
McCarthy (CA)
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Meng
Mica
Michaud
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
Nunes
O'Rourke
Olson
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Posey
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Waxman
Weber (TX)
Webster (FL)
Welch
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yarmuth
Young (AK)

NOT VOTING—12

Aderholt
Amodei
Campbell
Carney
Grimm
Hanabusa
Johnson, E. B.
McCarthy (NY)
Nunnelee
Pelosi
Perlmutter
Richmond

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1741

Mr. PITTENGER changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WENSTRUP

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. WENSTRUP) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 112, noes 309, not voting 11, as follows:

[Roll No. 374]

AYES—112

Amash
Bachmann
Bachus
Barr
Benishek
Bilirakis
Bishop (UT)
Boustany
Brady (TX)
Bridenstine
Broun (GA)
Byrne
Cantor
Chabot
Chaffetz
Collins (GA)
Collins (NY)
Conaway
Cook
Cramer
Daines
Duffy
Duncan (SC)
Fleming
Flores
Franks (AZ)
Garrett
Gibbs
Gingrey (GA)
Gohmert
Gowdy
Graves (GA)
Griffith (VA)
Guthrie
Harris
Hastings (WA)
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Kaptur
Kelly (PA)
Kingston
LaMalfa
Latta
Luetkemeyer
Marchant
Massie
McAllister
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Pearce
Perry
Petri
Pitts
Posey
Price (GA)
Renacci
Ribble
Rice (SC)
Rogers (AL)
Rooney
Roskam
Ross
Rothfus
Ryan (OH)
Ryan (WI)
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NJ)
Smith (TX)
Southerland
Stivers
Stockman
Stutzman
Terry
Thornberry
Tiberi
Tipton
Turner
Wagner
Walberg
Walorski
Weber (TX)
Wenstrup
Westmoreland
Whitfield
Williams
Yoder
Yoho

NOES—309

Amodei
Barber
Barletta
Barrow (GA)
Barton
Bass
Beatty
Becerra
Bentivolio
Bera (CA)
Bishop (GA)
Bishop (NY)
Black
Blackburn
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cárdenas
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coble

Coffman
Cohen
Cole
Connolly
Conyers
Cooper
Costa
Cotton
Courtney
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibson
Goodlatte
Gosar
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Gutiérrez
Hahn
Hall
Hanna
Harper
Hartzler
Hastings (FL)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Huffman
Hurt
Israel
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson, Sam
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Meng
Michaud
Miller, Gary
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
Nunes
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pittenger
Pocan
Poe (TX)
Polis
Pompeo
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Rigell
Roby
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (WA)
Speier
Stewart
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Titus
Tonko
Tsongas
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Waxman
Webster (FL)
Welch
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Young (AK)
Young (IN)

NOT VOTING—11

Aderholt
Campbell
Carney
Grimm
Hanabusa
Johnson, E. B.
McCarthy (NY)
Nunnelee
Pelosi
Perlmutter
Richmond

□ 1745

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SWALWELL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. SWALWELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 172, noes 245, not voting 15, as follows:

[Roll No. 375]

AYES—172

Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fortenberry
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Grayson
Grijalva
Gutiérrez
Hahn
Hastings (FL)
Heck (WA)
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McIntyre
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Tsongas
Van Hollen
Vargas
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—245

Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Butterfield
Byrne
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
DeLauro
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Enyart
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Veasey
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—15

Aderholt
Bilirakis
Campbell
Carney
Clark (MA)
Foster
Grimm
Hanabusa
Johnson, E. B.
McCarthy (NY)
Nunnelee
Pelosi
Perlmutter
Richmond
Tierney

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1749

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BYRNE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the

gentleman from Alabama (Mr. BYRNE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 110, noes 310, not voting 12, as follows:

[Roll No. 376]

AYES—110

Amash
Bachmann
Bachus
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Broun (GA)
Burgess
Byrne
Cantor
Cassidy
Chabot
Chaffetz
Clawson (FL)
Collins (GA)
Conaway
Cook
Cotton
Cramer
Daines
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fleming
Flores
Foxx
Franks (AZ)
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Hall
Harris
Hartzler
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurt
Issa
Jenkins
Johnson, Sam
Jones
Jordan
Kingston
Labrador
LaMalfa
Lankford
Long
Lummis
Marchant
Massie
McAllister
McClintock
McHenry
Meadows
Messer
Miller (FL)
Mullin
Mulvaney
Neugebauer
Olson
Palazzo
Paulsen
Petri
Pittenger
Pompeo
Posey
Price (GA)
Ribble
Rice (SC)
Rogers (AL)
Rohrabacher
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Southerland
Stockman
Stutzman
Thornberry
Walberg
Weber (TX)
Wenstrup
Westmoreland
Williams
Wilson (SC)
Woodall
Yoder
Yoho

NOES—310

Amodei
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cárdenas
Carson (IN)
Carter
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (NY)
Connolly
Conyers
Cooper
Costa
Courtney
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibbs
Gibson
Gosar
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Guthrie
Gutiérrez
Hahn
Hanna
Harper
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Hultgren
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson (OH)
Jolly
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Matheson
Matsui
McCarthy (CA)
McCaul
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Meng
Mica
Michaud
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
Nugent
Nunes
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pearce
Perry
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pitts
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Rigell
Roby
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stewart
Stivers
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walorski
Walz
Wasserman Schultz
Waters
Waxman
Webster (FL)
Welch
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Yarmuth
Young (AK)
Young (IN)

NOT VOTING—12

Aderholt
Campbell
Carney
Grimm
Hanabusa
Johnson, E. B.
McCarthy (NY)
Nunnelee
Pelosi
Perlmutter
Richmond
Roe (TN)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1753

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCCLINTOCK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 97, noes 321, not voting 14, as follows:

[Roll No. 377]

AYES—97

Amash
Bachmann
Bentivolio
Bilirakis
Bishop (UT)
Blackburn
Brady (TX)
Bridenstine
Broun (GA)
Burgess
Byrne
Chabot
Chaffetz
Clawson (FL)
Coble
Collins (GA)
Conaway
Cook
Cotton
Cramer
Daines
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Fleming
Flores
Foxx
Franks (AZ)
Garrett
Gohmert
Gowdy
Graves (GA)
Hall
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Jenkins
Johnson, Sam
Jones
Jordan
Kingston
LaMalfa
Lankford
Long
Lummis
Marchant
Massie
McAllister
McClintock
McHenry
Meadows
Messer
Miller (FL)
Mulvaney
Neugebauer
Olson
Palazzo
Perry
Petri
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Ribble
Rice (SC)
Roe (TN)
Rohrabacher
Rokita
Ross
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Stockman
Stutzman
Thornberry
Walberg
Weber (TX)
Wenstrup
Westmoreland
Williams
Wilson (SC)
Woodall
Yoder
Young (IN)

NOES—321

Amodei
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bera (CA)
Bishop (GA)
Bishop (NY)
Black
Blumenauer
Bonamici
Boustany
Brady (PA)
Braley (IA)
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cárdenas
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (NY)
Connolly
Conyers
Cooper
Costa
Courtney
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Guthrie
Gutiérrez
Hahn
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Horsford
Hoyer
Huffman
Hunter
Hurt
Israel

Issa
Jackson Lee
Jeffries
Johnson (GA)
Johnson (OH)
Jolly
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Matheson
Matsui
McCarthy (CA)
McCaul
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Meng
Mica
Michaud
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
Nugent
Nunes
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Rothfus
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Wagner
Walden
Walorski
Walz
Wasserman Schultz
Waters
Waxman
Webster (FL)
Welch
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Yarmuth
Yoho
Young (AK)

NOT VOTING—14

Aderholt
Campbell
Carney
Davis, Rodney
Grimm
Hanabusa
Holt
Johnson, E. B.
McCarthy (NY)
Nunnelee
Pelosi
Perlmutter
Richmond
Visclosky

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1757

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. GRAVES of Georgia. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. ROS-LEHTINEN) having assumed the chair, Mr. MARCHANT, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4923) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2015, and for other purposes, had come to no resolution thereon.

SUPPORTING KNOWLEDGE AND INVESTING IN LIFELONG SKILLS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendments to the bill (H.R. 803) 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, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE) that the House suspend the rules and concur in the Senate amendments.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 6, not voting 11, as follows:

[Roll No. 378]

YEAS—415

Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cárdenas
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Guthrie
Gutiérrez
Hahn
Hall
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matheson
Matsui
McAllister
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—6

Amash
Broun (GA)
Duncan (TN)
Jones
Massie
Stockman

NOT VOTING—11

Aderholt
Campbell
Carney
Grimm
Hanabusa
Johnson, E. B.
McCarthy (NY)
Nunnelee
Pelosi
Perlmutter
Richmond

□ 1805

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5016, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 4718, BONUS DEPRECIATION MODIFIED AND MADE PERMANENT

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 113–517) on the resolution (H. Res. 661) providing for consideration of the bill (H.R. 5016) making appropriations for financial services and general government for the fiscal year ending September 30, 2015, and for other purposes, and providing for consideration of the bill (H.R. 4718) to amend the Internal Revenue Code of 1986 to modify and make permanent bonus depreciation, which was referred to the House Calendar and ordered to be printed.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2015

The SPEAKER pro tempore. Pursuant to House Resolution 641 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4923.

Will the gentleman from North Carolina (Mr. HOLDING) kindly take the chair.

□ 1807

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4923) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2015, and for other purposes, with Mr. HOLDING (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from California (Mr. MCCLINTOCK) had been disposed of and the bill had been read through page 19, line 14.

AMENDMENT OFFERED BY MR. MCCLINTOCK

Mr. MCCLINTOCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 12, after the dollar amount, insert ''(reduced by $22,000,000)''.

Page 20, line 11, after the dollar amount, insert ''(reduced by $9,810,000)''.

Page 21, line 2, after the dollar amount, insert ''(reduced by $30,935,000)''.

Page 26, line 24, after the dollar amount, insert ''(reduced by $9,551,000)''.

Page 52, line 20, after the dollar amount, insert ''(reduced by $49,062,000)''.

Page 59, line 20, after the dollar amount, insert ''(increased by $121,358,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCCLINTOCK. Mr. Chairman, ever since 1835, the rules of the House have forbidden spending money except for purposes authorized by law. Yet last year, the eleven appropriations bills reported out of the House Appropriations Committee contained over $350 billion in spending on unauthorized programs. The rule against unauthorized spending cannot be enforced because it is always waived by the resolutions that bring these appropriations to the floor.

The bill before us today contains $24 billion in such unauthorized spending for programs that have not been reviewed by the authorizing committees since as far back as 1980. That was Jimmy Carter's last year in office.

Now, I am sure that some of these programs are valuable and worthy of taxpayer dollars, but surely, others are not. The fact that they have not been authorized in as much as 35 years ought to warn us to be at least a little more careful about continuing to fund them.

Rather than reviewing our spending decisions and making tough choices about spending priorities, Congress simply rubberstamps these programs out of habit. It is no wonder we are so deeply in debt with so little to show for it. My amendment does not defund these unauthorized programs, as the House rules would require. It simply freezes spending on them at last year's levels.

The cuts contained in this amendment total just $121 million, which is about 0.036 percent of the total spending in this bill.

If year after year, the authorizing committees haven't found these programs worth the time to reauthorize, then maybe that is just nature's way of telling us they aren't worth the money we are shoveling at them either.

It is the proper role of the House of Representatives to control the purse strings of our government. But we do a disservice to our constituents when we allow this kind of spending growth to occur on autopilot, absent any oversight or congressional authorization.

I look forward to the day when Congress will again assert its constitutional prerogative to control Federal spending and enforce its own rules to prohibit spending blindly on unauthorized programs.

However, in the meantime, adopting this amendment will merely freeze the spending in these unauthorized programs, shaving just 0.036 percent of this appropriation. By freezing that spending on unauthorized programs, I hope that will be a small symbolic step toward reclaiming the House's responsibility to act as a watchdog over the Treasury.

I reserve the balance of my time.

Ms. KAPTUR. I rise in opposition to the gentleman's proposal.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, the gentleman stood up earlier this afternoon and was trying to cut from really essential accounts. And I accept his desire to try to balance the budget.

When his party shut down the government and threw the wrench of shutdown into every program that the Nation depends upon, it created quite a bit of chaos around here and around the country. Money was wasted on furloughs. The military was trying to decide how they were going to rotate different operations and so forth. It was a terrible period that we lived through. And we are still taking and gluing our programs back together after all of that.

Some of the work of the authorizing committees, under your leadership, were not able to clear their bills on time. So the gentleman's solution is to say, well, you know, none of that happened. So I am just going to take this opportunity to go after the Energy and Water bill and kind of take this and this and this and propose this amendment.

And I think that the gentleman's goal of fiscal responsibility is one that I share, but this isn't the way to do it. This isn't the way to kind of pick some programs, and we don't even know what impact it will have across the country.

□ 1815

I would rather have a much more thoughtful presentation that would come before us. What programs is he talking about? The same ones this afternoon he was trying to cut, the renewable energy program—he is talking about cutting nuclear and fossil energy.

He really doesn't like the Department of Energy. I bet, if you ask the gentleman, he doesn't even want the Department of Energy to exist for our country. If you look around the world, I am probably not wrong on that bet, so this is just another way to try to cause havoc over at the Department of Energy.

As I have said earlier today, I view what is happening in that Department as one of the most important strategic sets of investments that this country has to make.

Why create more havoc over there? We have had difficulties in trying to balance our energy accounts over the years. Imported petroleum still constitutes 40 percent of what Americans are paying for. The average family, every year, $2,800 comes out of their pocket for gasoline.

Mr. Chairman, we need to modernize our fleet. There is a lot of natural gas conversions going on in the country for our truck fleets. We need not throw a wrench into that. We need to hasten it, to move America to a new day.

We need a modernized grid, whatever that is going to look like. We need to

be able to dispose of our nuclear waste. We need to make sure that our energy policy plays on all keys, not just a few.

I don't think this is a time to create more havoc, following on the havoc that has been created in the past, which I am sure the gentleman supported, and to pick on the Department of Energy—we need a much more coherent strategy in order to balance our budget, and the most important strategy we can have is to put people back to work and, through innovation in this country and the balancing of our trade deficit, begin to reinvest those dollars back here at home.

Mr. Chairman, I mentioned earlier today that we have about, oh, I think $34 billion in this entire bill. Our energy trade deficit with the world this year is a little over $210 billion. Maybe it is a little higher than that.

The deficit—the hole this year alone is eight times bigger than our bill. So if you look at what you are trying to do here, it is counterproductive, and we need to be looking at modernizing our energy system here in this country, not picking it apart, and not creating more havoc at the Department, but actually investing in America's future.

So I ask my colleagues to oppose the gentleman's amendment, and let's get on with the regular order here. Let's get this bill cleared. Let's go to conference with the Senate and do for America what she needs, and that is restoring her energy security in order that our liberty not be threatened in this generation and the future.

Mr. SIMPSON. Will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Idaho.

Mr. SIMPSON. Well, Mr. Chairman, let me say that I agree with the sentiments expressed by the gentleman from California, in that the rules of the House say we should not appropriate money for any unauthorized program.

Unfortunately, the authorizing committees have not reauthorized an awful lot of these programs throughout the government. In fact, a few years ago, I tried to reduce funding by eliminating any money for the endangered species listing because it was unauthorized for 26 years.

We lost on the floor on that, but his sentiment is absolutely correct, and we need to make sure the authorizing committees do their job.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. McCLINTOCK. Mr. Chairman, I can forgive my colleague from Ohio for misstating California's history as she did earlier today, but I cannot excuse her for misstating the recent history that we were all quite familiar with.

I would remind the gentlewoman that this House passed three appropriations bills over to the Senate funding the entire government last year, including a lot of things that we would like to reform, but we agreed to fund all of those spending with one exception.

We asked for a 1-year delay in the train wreck that has become ObamaCare. I think the American people can see that that was a realistic request. Unfortunately, the Senate chose not to act. That is what caused the government to seize up and to shut down.

Now, I also want to correct the gentlelady in her suggestion that, somehow, this is motivated because I don't like energy. I love energy, and I want to see it efficiently researched, and that is best done by the private sector using its own money, rather than politicians using other people's money to reward politically well-connected companies.

I would simply ask the gentlewoman this: If these programs were all so worthwhile, why is it that the authorizing committees have not bothered to reauthorize them in a span of up to 35 years?

I suggest that fact speaks for itself. Until these programs are properly reviewed and reauthorized, all I am asking is we don't keep increasing their budgets; we freeze them until the authorizing committees review them and reauthorize them.

With that, Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. McCLINTOCK).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. McCLINTOCK. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. PERRY

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 12, after the dollar amount, insert ''(increased by $20,100,000)''.

Page 26, line 24, after the dollar amount, insert ''(reduced by $20,100,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, I would like to begin by thanking Chairman SIMPSON and Ranking Member KAPTUR for their diligence in this legislation.

Mr. Chairman, I think every single American can agree that reducing our dependence on foreign oil is something that—and all foreign sources of energy—should be something that we should pursue, and in that vein, renewables is a significant component, but this bill cuts hydropower over $20 million.

Mr. Chairman, this amendment would seek to restore funding specifically—not to all renewables—but to hydropower, and it is offset with a Department of Energy administrative cost. That is where the money is coming from. According to the budget office, the amendment actually reduces outlays by $8 million.

Now, hydropower is available in every region of the country. It is not just the east coast. It is the whole way across the country, to the point that 2,200 hydropower plants provide America its most abundant source of clean, renewable electricity and accounts for 67 percent of domestic renewable generation or 7 percent of the total electricity generated. This could increase that 15 percent, creating over 1 million jobs by 2025—1.4 million, according to my figures.

Mr. Chairman, hydroelectricity is predictable. You can count on it. It is not variable. You don't have to count on the wind blowing. You don't have to count on the Sun shining. Twenty-four hours a day, 7 days a week, 365 days a year, as long as the rain is falling and the rivers are flowing, we are generating power.

You don't need a bank of batteries. You don't need the wind to be blowing. You don't need an alternative source of base load powers being generated. It provides it at a relatively low-maintenance cost.

As a matter of fact, Mr. Chairman, I would contend that it is the most efficient and economic form of renewable energy. It is unobtrusive. It is not bothering anybody. It is sitting there. You don't have to worry about birds flying into it or bats being killed on its blades. The fish swim right through it.

Now, it does face a significant regulatory approval process. There is much red tape, which equates to up to 15 years in permitting cycles, and that is a detractor that needs to be addressed, so much so that there are now 60,000 megawatts of preliminary permits and projects awaiting final approval and are pending before the commission in 45 of our 50 States—45 of our 50 States.

We can have this electricity if we can get through this red tape, Mr. Chairman. Of our 80,000 dams in the United States, 600—600 of them—have an immediate capability to produce energy at this moment.

Harnessing conventional hydroenergy will create a truly renewable and green energy source for our country. It is not just about Pennsylvania, and it is not just about the Fourth District that I represent. It is about all of our country becoming energy independent on renewable.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, while I oppose the amendment, I understand my colleague wants to see increased funding for the conventional hydropower within EERE. I understand that.

I am a big fan of hydropower in the Pacific Northwest.

One of the reasons we have some of the cheapest electricity in the country is because of the great use of hydropower in the Pacific Northwest.

The bill before us actually increases conventional hydropower by $1.7 million above last year. I look forward to working with the gentleman on this important program as we move forward through this process, but I do oppose this amendment.

Ms. KAPTUR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I just wanted to align my remarks with yours, and that is, though I would oppose the gentleman's amendment at this point, the potential of hydropower is enormous, both low-power hydro—and the more robust parts of the country, I am sure Idaho has big falls and Pennsylvania, in many places, but the low-power hydro that is more characteristic of the Great Lakes region, for example, offers enormous potential, and there are new inventions to be had in capturing the power of water, even as it moves in streams that flow just at grade.

Mr. Chairman, we need to allow this conversation to influence the Department of Energy, so that there is more attention given to hydro and to the development of new technologies, water dropping—being elevated and then being dropped in different parts of the country—as well as existing watersheds being used more effectively.

We need a lot more work. I would say to the gentleman that I bet we could get more than 15 percent, if we really put our minds to it, so I wanted to offer general support of the idea.

Even though we can't support your amendment today, let's hope in the future we can find a way to do a better job with hydropower.

I thank the chairman for yielding.

Mr. SIMPSON. I yield back the balance of my time.

Mr. PERRY. Mr. Chairman, I look forward to working with the chairman in the future on this and would ask, at this point, unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENT OFFERED BY MS. BONAMICI

Ms. BONAMICI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 12, after the dollar amount, insert ''(increased by $9,000,000)''.

Page 26, line 24, after the dollar amount, insert ''(reduced by $9,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentlewoman from Oregon and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. BONAMICI. Mr. Chairman, I rise today because of the power and potential of water and in support of an amendment that I am pleased to offer with my two colleagues from Maine, Congressman MICHAUD and Congresswoman PINGREE.

Mr. Chairman, our amendment would increase funding to the Department of Energy's Water Power Program by just $9 million, a small price tag that will yield a huge return on investment. This increase is offset by an equal amount from the Departmental administration account.

The modest increase that we are proposing will support hydropower and also the development of innovative hydropower technologies, along with marine and hydrokinetic energy technologies.

Development of these new technologies can offer the United States a chance to lead the world in an emerging area of abundant renewable energy. Marine and hydrokinetic energy—in particular, energy from waves, currents, and tides which, as the gentleman from Pennsylvania just recognized, unlike the Sun and wind, do not stop—is an exciting frontier in the renewable energy sector.

Currently, Oregon State University and the University of Washington are using Federal funding from the Water Power Program to develop the Northwest National Marine Renewable Energy Center, a center that will provide visionary entrepreneurs a domestic location to test wave energy devices, along with other technology, rather than traveling to Scotland to use the European test center. Without continued Federal investment, Europe will remain the leader.

When fully developed, wave and tidal energy systems could generate a significant amount of total energy used in the United States. As Congress promotes technologies that can help lower our constituents' energy bills, we must embrace new and innovative solutions, like marine and hydrokinetic renewable energy.

With this modest increase, the Water Power Program can do that while continuing to support a Federal investment in conventional hydropower technology.

Mr. Chairman, I urge adoption of the amendment, and I reserve the balance of my time.

□ 1830

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise reluctantly to oppose the amendment. The amendment would increase funding for the marine and hydrokinetic programs within the EERE account. I appreciate my colleague's passion for renewable energy programs. She has worked tirelessly to support efforts to advance American research and industry in this area.

This year's funding for EERE is $1.789 billion, $113 million below last year and $528 million below the budget request. This is roughly equivalent to the fiscal year 2013 level presequester and is nearly $1 billion more than last year's House bill.

Funding for energy efficiency and renewable energy is focused on three main priorities: helping American manufacturers compete in the global marketplace, supporting the Weatherization Assistance Program, and addressing future high gas prices. This left limited funding for renewable energy programs for which funding is prioritized to support two main projects: an offshore wind demonstration project and an enhanced geothermal field test site.

Within the remaining resources, the recommendation provides $38.5 million for water power and accepts the budget request proposal for an almost even split between the conventional hydropower program and the marine and hydrokinetic technologies program. I support the water program, and I would be happy to work with my friend in the event the EERE account receives additional funding in conference, but we simply cannot afford to increase these activities in this bill by diverting funds from inherently Federal responsibilities. While I am supportive of reducing the size of government, this amendment would reduce funding that supports 64 people within the Department of Administration. I must therefore reluctantly oppose the amendment and urge Members to do the same.

I yield back the balance of my time.

Ms. BONAMICI. Mr. Chairman, I yield 2 minutes to the gentleman from Maine (Mr. MICHAUD), my friend and cosponsor of the amendment.

Mr. MICHAUD. Mr. Chairman, I thank the gentlelady for yielding, and I rise in strong support of this amendment.

The Water Power Program supports critical private sector research, development, deployment, and commercialization for new American hydropower technologies and marine hydrokinetic energy. Water power research helps to reduce costs and environmental impacts of these reliable, renewable energy sources and is very critical for private sector investment.

In Maine, the Ocean Renewable Power Company has deployed our Nation's first grid-connected marine hydrokinetic energy system, the first in the country, and they are working to deploy additional units in other areas of the country. They have invested nearly $30 million in the local economy while creating or retaining over 100 quality jobs.

Countries like Japan, Chile, and Australia have shown an interest in this American technology, and it presents a great opportunity for exporting American technology. So not only will the development of new domestic water power technology create jobs and reduce the energy costs for homes and

businesses across the country, but it represents an opportunity for the U.S. to lead the world in an emerging area of renewable and abundant energy.

Now is not the time for a drastic cut in these important programs. I urge my colleagues to support this very modest amount of money while at the same time realizing that we do have fiscal constraints.

Ms. BONAMICI. Mr. Chairman, I urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Oregon (Ms. BONAMICI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. BONAMICI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Oregon will be postponed.

The Clerk will read.

The Clerk read as follows:

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $160,000,000, to remain available until expended: *Provided*, That of such amount, $27,500,000 shall be available until September 30, 2016, for program direction.

AMENDMENT OFFERED BY MR. MCNERNEY

Mr. MCNERNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 24, after the dollar amount, insert ''(increased by $20,000,000)''.

Page 26, line 24, after the dollar amount, insert ''(reduced by $20,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, our Nation's electrical system is in transition. The infrastructure is aging. It remains vulnerable to physical and cyber threats, and our energy use is changing and evolving every day.

The Nation's electric grid connects Americans with more than 5,000 power plants nationwide and about 450,000 miles of transmission lines. Seventy percent of those transmission lines and power transformers are more than 25 years old, and the average age of the power plant in this country is more than 30 years old.

Between 2003 and 2012, there were 679 power outages, each affecting at least 50,000 people and costing billions of dollars.

The Department of Energy's Office of Electricity Delivery and Energy Reliability works to modernize our Nation's electric grid and infrastructure by partnering with industry, academia, and State governments to modernize the grid and our Nation's electrical infrastructure.

The amendment Mrs. ELLMERS and I are offering increases funding for the Department of Energy's Electricity Delivery and Energy Reliability office by $20 million and decreases the departmental administration account by the same amount.

Making smart investments to address issues facing our Nation's electricity infrastructure will have a number of benefits: it will ensure long-term stability in the electricity and energy systems; it will spur innovation; it will help make the transition to more efficient use of electric power; and it will create technical and manufacturing jobs. Ensuring a reliable and resilient electricity grid will reduce costs for businesses and consumers by saving energy.

Grid industry groups such as GridWise Alliance and the National Electrical Manufacturers Association, utilities, and manufacturers support this amendment. I urge its adoption.

I now yield such time as she may consume to the gentlewoman from North Carolina (Mrs. ELLMERS), my colleague and cosponsor, and thank her for her leadership on this issue.

Mrs. ELLMERS. Mr. Chairman, I rise today in support of this amendment, and I would like to thank the gentleman from California (Mr. MCNERNEY) for his leadership as well and working with me to promote further research that protects and improves our Nation's energy infrastructure.

This amendment will have a positive impact on our Nation's energy reliability, efficiency, and security. It will help us maintain a robust manufacturing presence and will ensure the critical research and development to continue in the vital areas of energy transmission, smart grid technology, energy storage, and cybersecurity.

Technological advancements in the energy sector are occurring across the country at a rapid pace, and there is no better example of the industry's success than in North Carolina. The success of research and development is due in part to the strong partnership between the private sector and universities.

Mr. Chairman, I have seen firsthand on the campus of North Carolina State University where they have partnered with industry leaders to innovate grid technologies to create the Smart Grid Center of Excellence. I have also seen the positive impact of implementing this technology and the benefits it brings to our rural communities and their rural electric cooperatives.

Mr. Chairman, with a growing need for grid reliability and cybersecurity measures to promote our Nation's energy infrastructure, I urge my colleagues to support the amendment.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise to oppose the amendment. The amendment would increase funding for the Office of Electricity Delivery and Energy Reliability by $20 million using funds from the departmental administration account as an offset.

The President's budget request proposes to increase the Office of Electricity Delivery and Energy Reliability from $147 million to $180 million, a 22 percent increase, which the amendment would achieve. Instead, the bill before us provides a balanced increase of $13 million for the Office of Electricity Delivery and Energy Reliability, 9 percent above the fiscal year 2014 level. Put another way, that is a larger percentage increase than any other applied energy program in this bill. The underlying bill is a larger percentage increase than any other applied energy program in this bill.

The bill prioritizes programs within OE that keeps our electricity grid safe and secure. To that end, the bill provides $47 million to protect the energy sector's critical infrastructure against the ever-present threats of cyber attack and $16 million for infrastructure security, including $8 million for a strategic operations center to better respond to emergencies.

While I support the program championed by my colleagues, we must and have to abide by our allocation, and we simply cannot afford additional increases to the OE program by diverting funds from other Federal responsibilities. It is a choice that we have had to make as we balance this bill. As I said, this has the largest percentage increase—9 percent—of any other programs within this area of the budget. Therefore, I must oppose the amendment and urge Members to do the same.

I yield back the balance of my time.

Mr. MCNERNEY. Mr. Chairman, grid reliability is an issue that we are facing. Just this last year, we faced a physical attack on a substation in the south bay of the bay area. We are seeing increasing cyber attacks. We also have an opportunity to utilize renewable energy more effectively with grid responsiveness with the new technology that allows rapid switching. In other words, this could help transform our country to a more modern, a more reliable, more efficient, and a more economic grid system. So I think the money would be well spent. I urge my colleagues to support the McNerney-Ellmers amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCNERNEY).

The amendment was rejected.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I yield to the gentleman from New York (Mr. TONKO), a capable and engaged Member of this House.

Mr. TONKO. Mr. Chairman, H.R. 4923 is far from a perfect bill. I have serious concerns about some of the policy riders in the bill, and I am disappointed that it does not contain higher funding for renewable energy programs, but there are a number of important programs that receive the funding they desperately need. We all know that tough choices have to be made within the overall funding allocations, and I want to thank subcommittee Chair SIMPSON and Ranking Member KAPTUR for their hard work on the bill.

Earlier this year, I joined with 79 of our colleagues in support of strong funding for two important energy efficiencies programs at the Department of Energy: the Weatherization Assistance Program and the State Energy Program. These programs were underfunded in recent House appropriations bills, and I am pleased that this bill includes a significant improvement in the funding status for these two programs.

I want to thank my colleagues for joining me in expressing support for these programs to the committee earlier this year, and again, I thank the subcommittee chair and ranking member for responding to our requests for robust funding for these programs.

The Weatherization and State Energy Programs not only help our citizens to use energy more efficiently and effectively, these programs create and sustain jobs in communities across our great Nation. Energy efficiency improvements make homes more comfortable and keep utility costs affordable. They also create jobs for small business contractors in local communities.

The Weatherization Assistance Program enables seniors and veterans and persons with disabilities and families with low incomes to make energy efficiency improvements that they would otherwise not be able to afford. Lowering their energy bills frees up limited income they can use toward other essentials like food purchases and medicines. DOE estimates savings from weatherizing a home of over $400 per year. That is real money to many families who are struggling to make ends meet.

The State Energy Program enables our home States to develop and implement their own energy efficiency and renewable energy projects, projects that are tailored to address the very specific needs of our individual States.

The electricity sector is undergoing, as we all know, a significant transformation. The old model of one-way distribution from central generation points is giving way to systems with more distributed generation. Grids need to be upgraded and are becoming smarter; security issues need attention; and changing economics, fuel mix, and regulations are also catalyzing changes in this sector. State Energy Programs have an important role to play in this transformation, and support for these programs will be very helpful to States as they work through these changes.

□ 1845

On a separate issue, together with our colleagues Representative OWENS and Representative GIBSON, both of New York, we called for robust funding for DOE's Naval Reactors Program. The $1.2 billion included for naval reactors in this bill is critical to support three long-term projects: the Ohio class replacement, the spent fuel handling facility, and research and training reactor maintenance.

Over the past 5 years, Naval Reactors has been funded below requirements by over $450 million, including $151 million below the President's fiscal year '14 request. While I was disappointed to see Naval Reactors at $162 million below this year's request, I do thank the committee for including some very important report language.

The work done at the Kesselring site and the Knolls Atomic Power Lab is essential to our national security and our Navy's readiness. The training reactors at the Kesselring site in upstate New York are critical to training nuclear-qualified sailors. Earlier this year, unfunded maintenance and repair costs threatened to shut down one of the site's two reactors, which would have resulted in 450 fewer nuclear-qualified sailors in the fleet next year.

This bill requires significant funding for training reactor operations and maintenance at the Kesselring site and fully funds development of the Ohio replacement at KAPL, which cannot afford further delays. I hope that we can work together to make sure this critical program is fully funded moving forward to ensure that the Navy's nuclear-powered fleet has the resources, sailors, and research it needs to operate effectively and safely.

Finally, I am also pleased to see that the ARPA-E program receives robust funding in this bill. ARPA-E is an important program. Its mission to tackle big challenges in energy and move promising technologies forward into the market through strategic partnerships between government, universities, and businesses is vital to our long-term economic and energy security.

Ms. KAPTUR. I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $899,000,000, to remain available until expended: *Provided*, That of such amount, $73,000,000 shall be available until September 30, 2016, for program direction including official reception and representation expenses not to exceed $10,000.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), $593,000,000, to remain available until expended: *Provided*, That of such amount, $120,000,000 shall be available until September 30, 2016, for program direction.

AMENDMENT OFFERED BY MS. SPEIER

Ms. SPEIER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 21, line 2, after the dollar amount insert ''(reduced by $30,935,000)''.

Page 59, line 20, after the dollar amount insert ''(increased by $30,935,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. SPEIER. Mr. Chairman, it is not often that I can use a passage from the Bible to describe an appropriations bill, but the money-wasting allocation of funds in this bill is perfectly described by the Gospel of Matthew. It observes:

> For whoever hath, to him shall be given, and he shall have more abundance: but whosoever hath not, from him shall be taken away even that he hath.

A sociologist termed this the ''Matthew Effect,'' a term for why the rich get richer and the poor get poorer.

That is pretty much what is going on here. Why on Earth are we handing out money to fossil fuel companies? They don't need more abundance. They are receiving more than enough from the Federal Government as it is, some $4 billion in taxpayer subsidies each year.

My amendment is extremely modest. It retains the $562.1 million for R&D that is in the budget—far more, I might add, than the President had in his budget of $475 million. But do we really need to increase the R&D budget for fossil fuels beyond the $563 million? Let's show the taxpayers we have just a little restraint.

Fossil fuel companies are perfectly capable of funding their own research. In fact, they do. ExxonMobil alone has spent about $5 billion since 2008. If more spending on R&D is, in fact, needed, they are more than capable of funding it on their own. Perhaps they could reallocate some of the $144 million, or

more than $396,000 per day, they spent last year lobbying Members of Congress. Maybe some of their 763 lobbyists—nearly two for each Member of Congress in the House—would be willing to start a new career in research.

Here in the Federal Government where we don't have millions of dollars to throw around willy-nilly, we need to reexamine our investments. Appropriations bills are documents that spell out our priorities. Increasing the fossil fuel R&D budget by $31 million to an already overly generous $562 million while slashing renewable R&D budgets by $80 million states loud and clear that we are more interested in funding rich energy companies of the past rather than energy of the future.

Again, this amendment is simple. It strikes $31 million in R&D from fossil fuels and commits it to deficit reduction and maintains the FY14 level of funding for this research.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chair, I appreciate the gentlewoman's references from the Bible in her debate. It is always interesting.

Mr. Chairman, I rise to oppose the amendment. The amendment would reduce funding for the fossil energy account by $31 million in favor of deficit reduction.

Fossil fuels, such as coal, oil, and natural gas, provide for 82 percent of the energy used by this Nation's homes and businesses and will continue to provide for the majority of our energy needs for the foreseeable future. That is 82 percent.

The bill rejects the administration's proposed reductions to fossil energy, particularly with drastic cuts to the coal program, which is reduced by 29 percent under the budget request, and, instead, funds these programs at $593 million, $31 million above last year. With this additional funding, the Office of Fossil Energy will research how heat can be more efficiently converted into electricity in a cross-cutting effort with nuclear and solar energy programs, how water can be more efficiently used in water plants, and how coal can be used to produce electricity, electric power, through fuel cells.

This amendment would reduce funding for a program that ensures that we use our Nation's fossil fuel resources as well and as cleanly as possible. In fact, if we increase the efficiency of our fossil energy plants, as I have said before during this debate, if we increase the efficiency of our fossil energy plants by just 1 percent—by just 1 percent—we could power an additional 2 million households without using a single additional pound of fuel from the ground. That is the research we are focusing on with funding this program.

We all know that American families and businesses have struggled with high energy prices, and the fossil energy research program holds the potential once and for all to prevent future high prices and substantially increase our energy security.

Therefore, I must oppose this amendment and urge my colleagues to do the same.

I yield back the balance of my time.

Ms. SPEIER. Mr. Chairman, we have been having a raging debate in this House over the Ex-Im Bank. Many of my colleagues on the other side of the aisle are screaming that that is, in fact, corporate welfare.

Well, when the three largest oil companies in this country—ExxonMobil, BP, and Shell—made over $62.7 billion in the last year, and you are sitting here and telling us that giving them $4 billion and giving them another $563 million is not enough, that we need to augment it by some $31 million, I think that is pretty darn laughable.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. SPEIER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. SPEIER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

NAVAL PETROLEUM AND OIL SHALE RESERVES

For expenses necessary to carry out naval petroleum and oil shale reserve activities, $19,950,000, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

ELK HILLS SCHOOL LANDS FUND

For necessary expenses in fulfilling the final payment under the Settlement Agreement entered into by the United States and the State of California on October 11, 1996, as authorized by section 3415 of Public Law 104–106 (10 U.S.C. 7420 Note), $15,579,815, for payment to the State of California for the Teachers' Retirement Fund of the State, of which $15,579,815 shall be derived from the Elk Hills School Lands Fund.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $205,000,000, to remain available until expended.

NORTHEAST HOME HEATING OIL RESERVE

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $7,600,000, to remain available until expended: *Provided*, That of the unobligated balances from prior year appropriations available under this heading, $6,000,000 is hereby permanently rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $120,000,000, to remain available until expended.

AMENDMENT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 22, line 19, after the dollar amount, insert ''(reduced by $500,000)''.

Page 26, line 24, after the dollar amount, insert ''(increased by $500,000)''.

Ms. KAPTUR (during the reading). Mr. Chair, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 641, the gentlewoman from Ohio and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I am pleased to offer this amendment regarding opportunities for small businesses on behalf of our able and dedicated colleague from Texas, Congresswoman SHEILA JACKSON LEE, who had to return to Texas on very important official business this evening, and she is airbound, I believe, at this point. I am honored to offer it on her behalf.

Essentially, the amendment increases funding for the Department of Energy's Office of Economic Impact and Diversity by a minimal amount of $500,000 offset by a reduction of like amount in funding for the Energy Information Administration. This amendment increases funding for the Department's Office of Minority Impact, which should be used to enhance the Department's engagement with minority programs and other related activities.

The Office of Economic Impact and Diversity is really a credit to Secretary of Energy Moniz's holistic view of diversity, which recognizes that participation via equal access is critical to our commitment to ensuring that the Department works for all Americans, particularly to improve the lives of low-income and minority communities, as well as our environment at large.

Twenty years ago, on February 11, 1994, President Clinton issued Executive Order 12898, directing Federal agencies to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations.

We need to highlight the Office of Economic Impact and Diversity in the

Office of Economic Impact and Diversity because STEM education—science, technology, engineering, and math education—has become a real calling card.

The Department of Energy seeks to provide equal access in these opportunities for underrepresented groups in STEM, including minorities, Native Americans, and women.

Mr. Chairman, women and minorities make up 70 percent of college students but only 45 percent of undergraduates that are STEM degree holders. That is really quite a startling statistic. The women and minorities comprise 70 percent of college students. Only 45 percent of them that are undergraduates are STEM degree holders. That is almost a 2-to-1 ratio.

This large pool of untapped talent is a great potential source of STEM professionals. As the Nation's demographics are shifting and now most children under the age of 1 are minorities, it is critical that we take and close the gap in the number of minorities who seek STEM opportunities. I applaud the Secretary's commitment, which will increase the Nation's economic competitiveness and enable more of our people to realize their full potential and America's full potential.

Mr. Chairman, there are still a great many scientific riddles left to be solved, and perhaps one of these days a minority engineer or biologist will come up with the solutions. The larger point is that we need to make more STEM educators and more minorities to qualify for them and to make this country fully representative.

The funding provided by this amendment will help ensure that members of underrepresented communities are not placed at a disadvantage when it comes to environmental sustainability, preservation, and health. Through education about the importance of environmental sustainability, we can promote a broader understanding of science and how citizens can improve their surroundings. In community education efforts, working with teachers and students, they can also learn about radiation, radioactive waste management, and other related subjects. In fact, many of the communities that these individuals live in are places where environmental cleanup is so desperately needed based on the legacy costs of our nuclear programs, for example.

The Department of Energy places interns and volunteers from minority institutions into Energy Efficiency and Renewable Energy programs. The Department of Energy also works to increase low-income and minority access to STEM fields and help students attain graduate degrees, as well as find employment.

The other offices within the Office of Economic Impact and Diversity are the Minority Business and Economic Development, the Minority Education and Community Development, Civil Rights Diversity and Inclusion, and the Council on Women and Girls and Minority Banks.

□ 1900

With the continuation of this kind of funding, we can increase diversity, provide clean energy options to our most underserved community, and help improve their environments, which will yield better health outcomes and greater public awareness. Most importantly, businesses will have more consumers with whom they may engage in related commercial activities.

We must help our low-income and minority communities and ensure equity for those who are the most vulnerable in our country.

I ask our colleagues to join me in support of the Kaptur amendment, by way of SHEILA JACKSON LEE's amendment, for the Office of Economic Impact and Diversity program.

I ask for the support of my colleagues, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, I want to thank Chairman SIMPSON and Ranking Member KAPTUR for their stewardship in bringing this legislation to the floor and for their commitment to preserving America's great natural environment and resources so that they can serve and be enjoyed by generations to come.

My amendment increases funding for DOE Office of Minority Impact by $500,000, which should be used to enhance the Department's engagement with minorities programs and other related activities.

Mr. Chair, the Office of Economic Impact and Diversity is a paean to Energy Secretary Moniz's holistic view of diversity, which recognizes that participation via equal access is critical to our commitment to ensuring that the Department works for all Americans—particularly to improve the lives of low income and minority communities as well as the environment at large.

Twenty years ago, on February 11, 1994, President Clinton issued Executive Order 12898, directing federal agencies to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations.

I need to take time to highlight the Office of Economic Impact and Diversity in the Office of Economic Impact and Diversity because STEM education has become my calling card.

The Department of Energy seeks to provide equal access in these opportunities for underrepresented groups in STEM, including minorities, Native Americans, and women.

Mr. Chair, women and minorities make up 70 percent of college students, but only 45 percent of undergraduate STEM degree holders.

This large pool of untapped talent is a great potential source of STEM professionals. As the nation's demographics are shifting and now most children under the age of one are minorities, it is critical that we close the gap in the number of minorities who seek STEM opportunities. I applaud the Secretary's commitment which will increase the nation's economic competitiveness and enable more of our people to realize their full potential.

Mr. Chair, there are still a great many scientific riddles left to be solved—and perhaps one of these days a minority engineer or biologist will come-up with some of the solutions.

The larger point is that we need more STEM educators and more minorities to qualify for them.

The funding provided by this amendment will help ensure that members of underrepresented communities are not placed at a disadvantage when it comes to the environmental sustainability, preservation, and health.

Through education about the importance of environmental sustainability, we can promote a broader understanding of science and how citizens can improve their surroundings.

Through community education efforts, teachers and students have also benefitted by learning about radiation, radioactive waste management, and other related subjects.

The Department of Energy places interns and volunteers from minority institutions into energy efficiency and renewable energy programs. The DOE also works to increase low income and minority access to STEM fields and help students attain graduate degrees as well as find employment.

The other offices within the Office of Economic Impact and Diversity are the Minority Business and Economic Development, the Minority Education and Community Development, Civil Rights, Diversity and Inclusion, Council on Women and Girls, and Minority Banks.

With the continuation of this kind of funding, we can increase diversity, provide clean energy options to our most underserved communities, and help improve their environments, which will yield better health outcomes and greater public awareness.

But most importantly businesses will have more consumers to whom they may engage in related commercial activities.

We must help our low income and minority communities and ensure equity for those who are most vulnerable in our country.

I ask my colleagues to join me and support the Jackson Lee Amendment for the Office of Economic Impact and Diversity Program.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Ohio (Mrs. KAPTUR).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $241,174,000, to remain available until expended.

AMENDMENT OFFERED BY MR. REED

Mr. REED. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 5, after the dollar amount, insert ''(increased by $4,000,000)''.

Page 26, line 24, after the dollar amount, insert ''(reduced by $4,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. REED. Mr. Chairman, I rise today to offer an amendment that will provide an additional $4 million in funding to the nondefense environmental cleanup line of the subject bill by diverting money that otherwise would go to the D.C. bureaucracy and putting that money on the front line to this critical piece of necessary work that needs to be done across the country.

I would offer, Mr. Chairman, that this amendment supports public safety and health.

I recognize, Mr. Chairman, that we are operating in tough fiscal times, and I appreciate the work the subcommittee has done on appropriations by going through this bill in a very thoughtful and methodical way. It has offered a good piece of sound legislation.

However, I would ask that this amendment be considered and supported by my colleagues because what it fundamentally will do is provide the necessary resources for nuclear waste cleanup sites around the Nation and ensure that these dollars are spent at a level that recognizes the priority of these efforts to our country.

In our district, I have a site called the West Valley Demonstration Project that is one of these types of sites. I have heard from many of my constituents—the West Valley Citizens Task Force, in particular—that spend and devote a tremendous amount of time to this facility and this effort of cleaning up these nuclear waste sites across the country, and in particular the West Valley Demonstration Project site.

The information I received, Mr. Chairman, is that there is a need for consistent funding in this area, because if there is not, the long-term capability and the long-term cost to our country to clean these sites up significantly is increased because of the lack of consistency in the funding necessary to go through this tremendous remediation and restabilization efforts at these nuclear sites.

I am also pleased, Mr. Chairman, to rise with support on a bipartisan basis, working with Congressman HIGGINS, my colleague in New York, as well as Mr. MATHESON, who has joined us in these efforts to recognize across the country that this is a priority level type of effort that needs to be done for our nuclear waste sites across the country.

Mr. SIMPSON. Will the gentleman yield?

Mr. REED. I yield to the gentleman from Idaho.

Mr. SIMPSON. Mr. Chairman, I thank the gentleman for yielding.

I rise to support this amendment. I certainly understand the gentleman's concerns about support for the ongoing cleanup efforts at the Department of Energy sites. This amendment is a small adjustment that will ensure continued progress to the West Valley Demonstration Project, and I am pleased to support this amendment.

Mr. REED. Reclaiming my time, I appreciate the gentleman's support of that effort.

With that, I yield 1½ minutes to the gentleman from New York (Mr. HIGGINS).

Mr. HIGGINS. I appreciate Mr. REED yielding.

Mr. Chairman, I rise in strong support of the amendment, which seeks to modestly increase the funding to the nondefense environmental cleanup program.

Passage of this amendment, as Mr. REED has said, will ensure nuclear cleanup sites across the country receive adequate funding, thereby protecting communities from the harmful effects of radioactive waste.

In western New York, as Mr. REED has said, the West Valley nuclear waste processing plant was established in 1966 in response to Federal calls to commercialize the reprocessing of spent nuclear fuel. When the facility terminated its operation only a few years later, it left in its wake more than 600,000 gallons of high-level radioactive waste, a hazardous and unfortunate legacy that the community is still dealing with today.

This is a public safety and environmental hazard that we cannot ignore. The leakage of a plume of radioactive material at that site into groundwater underscores the danger posed by the proximity of the facility to streams that drain into Lake Erie. If this radioactive waste were to make its way into the Great Lakes, the effects would be devastating.

Simply put, it is the responsibility of the Federal Government to make sure that cleanup proceeds expeditiously.

Mr. Chairman, it is critical that we maintain our commitment to West Valley and other nuclear sites across the country by continuing to support remediation efforts.

I am proud to work with my friend and colleague, Congressman TOM REED, on this issue, and I urge support of this important bipartisan amendment.

Mr. REED. Reclaiming my time, Mr. Chairman, I thank the subcommittee chairman for the support on this amendment. I thank my colleague on the other side of the aisle for joining us in this effort, and I ask that we support this amendment and move forward.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. REED).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, $585,976,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 17 passenger motor vehicles for replacement only, including two buses, $5,071,000,000, to remain available until expended: *Provided*, That of such amount, $180,000,000 shall be available until September 30, 2016, for program direction: *Provided further*, That no funding may be made available for U.S. cash contributions to the International Thermonuclear Experimental Reactor project until its governing Council implements the recommendations of the Third Biennial International Organization Management Assessment Report: *Provided further*, That the Secretary of Energy may waive this requirement upon submission to the Committees on Appropriations of the House of Representatives and the Senate a determination that the Council is making satisfactory progress towards implementation of such recommendations.

AMENDMENT OFFERED BY MR. FOSTER

Mr. FOSTER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 24, line 1, after the dollar amount, insert ''(increased by $40,155,000)''.

Page 28, line 14, after the dollar amount, insert ''(reduced by $40,155,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Illinois and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. FOSTER. Mr. Chairman, I rise today to offer an amendment to increase overall spending for the Department of Energy's Office of Science.

The underlying bill provides a budget allocation approximately $40 million below the President's request for the Office of Science. My amendment would restore the funding level to the President's request. Our national labs and the major user facilities housed at those labs are some of the greatest tools that we have to offer researchers and industry. My amendment would ensure that our national labs are on a sound footing to maintain our role as a global leader in innovation and scientific research.

The greatest long-term economic and national security threat that our country faces is the prospect of losing our role as world leaders in science and technology. Nothing is more critical to preserving our role as world leaders than the fundamental and applied scientific research that is supported by the DOE Office of Science.

As a physicist who worked at Fermi National Accelerator Lab for over 20 years, I understand the productivity

and the potential of the Department of Energy's national lab system, their contributions to our economy, and the wide range of scientific research that they support.

The Chicago area is home to a number of scientific centers, including Fermilab and Argonne National Laboratory. The economic impact of Argonne and Fermilab in Illinois alone is estimated to be more than $1.3 billion annually.

The work done at Argonne and Fermi national labs not only supports our local economy, employing roughly 5,000 people in Illinois, but it is critical to our Nation's long-term economic success.

Despite the economic benefits of scientific research, Federal investments in research and development are at historically low levels. In 2014, our Federal spending on R&D, both defense and nondefense, amounted to less than 1 percent of our GDP, a trend that simply must be reversed.

In fact, over the last 3 years, Federal research and development expenditures decreased by 16.3 percent, which is the steepest decline over a 3-year period since the end of the space race.

We simply cannot sustain this downward trend and still expect to be at the cutting edge of scientific research and innovation.

The Office of Science is responsible for supporting research that is too big for any single company or university to develop. Our national labs are critical research tools to academics and industry alike. For example, Eli Lilly conducts nearly half of its drug discovery research at the Advanced Photon Source at Argonne.

The Office of Science is also home to the Department's newest ventures, the innovation hubs, which seek to discover and develop the next generation of energy sources and delivery systems.

Programs like the Joint Center for Energy Storage Research, headquartered at Argonne, and the Fuels from Sunlight Hub, headquartered at the California Institute of Technology, bring together multiple teams of researchers who are working to develop energy advancements that have the potential to transform energy systems.

The Office of Science also invests in fusion, a safe, clean, and sustainable energy source that has the scientific potential to provide the U.S. with energy independence and a nearly limitless energy supply.

Through the Office of Science's Biological and Environmental Research programs, we have become world leaders in biofuels research. This research is laying the foundation for a revolution in biofuel production that will help to lessen our dependence on foreign oil.

And the list goes on.

The investments in the DOE Office of Science have also supported research driven by intellectual curiosity alone, such as the discovery science at the forefront of high energy and particle physics, astronomy, or the physics of ultracold atoms.

These investments have led to the development of new technology such as the construction of accelerators and detectors that enable our scientists to discover new particles, including the top quark, the heaviest known form of matter, and the Higgs boson, that help explain the fundamental nature of the universe.

But perhaps most importantly, the Office of Science has supported the training of scientists, mathematicians, and engineers for more than 60 years.

At a time of continuing economic stress, we must continue to develop the next generation of American technical workforce. As other world powers are growing and challenging our position as a global leader in science and innovation, we cannot afford to let the number of American scientists and researchers, or the quality of their research facilities, diminish.

Funding scientific research and development results in one of the highest return on investments that our Nation can make. It is essential that we continue to fully support funding for our national labs to preserve our global competitive advantage.

I rise in strong support of my amendment, and I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I am concerned that the amendment proposes to shift funding from defense to nondefense functions.

Assuring funding for the modernization of our nuclear weapons stockpile is a critical national security priority in this bill. Shifting funding between defense and nondefense allocations would have negative repercussions on every appropriations bill by exceeding the Ryan-Murray budget caps that trigger sequestration.

I share my colleague's support for the programs within the Office of Science, and I will be happy to work with him in the event we have additional funding for the basic energy science program in conference. However, I must oppose the amendment as written, and urge others to do the same.

I yield back the balance of my time.

Mr. FOSTER. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Illinois?

There was no objection.

AMENDMENT OFFERED BY MR. FOSTER

Mr. FOSTER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 24, line 1, after the dollar amount, insert ''(reduced by $300,000) (increased by $300,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Illinois and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. FOSTER. Mr. Chairman, I am proud to offer this amendment on behalf of Representative RUSH HOLT, who is, even as we speak, being honored for his many years of service to science, to Congress, and to the citizens of New Jersey.

Our amendment simply transfers funds within the Department of Energy's Office of Science account with the intent of restoring the National Undergraduate Fellowship Program, sometimes affectionately referred to NUF.

The Department of Energy's FY 2015 budget request would zero out funding for NUF while increasing funding for the Science Undergraduate Laboratory Internships, sometimes referred to as SULI.

□ 1915

Our amendment would simply reallocate the additional SULI funding back to NUF, allowing the program to continue. The elimination of NUF would reduce the overall slots available for those wishing to study plasma physics.

Additionally, the goal of NUF is to support a very specific workforce need, and an analysis of the numbers proves that this program has been remarkably successful, particularly in encouraging female participation in the sciences.

According to the data collected by program administrators, since 2000, almost three-quarters of the undergraduate students who have participated in NUF have entered a doctoral program in physics, and nearly half have studied plasma physics or related fields.

The program has succeeded in encouraging women to study plasma physics. The Division of Plasma Physics of the American Physical Society has a female composition of only 7 percent, yet 51 percent of female NUF participants enter a Ph.D. program, with almost half of those entering the plasma physics Ph.D. program.

I urge support for this amendment, which would restore the NUF program, and I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Idaho is recognized for 5 minutes.

There was no objection.

Mr. SIMPSON. Mr. Chairman, the amendment would restore the funding for the National Undergraduate Fellowship Program within the Office of Science, which was proposed for elimination as part of the administration's overall science, technology, engineering, and mathematics—or STEM's—consolidation efforts.

I appreciate my colleague's passion for the general science education. He has worked tirelessly to support efforts

that advance American research in this area. I have no issues with his amendment, and I would encourage its adoption by voice vote.

I yield back the balance of my time.

Mr. FOSTER. I thank Chairman SIMPSON and Ranking Member KAPTUR for their work on this bill and for their support of this amendment.

Before I yield, Mr. Chairman, I would like to read a section from a June 21, 2014, report by the Fusion Energy Sciences Advisory Committee, which assessed workforce development needs and the importance of a wide education pipeline:

> A complete picture of the scientific workforce must be understood in the context of the broader education pipeline. There are many reports that discuss the challenge of training highly qualified individuals in the so-called STEM—science, technology, engineering, and mathematics—fields. We believe that a robust workforce for fusion energy sciences requires a wide pipeline that starts with precollege activities and ends with strong employment opportunities. This pipeline should also tap into the full potential of the American populace, with opportunities to attract women and groups that are traditionally underrepresented in STEM fields.

The adoption of our amendment today will help address this point in part, but we would also like to state our opposition to the Department of Energy's plan to remove precollege science education activities from its mission portfolio.

The Department of Energy labs provide world-class facilities, where students and scientists conduct groundbreaking research. These facilities should operate both as hubs of innovation and as research tools to engage students.

When young students and teachers are able to directly engage with our national labs, it inspires an interest and a passion for science beyond what any textbook or online resource could ever provide.

Both Representative HOLT and I worked at a national lab for many years before coming to Congress, and we have witnessed firsthand how a young student's time spent among researchers and experiments can inspire a lifelong interest in science.

We fear that, in limiting educational activities only to the Education Department, that we will further isolate the public from important scientific research that is being conducted in our national labs and that we will diminish science education in America overall.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. FOSTER).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982 (Public Law 97–425), including the acquisition of real property or facility construction or expansion, $150,000,000, to remain available until expended, and to be derived from the Nuclear Waste Fund.

AMENDMENT NO. 15 OFFERED BY MS. TITUS

Ms. TITUS. Mr. Chairman, I wish to call up amendment No. 15.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 24, line 19, after the dollar amount, insert ''(reduced by $150,000,000)''.

Page 59, line 20, after the dollar amount, insert ''(increased by $150,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentlewoman from Nevada and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Nevada.

Ms. TITUS. Mr. Chairman, the legislation before us directs $150 million to be spent on ''activities related to the Nuclear Waste Policy Act.'' For my constituents in southern Nevada, we know that that is code for ''build the Yucca Mountain nuclear waste repository.''

After decades of losing time and over $15 billion having been squandered on this boondoggle, the current administration has rightly said it is time for a new strategy.

Our colleagues in the Senate understand this need to turn the page, which is why Senators WYDEN and MURKOWSKI introduced bipartisan legislation that creates a new system for the disposal of the Nation's nuclear waste.

Unfortunately, some in this body still believe that we should force nuclear waste that has been created in their districts on a region that does not have a single nuclear power plant.

What started decades ago as a law authorizing the study and the selection of two geological depositories suitable for the permanent storage of spent nuclear fuel has now transformed into politics at its worst.

With the passage of the ''screw Nevada'' bill in 1987, which designated Yucca Mountain as the sole repository for the Nation's nuclear waste prior to the completion of adequate scientific evaluation, the goal shifted from how to find the best site for storage to how to force Nevada to take all of this waste—science and common sense be damned.

As the years passed, billions of dollars were wasted, and the misguided Yucca project changed from being a geologic depository to a manmade structure, with barriers erected to attempt to mitigate the tectonic fault lines that run directly under the mountain, threatening the geohydrology of the area with leaking radioactive waste.

The original plan was ill-conceived, and studies conducted over the past few decades clearly illustrate the dangers and costs associated with the project. Unfortunately, you can add the passage of legislation to institute a new national nuclear waste policy to the growing list of issues this Congress has now failed to address.

In the absence of coherent policy, I offer this amendment today to use the funding appropriated for carrying out the failed Yucca Mountain plan to reduce our deficit.

Instead of wasting tens of millions of dollars more on an unworkable solution, let's instead meet our fiduciary obligations to future generations. At the same time, let us commit to moving forward with a new policy to address the Nation's nuclear waste, one that relies on a consent-based system, so that it doesn't force waste on communities like mine.

I urge my colleagues to support this amendment and send a clear message that this Congress will not continue to go backwards, but that it will take serious action to address our Nation's nuclear waste policy.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the gentlewoman's amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I appreciate the gentlelady's passion with which she speaks about that, and I understand it, but when she says the failed Yucca Mountain policy, I have to remind her that Yucca Mountain is the law of the land. The policy of Yucca Mountain has not failed, and Yucca Mountain has not failed.

What happened is that someone running for the Presidency of the United States needed four electoral votes—or five or however many it was—in Nevada, so he promised the citizens of Nevada that he would shut down Yucca Mountain, regardless of what the law said, and that is what happened.

We can argue as to whether Yucca Mountain is the right place or not. I think there have been 52 or 53 studies done on Yucca Mountain. It is the most studied piece of earth on this Earth. We know more about it than anywhere else; yet, for political reasons, we have stopped it, and it will truly be a $15 billion waste if we don't proceed.

What we do in this bill is tell the administration to proceed with following the law, so I oppose the gentlelady's amendment.

I now yield to the gentleman from Illinois (Mr. SHIMKUS), who has been an advocate and an ardent supporter of this for many years here in Congress.

Mr. SHIMKUS. I thank my colleague.

To my friends from Nevada, I, too, understand their issues of concern, and we look forward to working with them.

To the Appropriations Committee, you have done great work.

Mr. Chairman, there have been two laws passed: the Nuclear Waste Policy Act of 1982 and the amendments offered in 1987. It is the law of the land. In fact, the Federal courts have ruled in favor of the law of the land. That is why we are where we are today.

The gentlelady's amendment would say: take the money away for finishing the court-mandated scientific study. She even mentioned in her opening comments of the scientific research.

The Federal courts have said: DOE—the Federal Government—finish the scientific study. Her amendment would take that money away.

We are going to find out, through the scientific study, that the Nuclear Regulatory Commission is going to end up saying that this is the best place on the planet Earth for the long-term nuclear storage of waste.

It is going to be safe for a million years, and that is going to come if we reject this amendment; but if we accept this amendment, it is their last chance to pull money away from finishing the court-mandated scientific study. That is what her amendment would do.

I know my colleagues here don't believe that I am all science-based, but in this case, I am. We have an independent commission that is ready to finish its work and render a decision, and all we are asking is to let us do it.

If the Nuclear Regulatory Commission says it is not safe, we are done, right, Chairman? Yet, if it is safe for a million years, I think the folks from Nevada are going to say: Okay. Let's work together to make this feasible. Let's bring jobs and economic growth.

The State of Nevada can't rely on gaming for economic growth and development. By closing Yucca Mountain down, you have lost high-paying Federal jobs in the scientific arena, and for a State that has such a need for jobs and a diversification of economy to reject this is really hard.

We are pledging right here—and the chairman is here also—that, as this moves forward and as we get a rendered decision that this location is safe, we are going to work with the State of Nevada to make sure the transportation location is safe; that the infrastructure is in place; and that the jobs, economic growth, and economy occurs.

That is what we plan to do, and I pledge here today my full support to being with the State of Nevada in jobs, in growth, and development as they diversify their economy.

Remember, Yucca Mountain is about 90 miles northeast of Las Vegas. It is in the desert, and it is underneath a mountain. There is not a lot there. I have been there a couple of times.

We are appreciative of the nuclear heritage of the State of Nevada. The law is the law of the land. It was passed and signed into law. It is time that we not jettison the $15 billion and 30 years. Let's finish the project.

Mr. Chairman, thank you for what you have done. I think we will get a chance to talk on this one more time in an additional amendment. I appreciate all you have done.

We look forward to moving this process forward, so that not just our spent nuclear fuel, but our defense waste has a long-term geological repository.

The Acting CHAIR. The time of the gentleman has expired.

Ms. TITUS. Mr. Chairman, I appreciate the gentleman's concern for the State of Nevada and its economy, and I invite him to come back again and spend some of his money there.

I also appreciate his argument that this is the law of the land. Indeed, the Affordable Care Act is also the law of the land, but that hasn't stopped the other side from trying, over 50 times, to change it.

I now yield to my colleague from Nevada (Mr. HORSFORD).

Mr. HORSFORD. Thank you to the gentlelady for yielding.

Mr. Chairman, I come to the floor today to support the amendment offered by my colleague, Congresswoman DINA TITUS, from District One.

As she has so eloquently indicated and as I stand here today as the Representative who actually has Yucca Mountain in his district, first and foremost, we probably should start by pronouncing our State the way that people in Nevada say it, which is Nevada and not Nevada.

If we are going to screw Nevada by bringing nuclear waste and trying to store it in our State, we should start by recognizing that the people of Nevada hold dear to what is important to our State.

I oppose efforts to fund the Yucca Mountain nuclear waste project. Any avenues for the activation of this project should be blocked. Potential funding for the storage of nuclear waste at Yucca Mountain should be put to better use, whether it is to reduce our deficit or to fund other essential government programs.

Nuclear storage at Yucca Mountain is a failed and unworkable proposal. There are investments that we have made in Yucca Mountain already, as my colleague has said—some $15 billion—and we should find an appropriate alternative use for this site.

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But as it stands, this is a project that has been flawed from the start, and it remains flawed today.

This isn't about one political party or another. Our State has worked across the aisle for decades, from our Governor, Brian Sandoval, who is a Republican, to Senator DEAN HELLER, to others.

So this is not a partisan issue, this is a states' rights issue, and the people of Nevada reject you storing your nuclear waste in our backyard.

Ms. TITUS. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Nevada (Ms. TITUS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. TITUS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Nevada will be postponed.

The Clerk will read.

The Clerk read as follows:

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For necessary expenses in carrying out the activities authorized by section 5012 of the America COMPETES Act (42 U.S.C. 16538), $280,000,000, to remain available until expended: *Provided*, That of such amount, $28,000,000 shall be available until September 30, 2016, for program direction.

AMENDMENT OFFERED BY MR. SCHIFF

Mr. SCHIFF. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 24, line 25, after the dollar amount, insert ''(increased by $20,000,000)''.

Page 26, line 24, after the dollar amount, insert ''(reduced by $20,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SCHIFF. Mr. Chairman, my amendment would increase funding for the Advanced Research Project Agency for Energy, otherwise known as ARPA-E. The bill provides $280 million for ARPA-E, which is $45 million less than the President's request. It also represents less than half of the difference between the committee mark and the President's request, with the increase offset by a reduction in the Department administrative account.

At the outset, I want to thank the chairman and ranking member of our subcommittee for the level of funding provided to ARPA-E this year, which is a substantial improvement over last year's House mark which cut the program by 80 percent. However, I think that rather than providing flat funding, we should be stepping up our commitment to a potentially game-changing research program, and that is what my amendment does.

This is a very modest investment for an agency whose work is helping to reshape our economy. While the amendment would leave us still short of where the funding should be and where it is in the President's budget, passing it would send a strong signal that there is bipartisan support for this kind of research. Last year, I offered a similar amendment to restore funding to ARPA-E in this fiscal year 2014 Energy and Water Appropriations Act, which was adopted by a bipartisan majority in the House.

Started in 2009, ARPA-E is a revolutionary program that advances high-potential, high-impact energy technologies that are too early for private sector investment. ARPA-E projects have the potential to radically improve U.S. economic security, national security, and environmental well-being. ARPA-E empowers America's energy researchers with funding, technical assistance, and market readiness.

ARPA-E is modeled after the highly successful Defense Advanced Research Projects Agency, or DARPA, which has produced groundbreaking inventions for the Department of Defense and the

Nation, perhaps most notably the Internet itself. A key element of both agencies is that managers are limited to fixed terms so that new blood continuously revitalizes the research portfolio.

As we cut spending to return the budget to balance, we must not weaken those programs that are vital to our economic future and national security, and ARPA-E is just such an agency. Even if we can't make the investment that the President has called for in his budget, let's be sure that we don't hinder an agency that is pointing the way to a more energy-secure future.

Energy is a national security issue. It is an economic imperative. It is a health concern, and it is an environmental necessity. Investing wisely in this type of research going on at ARPA-E is exactly the direction we should be going as a nation. We want to lead the energy revolution. We don't want to see this advantage go to China or anywhere else in the world.

If we are serious about staying in the forefront of the energy revolution, we must continue to fully invest in the kind of cutting-edge work that ARPA-E represents. By providing the funding I am recommending today, we will send a clear signal of the seriousness of our intent to remain world leaders in energy.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise today to reluctantly—and I do mean reluctantly—oppose the amendment.

The amendment would increase funding for the Advanced Research Projects Agency for Energy, ARPA-E, as has been mentioned, by $20 million using funds from the departmental administration as an offset.

I share my colleague's support for advanced research; that is why the bill before us already provides $280 million for ARPA-E. That is the highest funding level the Agency has ever received in an annual appropriation, equal to last year's, with all funding going to fully fund new projects over the next three years. Put another way, this bill funds ARPA-E at $210 million more than last year's House bill did. This is the highest level of funding that ARPA-E has ever received. In addition, the bill fully funds ARPA-E's open solicitation to support the most promising new energy technologies out there. However, we still have to work within our overall budget allocation.

While I support ARPA-E's program, we must abide by our allocation. Although I am sympathetic to reducing the size of government, we cannot support taking $20 million from the departmental administration. This would do more than just trim the fat beyond what is simply wasteful and ineffective; it would slash funding that would result in approximately 143 people being laid off within the Department of Energy. These are jobs with real impacts on families. Therefore, I must oppose this amendment and urge my colleagues to do the same.

Mr. Chairman, I yield back the balance of my time.

Mr. SCHIFF. I thank the chairman for his comments, and I appreciate his opposition. I appreciate his reluctance even more than his opposition.

I know the chairman has a large fan company in his district he is very proud of, and justifiably so. Those big fans need energy, Mr. Chairman. They need a good efficient energy, and ARPA-E is just the kind of agency to deliver that.

ARPA-E, as our own mark and committee report notes, supports research that is aimed at rapidly developing energy technology whose development and commercialization is still too risky to attract sufficient private sector investment but is capable of significantly changing the energy sector to address our critical economic and energy security challenges. That is an excellent description of ARPA-E.

By providing robust funding, we can help this vital Agency continue working on a wide range of programs that will benefit the United States, both in the short-term and for many years to come. These programs include improvements in petroleum refining processes, heating and cooling technologies with exceptionally high energy efficiency, and transportation fuel alternatives to greatly reduce our dependence on imported oil.

So my colleague need not be so reluctant. He can join in support of this amendment. Again, it would basically split the difference between where the bill is now and what the President has asked for. It is a little less than the difference between the two.

But our competitiveness in this global economy, where we have to compete with labor that costs a fraction of what American workers cost, depends on research and development. We don't want to get in a race to the bottom with the developing world on what we pay our workers, so that means that we have to remain the most productive in the world. This is an agency that helps us do it, and I urge support for the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. SCHIFF).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SCHIFF. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Clerk will read.

The Clerk read as follows:

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 (42 U.S.C. 16512(b)) under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided*, That, for necessary administrative expenses to carry out this Loan Guarantee program, $42,000,000 is appropriated, to remain available until September 30, 2016: *Provided further*, That $25,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2015 appropriation from the general fund estimated at not more than $17,000,000: *Provided further*, That fees collected under section 1702(h) in excess of the amount appropriated for administrative expenses shall not be available until appropriated: *Provided further*, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10, Code of Federal Regulations.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For administrative expenses in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, $4,000,000, to remain available until September 30, 2016.

CLEAN COAL TECHNOLOGY

(INCLUDING RESCISSION OF FUNDS)

Of the unobligated balances from prior year appropriations under this heading, $6,600,000 is hereby permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $255,171,000, to remain available until September 30, 2016, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $30,000, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total $119,171,000 in fiscal year 2015 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2015 appropriation from the general fund estimated at not more than $136,000,000.

AMENDMENT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 26, line 24, after the dollar amount, insert ''(reduced by $1,000,000) (increased by $1,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentlewoman from Ohio and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman and Members, I am pleased to offer this amendment regarding additional resources for environmental justice on behalf of our esteemed colleague, Congresswoman SHEILA JACKSON LEE, who had to return to Texas this evening on very important official business.

The amendment is on page 26 of the 60-page bill, and it reprograms funding for the Department of Energy's departmental administration to increase support for environmental justice program activities by $1 million, offset by a reduction of like amount in funding for departmental corporate information technology programs. The amendment increases funding for the Department, and the program is an essential tool in the Department's effort to improve the lives of low-income and minority communities, as well as the environment at large.

Twenty years ago, when President Clinton issued Executive Order 12898 that directed Federal agencies to identify and address disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations, America walked toward a new horizon, and we began to understand that a healthy environment sustains a productive and healthy community which fosters personal and economic growth.

Maintaining funds for environmental justice that go to Historically Black Colleges and Universities, Minority Serving Institutions, Tribal Colleges, and other organizations is imperative to protecting sustainability and growth of the community and environment. The funding of these programs is vital to ensuring that minority groups are not placed at a disadvantage when it comes to the environment and the continued preservation of their homes.

It is amazing to go through some of these communities and neighborhoods across our country and to look at issues like lead-based paint or, importantly, dumps from prior decades that have been covered over but are leaching everything from low-level radioactive waste to toxic pollutants that have been buried there for years and people are living right next door, sometimes on top of these situations. It is unbelievable.

In Ohio, it is amazing how many toxic sites have to be cleaned up, and it is not the only place. If you look at maps across our country of unattended environmental cleanups, it is staggering, and it is important to see who lives on top of or next door to these places.

Through education about the importance of environmental sustainability, we can promote a broader understanding of science and how citizens can improve their own surroundings. America has to behave differently in 2014 than we did in 1900 or 1950 or 1980.

Funds that would be awarded to this important cause would increase youth involvement in STEM fields and also promote clean energy, weatherization, cleanup, and asset revitalization. These improvements would provide protections to our most vulnerable groups.

This program provides better access to technology for underserved communities and, together, the Departments of Energy and Agriculture have distributed over 5,000 computers to many of these low-income populations.

The Community Leaders Institute is another vital component of the environmental justice program. It ensures those in leadership positions understand what is happening in their communities and can, therefore, make informed decisions.

These programs have been expanded to better serve Native Americans and Alaska Natives, creating a prime example of how various other minority groups can be assisted as well.

Through community education efforts, teachers and students have also benefited by learning about radiation, radioactive waste management, and other related subjects.

The Department of Energy places interns and volunteers from minority institutions into energy efficiency and renewable energy programs, and the Department also works to increase low-income and minority access to STEM fields and help students attain graduate degrees, as well as find employment.

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Since 2002, the tribal energy program has also funded 175 energy projects, amounting to over $41.8 million in order to help tribes invest in renewable sources of energy.

With the continuation of this kind of funding, we can provide clean energy options to our most underserved communities and help improve their environments, yielding better health outcomes and greater public awareness.

In fiscal year 2013, the environmental justice program was not funded. For fiscal year 2014, we ask that money be appropriated for the continuation of this vital initiative. We must help our low-income and minority communities, and ensure equality for those who are the most vulnerable.

I ask my colleagues to join me in supporting the Kaptur amendment, which actually is the Jackson Lee amendment, to improve the environmental justice program.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, I want to thank Chairman SIMPSON and Ranking Member KAPTUR for shepherding this legislation to the floor and for their commitment to preserving America's great natural environment and resources so that they can serve and be enjoyed by generations to come.

My amendment increases funding for DOE departmental administration by $1,000,000 which should be used to enhance the Department's Environmental Justice program activities.

Mr. Chair, the Environmental Justice Program is an essential tool in the effort to improve the lives of low income and minority communities as well as the environment at large.

Twenty years ago, on February 11, 1994, President Clinton issued Executive Order 12898, directing federal agencies to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations.

A healthy environment sustains a productive and healthy community which fosters personal and economic growth.

Maintaining funds for environmental justice that go to Historically Black Colleges and Universities, Minority Serving Institutions, Tribal Colleges, and other organizations is imperative to protecting sustainability and growth of the community and environment.

The funding of these programs is vital to ensuring that minority groups are not placed at a disadvantage when it comes to the environment and the continued preservation of their homes.

Through education about the importance of environmental sustainability, we can promote a broader understanding of science and how citizens can improve their surroundings.

IMPORTANCE OF DOE'S ENVIRONMENTAL JUSTICE PROGRAM ACTIVITIES

Funds that would be awarded to this important cause would increase youth involvement in STEM fields and also promote clean energy, weatherization, clean-up, and asset revitalization. These improvements would provide protection to our most vulnerable groups.

This program provides better access to technology for underserved communities. Together, the Department of Energy and Department of Agriculture have distributed over 5,000 computers to low income populations.

The Community Leaders Institute is another vital component of the Environmental Justice Program. It ensures that those in leadership positions understand what is happening in their communities and can therefore make informed decisions in regards to their communities.

In addition to promoting environmental sustainability, CLI also brings important factors including public health and economic development into the discussion for community leaders.

The CLI program has been expanded to better serve Native Americans and Alaska Natives, which is a prime example of how various other minority groups can be assisted as well.

Through community education efforts, teachers and students have also benefitted by learning about radiation, radioactive waste management, and other related subjects.

The Department of Energy places interns and volunteers from minority institutions into energy efficiency and renewable energy programs. The DOE also works to increase low income and minority access to STEM fields and help students attain graduate degrees as well as find employment.

Since 2002, the Tribal Energy Program has also funded 175 energy projects amounting to over $41.8 million in order to help tribes invest in renewable sources of energy.

With the continuation of this kind of funding, we can provide clean energy options to our most underserved communities and help improve their environments, which will yield better health outcomes and greater public awareness.

In fiscal year 2013, the environmental justice program was not funded. For fiscal year 2014, we ask that money be appropriated for the continuation of this vital initiative.

We must help our low income and minority communities and ensure equality for those who are most vulnerable in our country.

I ask my colleagues to join me and support the Jackson Lee Amendment for the Environmental Justice Program.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, $42,120,000, to remain available until September 30, 2016.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed 4 passenger vehicles, $8,204,209,000, to remain available until expended: *Provided*, That of such amount, $97,118,000 shall be available until September 30, 2016, for program direction.

AMENDMENT OFFERED BY MR. QUIGLEY

Mr. QUIGLEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 28, line 14, after the dollar amount, insert ''(reduced by $7,600,000)''.

Page 59, line 20, after the dollar amount, insert ''(increased by $7,600,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Illinois and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. QUIGLEY. Mr. Chairman, it is time we take a smarter approach to our nuclear weapons strategy.

I rise today to offer a reasonable amendment that ensures that taxpayer dollars are not wasted on a weapon that the Pentagon is not even sure we will have the capability to use. My amendment simply cuts the extra $7.6 million above what the NNSA has requested for the next generation long-range cruise missile's nuclear warhead.

This is a modest cut, one that allows the program to move forward at the requested level of $9.4 million. The reason behind the cut is clear: this funding is for the development of a warhead to be used on a cruise missile that the Pentagon has yet to approve. Given this, there is simply no reason for the NNSA to rush forward with investments on this warhead. And Congress definitely shouldn't be spending taxpayer dollars beyond the NNSA's request to do so.

To get a better idea of what we are spending our constituents' money on, let's walk through this program. This warhead is being developed for the next generation long-range cruise missile. The weapon it will replace, the air-launched cruise missile, isn't being phased out until the 2030s.

This year, the Pentagon delayed the development of this new cruise missile by 3 more years and has yet to set exact requirements for the missile or necessary warhead.

Despite there being no rush, this bill pushes extra money into developing that warhead. There are also serious questions about whether we will even need these new cruise missiles, given the technological advances we have already made.

The next generation long-range bombers will be big, expensive stealth bombers able to penetrate enemy airspace to drop their bombs without being detected. We are spending a small fortune on the B–61 bomb life extension for that advanced capability.

The B–2 stealth bomber, which this next-generation bomber will replace, doesn't carry a cruise missile. Advanced American stealth bombers don't need the capability to send a cruise missile from a bomber 1,000 miles away. We pay for very expensive submarines and very expensive ICBMs for that capability.

So ask yourselves: Should we be adding money above the request for a warhead that goes on a missile that the Pentagon doesn't even know it wants and one we probably don't even need?

Over the next few years, we will be spending billions on our nuclear weapons budget alone. Let me name a few of the things we need to pay for all at the same time:

The many NNSA life extension programs, such as the increasingly costly B–61 program; 100 next generation long-range bombers; ICBM refurbishment and possibly the next generation of ICBMs; plus 12 nuclear-armed Ohio-class replacement submarines.

At a time when we have so many other important projects at both the Pentagon and at the NNSA, the dollars and manpower spent on refurbishing this warhead for a cruise missile that does not yet exist are dollars and manpower the Pentagon and the NNSA could be using on bombers, subs, or even soldiers.

That is why I ask my colleagues to support my commonsense amendment to take an important step towards a more reasonable, sensible nuclear weapons strategy.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, the bill provides $8.2 billion for NNSA's weapons activities, an increase of $423 million over fiscal year 2014 and $111 million below the budget request.

The bill takes advantage of all opportunities to reduce funding for activities that are not essential to maintaining the stockpile while making sure the highest priority needs are met.

Assuring funding for modernization of our nuclear weapons stockpile is a critical national security priority in this bill. This includes the full $17 million in the bill to initiate early conceptual studies for a cruise missile warhead life extension program, $7.6 million above the budget request.

The additional funding is a modest amount that will ensure an appropriate set of alternatives is being considered. I urge my colleagues to vote ''no'' on this.

I yield the balance of my time to the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Illinois.

As chairman of the Strategic Forces Subcommittee, I am deeply familiar with our nuclear forces. In this case, we are talking about the long-range standoff weapon, LRSO, which is the follow-on replacement for the existing air-launched cruise missile, or ALCM.

The fleet of existing ALCMs are old and their reliability is declining. We have heard directly from the U.S. Strategic Command that they are well past their service life and have military effectiveness concerns. Projected adversary air defense improvements will impact its effectiveness even more. And this is a weapons system we are planning to sustain until 2030.

We need to start development of the nuclear warhead for the LRSO next year to meet the 2030 deployment date. The funding that this amendment seeks to eliminate is critical to getting this effort started and on-track.

The disarm-America crowd will say there is no military requirement for this weapon. On the contrary, I have here a letter from the Under Secretary of Defense for acquisitions, technology, and logistics, stating: ''The Department of Defense has established a military requirement for a nuclear capable standoff cruise missile for the bomber leg of the U.S. triad.''

There is a clear military requirement for LRSO. Preserving long-range cruise missile capability is a critical component of the U.S. strategic and extended deterrence strategies. Gravity bombs and conventional weapons cannot provide the same deterrence and defense effects. There is a clear national security imperative for LRSO.

I strongly urge my colleagues to vote ''no.''

Mr. SIMPSON. I yield back the balance of my time.

Mr. QUIGLEY. I yield 30 seconds to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I rise to support the gentleman's amendment. It simply reduces the long-range standoff missile study to the President's request.

Given the National Nuclear Security Administration's dismal record on both life extension projects and construction projects, cost overruns like we have never seen before, I think it is wise to take a considered approach to any new system and any new study.

So I support the amendment, and I urge my colleagues to join me in this effort. Support the Quigley amendment.

Mr. QUIGLEY. Mr. Chairman, the NNSA has a tough enough job as it is developing nuclear weapons and handling and restoring the weapons that we already have. We have to make choices here. This is a weapon that won't be needed until 2030, if it is needed at all. They don't need additional money beyond that which is requested.

I urge a ''yes'' vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. QUIGLEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. QUIGLEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

The Clerk will read.

The Clerk read as follows:

DEFENSE NUCLEAR NONPROLIFERATION

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,592,156,000, to remain available until expended: *Provided*, That funds provided by this Act for Project 99–D–143, Mixed Oxide Fuel Fabrication Facility, and by prior Acts that remain unobligated for such Project, may be made available only for construction and program support activities for such Project: *Provided further*, That of the unobligated balances from prior year appropriations available under this heading, $37,000,000 is hereby permanently rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

AMENDMENT OFFERED BY MR. FORTENBERRY

Mr. FORTENBERRY. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 29, line 2, after the dollar amount, insert ''(reduced by $25,000,000) (increased by $25,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Nebraska and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nebraska.

Mr. FORTENBERRY. Mr. Chairman, first, I would like to commend Chairman SIMPSON and Ranking Member KAPTUR for bringing this bill to the floor. I am a proud member of this subcommittee. Their work is quite remarkable. And it is one of the subcommittees that tries to achieve a harmonious balance of bipartisanship in a very difficult and divided environment. I want to thank them both for that.

Mr. Chairman, most Americans may not realize, even though this is an Energy and Water bill, that there are important components of our national security buried within this bill. There is our nonproliferation regimen by which we help secure fissile materials and the technology that could potentially go with the development of nuclear weapons capability and it falling into the hands of the wrong people. This is very, very important work.

My amendment seeks to move $25 million from the mixed oxide fuel program and move it into the defense nuclear nonproliferation accounts, such as the global threat reduction initiative and other similar accounts.

The reason I am offering this is I am very concerned about the future of the mixed oxide, the MOX, fuel program. So is the Department of Energy. So is the administration. So is our committee. Everyone is very concerned about the potential viability of this program which we have already spent $4 billion of taxpayer money on.

This bill currently calls for about $350 million to be spent. The judgment of the committee is that it is necessary to do this, to put it on what I call a ready standby phase so that if the Department of Energy can come back to us and tell us that MOX has some viability in the future, that we will be ready to move it forward without spending enormous new amounts of money, versus what the administration has suggested in terms of putting it into cold storage.

If they determine it is viable, then we would have to spend a lot more to ramp it up. If it is not determined to be viable, then the cold storage route may have been the more prudent thing to do, which, as I recall, the administration wants to spend about $175 million on, if I have that correct, on the mixed oxide fuel plant.

Well, this causes a real dilemma for me because, again, we have got a situation in which our other accounts in the nonproliferation area are coming down. So it would seem to me prudent, if I was making this decision on my own, to actually move some money from an uncertain future in the mixed oxide fuel regimen into the nonproliferation accounts, such as the global threat reduction initiative.

However, one more caveat. On our nonproliferation reduction initiatives, there is also some uncertainty as to whether or not the Department of Energy can absorb the capacity of new money. It is not clear on how we would apply that. So there are some significant dynamics here that I think lend itself to further consideration.

Now, I am very grateful to the chairman in hearing me out, having heard these concerns when we are debating this on the committee as well as the ranking member's sensitivity to these whole dynamics.

I am going to withdraw this amendment. But I would ask that as we are moving forward—not in the next year, but in the next few weeks, as we complete these appropriations bills, that we urge the Department of Energy to give us some clarity about the real trajectory of the mixed oxide fuel, the MOX, program. And if we determine that its future is not viable, we need to stop wasting money now. We need to pull it into other areas that make more sense, that are higher public goods, that help stop the proliferation of nuclear weapons and the fissile materials that would go into them.

This is not a simple policy debate. I get that. We are trying to make judgment calls with a lack of information here. But it seems to me that if you are prioritizing something, it is the nuclear nonproliferation initiatives and reframing that for the 21st century. It is time that we do that.

The Department of Energy has suggested to us that they are ready to work hand-in-glove with us on thinking through a dynamic, new robust policy for nonproliferation.

With that, I would hope that the chairman will give assent to my request and continue to work aggressively with me on how we creatively construct this moving forward.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I appreciate the way in which the gentleman is addressing two very important issues. The committee has decided that the Department hasn't yet told us what their option is if MOX were to close down.

We are asking for real cost estimates. There are differences of opinion about what the cost estimates for the life cycle of MOX are. So we have asked for further clarification.

And as the gentleman rightly stated, if we put it in cold standby and the decision is to proceed with MOX from the Department, it is going to cost us much more to bring it back up, which is why we have chosen the path that we have chosen.

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The gentleman is also correct that I am as supportive and I think my ranking member is also—in fact, I think most of the Members on our subcommittee are—that nonproliferation is a very important issue. The question is: Can the Department spend $25 million more, and what will we get for that?

I want to work with you to make sure that we are doing the right thing and the intelligent thing in both arenas, so I appreciate the attitude that the gentleman is displaying in this.

I know there are a couple of individuals who would like to speak for a moment on MOX, so I yield 1½ minutes to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Thank you, Mr. Chairman, for your leadership, and Ranking Member KAPTUR, for your leadership in bringing this bill before us today.

I appreciate very much the Congressman from Nebraska and his interest in the global threat reduction initiative. It is very worthy, but I also want to point out that I am very grateful that the mixed oxide fuel fabrication facility is located in the district that I represent.

It is part of the Savannah River site, and actually, I represent a portion of the site and so does Congressman JIM CLYBURN of the Sixth Congressional District. This is really bipartisan, our support of the mixed oxide fuel fabrication facility.

Mr. Chairman, this facility really is crucial for environmental cleanup. It is very crucial to fulfill the nuclear nonproliferation agreement that we have with the Russian Federation. The site is over 60 percent completed.

You are right that $3.9 billion has already been spent, but the site will have such a positive impact by reducing what is already there—34 metric tons of weapons grade plutonium—and it is made into green fuel, part of the fuel for nuclear power production for our country.

Additionally, it will fulfill the agreement that we have with the Russian Federation, to do away with weapons grade plutonium and encourage them to do the same.

I want you to be aware that this is actually proven technology. There has been a facility built in France already that has provided and proven that this will work, and the other alternatives that have been proposed in the National Defense Authorization Act, we have asked for a study, but it is very clear that the most efficient and most beneficial to the American people and national security is to complete the MOX facility.

Mr. SIMPSON. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Idaho has 2½ minutes remaining.

Mr. SIMPSON. I yield 1½ minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the chairman for yielding.

Mr. Chairman, I join the chairman and Mr. WILSON in opposition to this, and I appreciate Mr. FORTENBERRY's withdrawing because of so much of what has already been said. This project actually is about 70 percent complete. It has been supported by three different administrations, authorized by Congress, and is written into an international nonproliferation agreement.

In fact, $4.7 billion has been spent, and this is money that has already been invested, and whenever we stop or put it on a cold start or cold standby, as this administration already has done, it ends up costing more money for the project.

The best thing to do is to complete this and send that signal internationally, but also to keep those jobs locally, which is so important for the Augusta, South Carolina, area.

I believe that if we, as Members of Congress, want to be responsible stewards of tax dollars, the best thing to do is to defeat this amendment, should it be offered, but, more importantly, get this thing completed.

Mr. Chairman, I thank the chairman for his leadership on this and appreciate his letting me speak.

Mr. SIMPSON. Again, Mr. Chairman, let me thank the gentleman from Nebraska for both his consideration of this and his passion in this arena for what may be, in the long run, the most important thing this committee does.

So I appreciate working with him and look forward to working with you to try to address this as we answer these questions as rapidly as we can.

Mr. Chairman, I yield back the balance of my time.

Mr. FORTENBERRY. Again, thank you, Mr. Chairman, for your understanding of the importance of this debate.

I ran a simple calculation. If we are going to consider this an important jobs bill, that is $233,000 per job that we are about to spend. That is a hefty, hefty price for a jobs bill.

Saying we have completed 60 percent of it at $4 billion, but we are not sure of its viability in the future is like saying we don't know where we are going, but any road will do. I am worried about that.

Maybe it becomes viable, maybe it still maintains a status in terms of our nuclear proliferation regime, but maybe not. We have got to get to this answer because we don't want to waste any more money, or we need to invest properly, moving forward, in the future.

That will be something that will actually help us reduce the probability of fissile materials spreading internationally.

Ms. KAPTUR. Will the gentleman yield?

Mr. FORTENBERRY. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. First of all, I want to thank the gentleman for his erudite presentation this evening and for the manner in which he has handled the issue.

I appreciate what you have proposed on nonproliferation, very underfunded in the accounts, in my opinion, and we look forward to working with you in the months ahead.

Mr. FORTENBERRY. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $1,215,342,000, to remain available until expended: *Provided*, That of such amount, $41,500,000 shall be available until September 30, 2016, for program direction.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator in the National Nuclear Security Administration, $386,863,000, to remain available until September 30, 2016, including official reception and representation expenses not to exceed $12,000.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one sport utility vehicle, one heavy duty truck, two ambulances, and one ladder fire truck for replacement only, $4,801,280,000, to remain available until expended: *Provided*, That of such amount, $280,784,000 shall be available until September 30, 2016, for program direction.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $754,000,000, to remain available until expended: *Provided*, That of such amount, $249,378,000 shall be available until September 30, 2016, for program direction.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for the Black Canyon Trout Hatchery and, in addition, for official reception and representation expenses in an amount not to exceed

$5,000: *Provided*, That during fiscal year 2015, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, and including official reception and representation expenses in an amount not to exceed $1,500, $7,220,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to $7,220,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2015 appropriation estimated at not more than $0: *Provided further*, That, notwithstanding 31 U.S.C. 3302, up to $73,579,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, $46,240,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to $34,840,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2015 appropriation estimated at not more than $11,400,000: *Provided further*, That, notwithstanding 31 U.S.C. 3302, up to $53,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That, for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, $304,402,000, to remain available until expended, of which $296,321,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to $211,030,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2015 appropriation estimated at not more than $93,372,000, of which $85,291,000 is derived from the Reclamation Fund: *Provided further*, That, notwithstanding 31 U.S.C. 3302, up to $260,510,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That, for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $4,727,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to $4,499,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2015 appropriation estimated at not more than $228,000: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: *Provided further*, That for fiscal year 2015, the Administrator of the Western Area Power Administration may accept up to $802,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: *Provided further*, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses not to exceed $3,000, $304,389,000, to remain available until expended: *Provided*, That of the amount appropriated herein, not more than $5,400,000 may be made available for salaries, travel, and other support costs for the offices of the Commissioners: *Provided further*, That notwithstanding any other provision of law, not to exceed $304,389,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2015 shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2015 so as to result in a final fiscal year 2015 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING TRANSFER AND RESCISSIONS OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Unless the Secretary of Energy notifies the Committees on Appropriations of the House of Representatives and the Senate at least 3 full business days in advance, none of the funds made available in this title may be used to—

(A) make a grant allocation or discretionary grant award totaling $1,000,000 or more;

(B) make a discretionary contract award or Other Transaction Agreement totaling $1,000,000 or more, including a contract covered by the Federal Acquisition Regulation;

(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or

(D) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B).

(2) The Secretary of Energy shall submit to the Committees on Appropriations of the House of Representatives and the Senate within 15 days of the conclusion of each quarter a report detailing each grant allocation or discretionary grant award totaling less than $1,000,000 provided during the previous quarter.

(3) The notification required by paragraph (1) and the report required by paragraph (2) shall include the recipient of the award, the

amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

(c) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading ''Department of Energy—Energy Programs'', enter into a multiyear contract, award a multiyear grant, or enter into a multiyear cooperative agreement unless—

(1) the contract, grant, or cooperative agreement is funded for the full period of performance as anticipated at the time of award; or

(2) the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government's obligation on the availability of future year budget authority and the Secretary notifies the Committees on Appropriations of the House of Representatives and the Senate at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g), the amounts made available by this title shall be expended as authorized by law for the programs, projects, and activities specified in the ''Bill'' column in the ''Department of Energy'' table included under the heading ''Title III—Department of Energy'' in the report of the Committee on Appropriations accompanying this Act.

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify the Committees on Appropriations of the House of Representatives and the Senate at least 30 days prior to the use of any proposed reprogramming which would cause any program, project, or activity funding level to increase or decrease by more than $5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

(f) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates, initiates, or eliminates a program, project, or activity;

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(g)(1) The Secretary of Energy may waive any requirement or restriction in this section that applies to the use of funds made available for the Department of Energy if compliance with such requirement or restriction would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and the Senate of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

AMENDMENT OFFERED BY MR. LANKFORD

Mr. LANKFORD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 40, line 8, insert ''the number of proposals or applications submitted for the award, documentation of the basis for selection of award recipient,'' after ''of the award,''.

Mr. SIMPSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 641, the gentleman from Oklahoma and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. LANKFORD. Mr. Chairman, I am extremely pleased that the appropriators and this chairman have included a requirement that discretionary grants awarded by the Department of Energy must be disclosed to the House and the Senate in a timely manner, and they must include information about where these funds are going.

This is a very positive step forward towards greater transparency and greater ability for this body to have oversight over agencies in the millions of dollars that are being spent on grants.

Mr. Chairman, this amendment that I am offering perfects that information about those grants and their ability to be disclosed. In addition to the money, where it would go, and whom it would go towards, it is critical that we know how many entities actually competed for these awards and how the winner was actually selected, so that we know the full transparency of the process itself.

Agencies have a tremendous amount of discretion, and they provide millions of dollars to grantees. It is incredibly important that Congress fulfills their responsibility of oversight. Shining a light on how these decisions will be made will allow for critical independent assessments of how the DOE spends its money.

Mr. Chairman, these additions I suggest are relatively minor, but it will go a long way to giving Congress greater data on how the Department of Energy functions with their grant process.

I applaud the committee for acknowledging how important disclosure is for this agency and for all accountability, and I hope that this is a positive sign of how we will handle oversight for all agencies and for all grants.

Mr. Chairman, I urge my colleagues to support this amendment.

With that, I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I appreciate the gentleman's intent, and I will be happy to work with him as we move forward in conference, but at this time, I must insist upon my point of order.

POINT OF ORDER

Mr. SIMPSON. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment inserts additional legislative language and is not merely perfecting.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order? If not, the Chair will rule.

The gentleman from Idaho makes a point of order that the amendment offered by the gentleman from Oklahoma proposes to change existing law in violation of clause 2 of rule XXI.

Under settled precedent, where legislative language is permitted to remain in a general appropriation bill, a germane amendment merely perfecting that language and not adding further legislation is in order, but an amendment effecting further legislation is not in order.

The Chair finds that the pending section of the bill contains legislative language prescribing certain notifications and reports by the Secretary of Energy. The amendment offered by the gentleman from Oklahoma seeks to expand those notifications and reports to include additional information, such as the number of proposals or applications submitted for the award.

As such, the amendment does not merely perfect the pending legislative language.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

SEC. 302. The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

Mr. SIMPSON (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 51, line 2, be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The text of that portion of the bill is as follows:

SEC. 303. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2015 until the enactment of the Intelligence Authorization Act for fiscal year 2015.

SEC. 304. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless

independent oversight is conducted by the Office of Independent Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

SEC. 305. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds $100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 306. (a) Any determination (including a determination made prior to the date of enactment of this Act) by the Secretary pursuant to section 3112(d)(2)(B) of the USEC Privatization Act (42 U.S.C. 2297h–10(d)(2)(B)), as amended, shall be valid for not more than 2 calendar years subsequent to such determination.

(b) Not less than 30 days prior to the provision of uranium in any form the Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and the Senate of—

(1) the amount of uranium to be provided;

(2) an estimate by the Secretary of the gross fair market value of the uranium on the expected date of the provision of the uranium;

(3) the expected date of the provision of the uranium;

(4) the recipient of the uranium; and

(5) the value the Secretary expects to receive in exchange for the uranium, including any adjustments to the gross fair market value of the uranium.

(c) If on the expected date of provision, the estimated gross fair market value of the uranium hexafluoride (UF6), comprising of uranium and conversion, is more than 10 percent lower than the gross fair market value on the date the most recent determination was signed by the Secretary, the Secretary shall issue a new determination pursuant to section 3112(d)(2)(B) of the USEC Privatization Act (42 U.S.C. 2297h–10(d)(2)(B)) before the provision can be processed.

SEC. 307. Notwithstanding section 301(c) of this Act, none of the funds made available under the heading ''Department of Energy—Energy Programs—Science'' may be used for a multiyear contract, grant, cooperative agreement, or Other Transaction Agreement of $1,000,000 or less unless the contract, grant, cooperative agreement, or Other Transaction Agreement is funded for the full period of performance as anticipated at the time of award.

SEC. 308. In fiscal year 2015 and subsequent fiscal years, the Secretary of Energy shall submit to the congressional defense committees (as defined in U.S.C. 101(a)(16)) a report, on each major warhead refurbishment program that reaches the Phase 6.3 milestone, that provides an analysis of alternatives. Such report shall include—

(1) a full description of alternatives considered prior to the award of Phase 6.3;

(2) a comparison of the costs and benefits of each of those alternatives, to include an analysis of trade-offs among cost, schedule, and performance objectives against each alternative considered;

(3) identification of the cost and risk of critical technology elements associated with each alternative, including technology maturity, integration risk, manufacturing feasibility, and demonstration needs;

(4) identification of the cost and risk of additional capital asset and infrastructure capabilities required to support production and certification of each alternative;

(5) a comparative analysis of the risks, costs, and scheduling needs for any military requirement intended to enhance warhead safety, security, or maintainability, including any requirement to consolidate and/or integrate warhead systems or mods as compared to at least one other feasible refurbishment alternative the Nuclear Weapons Council considers appropriate; and

(6) a life-cycle cost estimate for the alternative selected that details the overall cost, scope, and schedule planning assumptions.

SEC. 309. (a) Unobligated balances available from prior year appropriations are hereby permanently rescinded from the following accounts of the Department of Energy in the specified amounts:

(1) ''Energy Programs—Energy Efficiency and Renewable Energy'', $18,111,000.

(2) ''Energy Programs—Electricity Delivery and Energy Reliability'', $4,809,000.

(3) ''Energy Programs—Nuclear Energy'', $1,046,000.

(4) ''Energy Programs—Fossil Energy Research and Development'', $8,243,000.

(5) ''Energy Programs—Science'', $5,257,000.

(6) ''Energy Programs—Advanced Research Projects Agency—Energy'', $619,000.

(7) ''Power Marketing Administrations—Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration'', $1,720,000.

(b) No amounts may be rescinded by this section from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 310. From funds made available by this Act for pension plan payments in excess of legal requirements, up to $90,000,000 under ''Weapons Activities'' and up to $30,000,000 under ''Defense Nuclear Nonproliferation'' may be transferred to ''Defense Environmental Cleanup'' to support decontamination and other requirements at the Waste Isolation Pilot Plant.

SEC. 311. (a) None of the funds made available in this or any prior Act under the heading ''Defense Nuclear Nonproliferation'' may be made available for contracts with, or Federal assistance to, the Russian Federation.

(b) The Secretary of Energy may waive the prohibition in subsection (a) if the Secretary determines that such activity is in the national security interests of the United States. This waiver authority may not be delegated.

(c) A waiver under subsection (b) shall not be effective until 30 days after the date on which the Secretary submits to the Committees on Appropriations of the House of Representatives and the Senate, in classified form if necessary, a report on the justification for the waiver.

SEC. 312. All balances under ''United States Enrichment Corporation Fund'' are hereby permanently rescinded. No amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 313. (a) None of the funds made available by this or any other Act making appropriations for Energy and Water Development for any fiscal year or funds available in the SPR Petroleum Account in this and subsequent fiscal years may be used to carry out a test drawdown and sale or exchange of petroleum products from the Strategic Petroleum Reserve as authorized by section 161(g) of the Energy Policy and Conservation Act (42 U.S.C. 6241(g)) unless the Secretary of Energy submits to the Committees on Appropriations of the House of Representatives and the Senate not less than 30 full calendar days in advance of such test—

(1) notification of intent to conduct a test;

(2) an explanation of why such a test is necessary or what is expected to be learned;

(3) the amount of crude oil or refined petroleum product to be offered for sale or exchange;

(4) an estimate of revenues expected from such test; and

(5) a plan for refilling the Reserve, including whether the acquisition will be of the same or of a different petroleum product.

(b) None of the funds made available by this or any prior Act or funds available in the SPR Petroleum Account may be used to acquire any petroleum product other than crude oil.

SEC. 314. Of the funds authorized by the Secretary of Energy for laboratory directed research and development, no individual program, project, or activity funded by this or any subsequent Energy and Water Development appropriations Act for any fiscal year may be charged more than the statutory maximum authorized for such activities.

SEC. 315. None of the funds made available by this Act may be used by the Department of Energy to finalize, implement, or enforce the proposed rule entitled ''Standards Ceiling Fans and Ceiling Fan Light Kits'' and identified by regulation identification number 1904–AC87.

TITLE IV—INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, notwithstanding 40 U.S.C. 14704, and for necessary expenses for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $80,317,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $29,150,000, to remain available until September 30, 2016.

The Acting CHAIR. Are there any amendments to that section of the bill?

The Clerk will read.

The Clerk read as follows:

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, $12,000,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, $10,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: *Provided*, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105–277), as amended by section 701 of appendix D, title VII, Public Law 106–113 (113 Stat. 1501A–280), and an amount not to exceed 50 percent for non-distressed communities.

AMENDMENT OFFERED BY MR. CHABOT

Mr. CHABOT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 51, line 14, after the dollar amount, insert ''(reduced by $10,000,000)''.

Page 59, line 20, after the dollar amount, insert ''(increased by $10,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Ohio and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. CHABOT. Mr. Chairman, my amendment eliminates funding for the Denali Commission and uses the nearly $10 million in savings to pay down our $17.5 trillion national debt. It is a relatively small amount in relation to our national debt, but nonetheless, I believe it is a step in the right direction.

For those who don't know, the Denali Commission is one of seven regional commissions that help direct Federal funds to State and local projects. However, unlike the other commissions, the Denali Commission serves only one State, Alaska, making it a little more than an unnecessary middleman.

Many people would argue, including myself, that American taxpayers would be better served if Federal funds were distributed directly to the State of Alaska or to Alaskan communities.

After all, State and local governments are more knowledgeable and better equipped than the Federal Government to address the needs of local communities.

I am not the only one calling for an end to the 15-year-old Denali experiment. Last October, in his semiannual report to Congress, former inspector general of the Denali Commission, Mike Marsh, recommended that Congress eliminate Denali's funding in order to transition the Commission into a locally run and operated entity.

On Friday, September 27, 2013, The Washington Post ran a front-page article, this one here, entitled ''Fire Me,'' in which Mike Marsh, the inspector general, requested that Congress fire him and everybody that worked with him. He is quoted as saying:

I have concluded that my agency is a congressional experiment that hasn't worked out in practice. I recommend that Congress put its money elsewhere.

That is the inspector general for the Denali Commission.

Additionally, the Office of Management and Budget and the CBO have recommended the elimination of this Commission.

Additionally, as the former inspector general's report details, the projects funded by the Denali Commission are often wasteful and shortsighted.

For example, the Commission has spent millions on microsettlements. Records show that the Denali Commission spent $200 million to build facilities in 81 locations with a population of less than 250 people.

These 81 locations have a total population of less than 10,000 people. At 10,000 people, the Commission spent $57,000 per household. Think of that: $57,000 per household.

For nearly a decade, independent agencies have questioned the need for the Denali Commission. Agencies from the CBO to the White House have found 29 other programs that are capable of fulfilling the Commission's mandate.

The Republican Study Committee, Citizens Against Government Waste, Heritage, Cato, the American Conservative Union, National Taxpayers Union, and even President Obama have all targeted the Commission for elimination.

□ 2015

It is time that we heed these recommendations and eliminate funding for the Denali Commission once and for all. To do otherwise, I believe, would be imprudent and wasteful, especially when faced with a $17.5 trillion national debt.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I seek time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, this amendment, as the gentleman said, would eliminate the Denali Commission, which is funded at last year's level of $10 million in this bill.

The Denali Commission provides infrastructure and economic development activities for some of the country's most rural and distressed communities. Regardless of whether it is one State or a region, the fact is the State is probably larger than any one of the regions that the Commission deals with.

In a time of economic instability, communities can scarily afford to lose the millions of dollars in private investments leveraged by the Commission annually. Elimination of the Denali Commission would deprive these communities of many essential infrastructure and economic development projects. I encourage my colleagues to vote against this amendment.

I yield the balance of my time to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. I thank the gentleman for yielding to me. With all due respect to the gentleman offering this amendment, yes, we are one State; but if you took all of the land from the tip of Maine to the tip of Florida, from the Mississippi River over, that is part of Alaska. That is a big State, not a little State, like Ohio.

This Commission has work. And I have to say one thing, it is being referred to as the ''IG report by Mr. Marshall''—totally incompetent. It has been unfounded. His finding was unfounded. In fact, we can't find him. We would like to find out where he is. He no longer exists. What he said about this Commission is totally inaccurate. It has worked. It will work, and we are a rural area.

What it has done, one thing when it was created was to move the fuel tanks away from the waters that EPA said they couldn't be close to. These communities could not do that, and the process of the Federal Government and the other agencies, it would have taken too long. So we moved these fuel tanks across. And yes, it was used for clinics, and yes, it has been used for sewer and water. Forty-four of our villages don't have water yet, don't have sewage. They carry ''honey buckets.'' Why they call them ''honey buckets'' I have no idea.

But this Commission is to take and provide the proper things for, just as your constituents use every day and take for granted. This Commission has worked. We want to keep the money, and I want to thank the chairman for understanding this. This amendment has been offered time and time again. And as he said, this is a very small amount of money. That is not what I am arguing. It is money well spent. If we don't spend it on this type thing to cut out the middleman, and they keep saying there are other agencies. That is not true. Those agencies do not function. Most of our agencies today do not function because there are too many layers and nothing gets to the constituent, nothing gets to solving the problem.

So I am suggesting, and we have done some work on this. I asked for a GAO investigation; I did, to find if this has occurred. It has not been reported back to us yet. It will be. In fact, it will show that the IG's report is false, and that is one of the things I am looking forward to.

I urge my colleagues to reject this amendment. It is time we accept the fact that this system works, as the other commissions do, for those communities that are less fortunate than the communities in which most people live in who are in this body. I come from a rural State. I want to serve my rural State, and I am sure the Commission does also.

Mr. SIMPSON. I thank the gentleman.

I yield back the balance of my time.

Mr. CHABOT. Mr. Chairman, I yield the balance of my time to the gentleman from Oklahoma (Mr. LANKFORD).

Mr. LANKFORD. Mr. Chairman, I would say this is not about Alaska. Alaska is a tremendous State that I have personally visited. I have not had an opportunity to live there, as my colleague has, obviously. But this is not about Alaska; this is about duplication in government efficiency and how we actually deliver services to these agencies.

In 2004, President Bush's Office of Management and Budget wrote that the Commission's activities were duplicative of other Federal programs that address the same needs and provide the same types of assistance.

In 2009, President Obama's OMB referred to the Denali Commission as duplicative, redundant, unnecessary, and stated there was no evidence that the Denali Commission's job training programs improve employment outcomes for participants.

The GAO found the Denali Commission's activities to be duplicative of other Federal programs.

The Congressional Budget Office examined the Denali Commission and they said that they failed to find any evidence that they have achieved success in these areas in large part due to the overlap of the Commission's activities in other Federal programs.

And in October of 2013, the Office of Inspector General said that the Denali Commission was a middleman, that it was an experiment that had run its course and argued that these funds could be appropriated and be put to better use.

Put the funds towards Alaska. Put them actually in direct grants rather than a program that is a middleman around it. There are ways to be able to determine this, but we as a Nation have to find ways to be able to eliminate duplication, and this is one of those moments.

Are we going to listen to the inspector general, the Congressional Budget Office, the GAO, two different Presidents' Offices of Management and Budget, or will we ignore all of those?

With that, I encourage us to deal with a transition, continue to take care of the needs of rural Alaska but find a more efficient delivery system to do that.

Mr. CHABOT. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. CHABOT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CHABOT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

The Clerk will read.

The Clerk read as follows:

NORTHERN BORDER REGIONAL COMMISSION

For necessary expenses of the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $3,000,000, to remain available until expended: *Provided*, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

AMENDMENT OFFERED BY MR. FATTAH

Mr. FATTAH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 52, line 4, after the dollar amount insert (increase by 1) (decrease by 1)

Mr. FATTAH (during the reading). Mr. Chair, I ask unanimous consent to waive the further reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, let me first thank you and thank the chairman and the ranking member who have done an extraordinary amount of work developing this bill, everything from the nonproliferation work and the security and modernization of our nuclear weapons enterprise, the renewable and nuclear support programs, the energy labs, and their support of the Office of Science at DOE. I know the committee has worked very hard.

I rise tonight to offer an amendment which at the conclusion of my remarks I will withdraw, but I wanted to take this opportunity to say a number of things. One is that I have traveled with the chairman and other members of the committee over these many years to many of our national energy labs. And in particular, I have focused on the nuclear weapons enterprise, but I rise today in support of and wanting to thank the chairman and the ranking member for their support for the Energy Efficient Buildings Hub in Philadelphia.

The administration had asked for an appropriation. The committee in its work has decided to go well beyond that, and I want to thank the chairman publicly. Even though it is in Philadelphia, I don't rise in a parochial sense. I also thank you for your support for the other labs. The Pittsburgh lab, for instance, is where the work was done that has enabled us to tap the Marcellus Shale. These labs are so vitally important. The science that is done there has increased our country's capacity in terms of energy, and I thank the chairman and the ranking member.

Mr. Chairman, at this time I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SOUTHEAST CRESCENT REGIONAL COMMISSION

For necessary expenses of the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $250,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, including official representation expenses not to exceed $25,000, $1,052,433,000, to remain available until expended, of which $55,000,000 shall be derived from the Nuclear Waste Fund: *Provided*, That of the amount appropriated herein, not more than $9,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2016, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $880,155,000 in fiscal year 2015 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2015 so as to result in a final fiscal year 2015 appropriation estimated at not more than $172,278,000: *Provided further*, That of the amounts appropriated under this heading, $10,000,000 shall be for university research and development in areas relevant to their respective organization's mission, and $5,000,000 shall be for a Nuclear Science and Engineering Grant Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $12,071,000, to remain available until September 30, 2016: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at $10,099,000 in fiscal year 2015 shall be retained and be available until September 30, 2016, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2015 so as to result in a final fiscal year 2015 appropriation estimated at not more than $1,972,000: *Provided further*, That, of the amounts appropriated under this heading, $850,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board, which shall not be available from fee revenues.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,400,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2016.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

SEC. 401. The Chairman of the Nuclear Regulatory Commission shall notify the other members of the Commission, the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Environment and Public Works of the Senate, not later than 1 day after the Chairman begins performing functions under the authority of section 3 of Reorganization Plan No. 1 of 1980, or after a member of the Commission who is delegated emergency functions under subsection (b) of that section begins performing those functions. Such notification shall include an explanation of the circumstances warranting the exercise of such authority. The Chairman shall report to the Committees, not less frequently than once each week, on the actions taken by the Chairman, or a delegated member of the Commission, under such authority, until the authority is relinquished. The Chairman shall notify the Committees not later than 1 day after such authority is relinquished. The Chairman shall submit the report required by section 3(d) of the Reorganization Plan

No. 1 of 1980 to the Committees not later than 1 day after it was submitted to the Commission. This section shall be in effect in fiscal year 2015 and each subsequent fiscal year.

SEC. 402. The Nuclear Regulatory Commission shall comply with the July 5, 2011, version of Chapter VI of its Internal Commission Procedures when responding to Congressional requests for information until those Procedures are changed or waived by a majority of the Commission, in accordance with Commission practice.

TITLE V—GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 503. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 504. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(c) The head of any relevant department or agency funded in this Act utilizing any transfer authority shall submit to the Committees on Appropriations of the House of Representatives and the Senate a semi-annual report detailing the transfer authorities, except for any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality, used in the previous 6 months and in the year-to-date. This report shall include the amounts transferred and the purposes for which they were transferred, and shall not replace or modify existing notification requirements for each authority.

SEC. 505. None of the funds made available by this Act may be used in contravention of Executive Order No. 12898 of February 11, 1994 (''Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations'').

SEC. 506. None of the funds made available by this Act may be used to conduct closure of adjudicatory functions, technical review, or support activities associated with the Yucca Mountain geologic repository license application, or for actions that irrevocably remove the possibility that Yucca Mountain may be a repository option in the future.

AMENDMENT NO. 14 OFFERED BY MS. TITUS

Ms. TITUS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 59, beginning on line 8, strike section 506.

The Acting CHAIR. Pursuant to House Resolution 641, the gentlewoman from Nevada and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Nevada.

Ms. TITUS. Mr. Chairman, we all know the history of the misguided Yucca Mountain project, so there is no need to repeat it again. This simple amendment that I am going to offer would strike language included in the bill which prohibits the DOE from closing Yucca Mountain.

Now we heard earlier this evening from an esteemed colleague on this floor that he cares deeply about Nevada, and he went on to say that if the latest court mandated study determines Yucca Mountain is not safe for 1 million years, he will, indeed, lead the charge to move on to another solution. In fact, he called on the chairman of the committee to join him in that pledge. Well, I thank him for that, but I would ask you, Mr. Chairman, how can that be possible if the provision prohibiting closure of Yucca Mountain is left in the bill? Is this offer not a sincere one? Is this yet another empty promise to the people of Nevada?

Indeed, if this amendment is not adopted and instead the DOE is prohibited from ever closing Yucca Mountain, how can we believe anything that is being said or done in relation to this proposed dump site?

I tell you, Mr. Chairman, Nevada is not a wasteland, and I urge passage of this amendment that would strike that language prohibiting the DOE from ever closing Yucca Mountain regardless of whether it is found to be safe or not.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. I oppose this amendment. It is an interesting argument the gentlelady made. The House has repeatedly had overwhelming votes in support of continuing the Yucca Mountain repository.

The language that would be stricken by this amendment we have been carrying for years as a way to keep the will of the House and the American people alive. In fact, the votes supporting Yucca Mountain in this House have been overwhelming each time that we voted on it.

I would remind the gentlelady that this doesn't mean that Yucca Mountain can never be closed. The comment of the gentleman from Illinois would still be true. An appropriation bill is a 1-year appropriation bill. That is why we carry this language in each appropriation bill.

We need to wait for the safety review by the NRC to be done to decide what we are going to do moving forward, instead of political decisions that have been made on Yucca Mountain in the past. And it has been a political decision. I think even the gentlelady would agree with that. I urge my colleagues to vote against this amendment.

I yield the balance of my time to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. I thank the committee for doing again fine work. The amendment talked about none of the funds can be used for the NRC's work. The Nuclear Regulatory Commission is the independent agency to ensure the safety of the nuclear power industry and the disposition of its waste.

In attacking this and pulling this money out, it is the last attempt to say: We are not going to allow the scientific basis and our Commission, most appointed by Democratic administrations, to do their work.

□ 2030

We know what they are going to come out with. They are going to say it is safe for a million years.

People need to go visit the great State of Nevada. But I will just tell you that it is a great State, and I have been there. There will be a time when we need to move forward, and I am pledging, along with the chairman, to do what is right by your State.

Yucca Mountain is just a small portion of the nuclear waste test site. You have DOE land; you have Bureau of Land Management land; you have military land. It is bigger than most States, and people don't understand that until they go out there.

Seven of your 17 counties at least support—what has been raised by the chairman—support the Nuclear Regulatory Commission coming to a final conclusion, and you all know that because they have passed a county resolution. So to say that everyone from

the State is opposed, what many folks from the State of Nevada say is let's find out the safety of this, let the NRC do its work, and we have resolutions from seven of the 17 counties that support that.

We will eventually get through this. We voted numerous times in this Chamber over my many years here. Last year, 335–81, 337–87. The House as a body, representing Members from across this great Nation, have spoken in support of supporting Federal law. You have the right to come down here and try to stop the implementation of law, and I understand that and I respect that; but there will be a time when we continue to pledge, as this policy moves forward, that we will do everything to do what is right for your State in moving and storing and ensuring safety for this as the national policy over land enacted by the Federal statute in 1982 along with the amendments in 1987.

I know I have got a lot of support on your side, and we need to get closure to this so that we can continue to have, really, an energy policy that is diversified. If we move on this climate agenda, how do you move on a climate agenda without nuclear power? You just can't. Large major generating facilities.

How do we deal with the World War II nuclear waste without a place to safely store, a place like Hanford in Washington State that is a legacy site from World War II? Do you know where that should go if the NRC concludes it is safe? Under a mountain, in a desert, 90 miles northeast of Las Vegas.

Again, I am not trying to be a jerk. I know it is tough. Eighty-two, 30 years, $15 billion—we can't walk away from that as an investment of this country. If we do, we are not being good public stewards of the taxpayers' funds and the ratepayers, which are about 32 States in this Union. Thirty-two States have put in money to the Nuclear Waste Fund on a promise that the Federal Government would have a site. Your amendment would say no, we are just going to walk away again.

Respectfully, I would ask for the defeat of the Titus amendment.

Thank you, Mr. Chairman, for your great work.

Mr. SIMPSON. Mr. Chair, I yield back the balance of my time.

Ms. TITUS. Mr. Chairman, with all due respect to my colleague, I believe he is addressing the previous amendment. This amendment simply deletes language from the bill that prohibits DOE from closing Yucca Mountain.

I would also remind him of the bipartisan bill that is in the Senate that would provide a solution for our nuclear waste problem, which is consent-based, bipartisan and consent-based.

This policy has been a waste of time and money and, indeed, it is bad politics, not good science.

I yield to my colleague, Mr. HORSFORD.

Mr. HORSFORD. Mr. Chairman, I thank the gentlewoman for yielding.

First, I want to commend you for your tireless efforts in fighting this dangerous storage of nuclear waste at Yucca Mountain. From your days as a leader as a State legislator to now as a Member of Congress, your unwavering commitment to this issue on behalf of the majority will of Nevadans who are opposed to dangerous storage of nuclear waste in our State—from our Governor, Republican Governor Brian Sandoval; our U.S. Senator, Republican Member, U.S. Senator DEAN HELLER; our majority leader, Senator HARRY REID—this is a State issue. The State is opposed to the storage of nuclear waste at Yucca Mountain. There are local counties that have different positions, but the State's position has been clear for decades that we do not want dangerous nuclear waste stored in our State.

Ultimately, this threatens our State's health and our safety. It hurts our State's economy, not just gaming, but other areas. With one accident, it could devastate southern Nevada. The stakes are too high for our State to gamble with.

While this is 90 miles away from Las Vegas, we have 40 million visitors that come to our community—2 million people that live there in southern Nevada. But we are a State that relies on tourism, and that industry would be destroyed by any complication with nuclear waste. People come to Vegas for the bright lights, not for radioactive glow.

Our State leaders will continue to fight together, Republicans and Democrats, in Nevada to make sure that Yucca Mountain remains scrapped, as it should be.

I want to thank again my colleague, the Representative from District One, for her tireless leadership on this issue.

I urge my colleagues to support this amendment that protects the majority will of Nevadans who have consistently opposed the storage of dangerous nuclear waste.

To my colleague from Illinois, I think if you would take the time to come and visit our community, talk to the small business owners, to the parents who are concerned about the transportation, of what this would mean on our highways and our roads, the threat that it could have to our schools and our local businesses, then maybe you would understand why there is near unanimous agreement that Yucca Mountain and the storage of nuclear waste is not right for Nevada.

Ms. TITUS. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Nevada (Ms. TITUS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. TITUS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Nevada will be postponed.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SPENDING REDUCTION ACCOUNT

SEC. 507. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

Mr. SIMPSON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHIMKUS) having assumed the chair, Mr. HOLDING, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4923) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2015, and for other purposes, had come to no resolution thereon.

2014 NATIONAL DRUG CONTROL STRATEGY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113–129)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on the Judiciary, Committee on Agriculture, Committee on Armed Services, Committee on Energy and Commerce, Committee on Education and the Workforce, Committee on Financial Services, Committee on Oversight and Government Reform, Committee on Foreign Affairs, Committee on Transportation and Infrastructure, Committee on Ways and Means, Committee on Veterans' Affairs, Committee on Homeland Security, Committee on Natural Resources, and the Permanent Select Committee on Intelligence, and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit the 2014 *National Drug Control Strategy*, a 21st century approach to drug policy that is built on decades of research demonstrating that addiction is a disease of the brain—one that can be prevented, treated, and from which people can recover. The pages that follow lay out an evidence-based plan for real drug policy reform, spanning the spectrum of effective prevention, early intervention, treatment, recovery support, criminal justice, law enforcement, and international cooperation.

Illicit drug use and its consequences challenge our shared dream of building for our children a country that is healthier, safer, and more prosperous. Illicit drug use is associated with addiction, disease, and lower academic

performance among our young people. It contributes to crime, injury, and serious dangers on the Nation's roadways. And drug use and its consequences jeopardize the progress we have made in strengthening our economy—contributing to unemployment, impeding re-employment, and costing our economy billions of dollars in lost productivity.

These facts, combined with the latest research about addiction as a disease of the brain, helped shape the approach laid out in my Administration's first *National Drug Control Strategy*—and they continue to guide our efforts to reform drug policy in a way that is more efficient, effective, and equitable. Through the Affordable Care Act, millions of Americans will be able to obtain health insurance, including coverage for substance use disorder treatment services. We have worked to reform our criminal justice system, addressing unfair sentencing disparities, providing alternatives to incarceration for nonviolent, substance-involved offenders, and improving prevention and re-entry programs to protect public safety and improve outcomes for people returning to communities from prisons and jails. And we have built stronger partnerships with our international allies, working with them in a global effort against drug trafficking and transnational organized crime, while also assisting them in their efforts to address substance use disorders and related public health problems.

This progress gives us good reason to move forward with confidence. However, we cannot effectively build on this progress without collaboration across all sectors of our society. I look forward to joining with community coalitions, faith-based groups, tribal communities, health care providers, law enforcement agencies, state and local governments, and our international partners to continue this important work in 2014. And I thank the Congress for its continued support of our efforts to build a healthier, safer, and more prosperous country.

BARACK OBAMA.

THE WHITE HOUSE, *July 9, 2014*.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Ms. PELOSI) for today on account of official business in the district.

ADJOURNMENT

Mr. SIMPSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 10, 2014, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6281. A letter from the Management and Program Analyst, Department of Agriculture, transmitting the Department's final rule — Idaho Roadless Rule received June 17, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6282. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Female Squash Flowers From Israel Into the Continental United States [Docket No.: APHIS-2012-0078] (RIN: 0579-AD72) received June 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6283. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Relaxing Grade Requirements on Valencia and Other Late Type Oranges [Doc. No.: AMS-FV-14-0041; FV14-905-2 IR] received June 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6284. A letter from the Deputy Secretary, Department of Defense, transmitting the Department's semiannual report from the office of the Inspector General for the period October 1, 2013 through March 31, 2014; to the Committee on Armed Services.

6285. A letter from the Under Secretary, Department of Defense, transmitting a review of the Joint Precision Approach and Landing System (JPALS) Increment 1A program; to the Committee on Armed Services.

6286. A letter from the Under Secretary, Department of Defense, transmitting a review of the MQ-8 Vertical Takeoff and Landing Tactical Unmanned Aerial Vehicle (VTUAV) Fire Scout program; to the Committee on Armed Services.

6287. A letter from the Director, Department of Defense, transmitting the Department's twenty-fourth annual report for the Facilities Services Directorate/Pentagon Renovation and Construction Program Office (FSD/PENREN); to the Committee on Armed Services.

6288. A letter from the Acting Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's ''Major'' final rule — Final Priorities, Requirement, and Definitions; Innovative Approaches to Literacy (IAL) Program [Docket ID: ED-2013-OESE-0159; CFDA Number: 84.215G] received June 17, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6289. A letter from the Chief, Broadband Division, Federal Communications Commission, transmitting the Commission's final rule — Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions [GN Docket No.: 12-268] received June 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6290. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243), the Authorization for the Use of Military Force Against Iraq Resolution of 1991 (Pub. L. 102-1), and in order to keep the Congress fully informed, a report prepared by the Department of State for the February 15, 2014 — April 15, 2014 reporting period including matters relating to post-liberation Iraq, pursuant to Public Law 107-243, section 4(a) (116 Stat. 1501); to the Committee on Foreign Affairs.

6291. A letter from the Deputy Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of Certain Persons to the Entity List [Docket No.: 130103004-4458-01] (RIN: 0694-AF86) received June 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6292. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on progress toward a negotiated solution of the Cyprus question covering the period February 1, 2014 through March 31, 2014; to the Committee on Foreign Affairs.

6293. A letter from the Executive Director, Access Board, transmitting the Board's FY 2013 report, pursuant to the requirements of section 203(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No Fear Act); to the Committee on Oversight and Government Reform.

6294. A letter from the Secretary, Department of Housing and Urban Development, transmitting the Department's semiannual report from the office of the Inspector General for the period October 1, 2013 through March 31, 2014; to the Committee on Oversight and Government Reform.

6295. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Pittsburgh, transmitting the 2013 Statements on System of Internal Controls of the Federal Home Loan of Pittsburgh, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

6296. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting the 2013 Statements on System of Internal Controls of the Federal Home Loan Bank of Topeka, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

6297. A letter from the Acting Inspector General, Federal Trade Commission, transmitting notification that the Commission recently began the audit of financial statements for the fiscal year 2014; to the Committee on Oversight and Government Reform.

6298. A letter from the Administrator, Small Business Administration, transmitting the Administration's semiannual report from the Office of the Inspector General for the period October 1, 2013 through March 31, 2014; to the Committee on Oversight and Government Reform.

6299. A letter from the Acting Director, Department of the Interior, transmitting the Department's second report entitled, ''Estimates of Natural Gas and Oil Reserves, Reserves Growth, and Undiscovered Resources in Federal and State Water off the Coasts of Texas, Louisiana, Mississippi, and Alabama''; to the Committee on Natural Resources.

6300. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 121009528-2729-02] (RIN: 0648-XD268) received June 20, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6301. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Commercial Gulf of Mexico Blacktip Shark Fishery [Docket No.: 130402317-3966-02] (RIN: 0648-XD312) received June 20, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6302. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole in the Bering Sea and Aleutian Islands Management Area [Docket No.: 131021878-4158-02] (RIN: 0648-XD300) received June 20, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6303. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Snapper-Grouper Fishery of the South Atlantic States; 2014 Recreational Accountability Measure and Closure for South Atlantic Snowy Grouper [Docket No.: 0907271173-0629-03] (RIN: 0648-XD199) received June 20, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6304. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; 2014 Sub-Annual Catch Limit (ACL) Harvested for Management [Docket No.: 130919816-4205-02] (RIN: 0648-XD308) received June 20, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6305. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — 504 and 7(a) Loan Programs Updates (RIN: 3245-AG04) received June 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

6306. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 1603 Sequestration and Its Effect on the Investment Tax Credit and the Production Tax Credit [Notice 2014-39] received June 17, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6307. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Regulations Governing Practice Before the Internal Revenue Service [TD 9668] (RIN: 1545-BF96) received June 17, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6308. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2014-41] received June 17, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6309. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Credit for Carbon Dioxide Sequestration 2014 Section 45Q Inflation Adjustment Factor [Notice 2014-40] received June 17, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6310. A letter from the Administrator, Department of Homeland Security, transmitting the Administration's certification that the level of screening services and protection provided at the Bozeman Yellowstone International Airport (BZN), Bert Mooney Airport (BTM), Glacier Park International Airport (GPI) and Yellowstone Airport (WYS) will be equal to or greater than the level that would be provided at the airport by TSA Transportation Security Officers and that the screening company is owned and controlled by citizens of the United States, pursuant to 49 U.S.C. 44920 Public Law 107-71, section 108; to the Committee on Homeland Security.

6311. A letter from the Chairman and Vice Chairman, U.S.-China Economic and Security Review Commission, transmitting a letter regarding the Commission's annual trip to China; jointly to the Committees on Ways and Means, Armed Services, and Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLE: House Committee on Rules. House Resolution 661. Resolution providing for consideration of the bill (H.R. 5016) making appropriations for financial services and general government for the fiscal year ending September 30, 2015, and for other purposes, and providing for consideration of the bill (H.R. 4718) to amend the Internal Revenue Code of 1986 to modify and make permanent bonus depreciation (Rept. 113–517). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SEAN PATRICK MALONEY of New York (for himself, Mr. MULLIN, and Mr. TAKANO):

H.R. 5032. A bill to direct the Secretary of Veterans Affairs to develop and publish an action plan for improving the vocational rehabilitation services and assistance provided by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mrs. CAPPS (for herself, Ms. MENG, Mr. FARR, Ms. TSONGAS, Mr. ELLISON, Mrs. CAROLYN B. MALONEY of New York, Mr. NADLER, Mr. GRIJALVA, Mr. MORAN, Ms. SLAUGHTER, Ms. DELAURO, Mr. BLUMENAUER, and Ms. SPEIER):

H.R. 5033. A bill to ban the use of bisphenol A in food containers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRAVES of Missouri:

H.R. 5034. A bill to amend title 5, United States Code, to provide for certain special congressional review procedures for EPA rulemakings; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, Agriculture, Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCSHON (for himself, Mr. SMITH of Texas, and Mr. COLLINS of New York):

H.R. 5035. A bill to reauthorize the National Institute of Standards and Technology, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. COBLE (for himself and Mr. GOODLATTE):

H.R. 5036. A bill to amend title 17, United States Code, to extend expiring provisions of the Satellite Television Extension and Localism Act of 2010; to the Committee on the Judiciary.

By Mr. ROYCE (for himself and Mr. MURPHY of Florida):

H.R. 5037. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to improve the transparency, accountability, governance, and operations of the Office of Financial Research, and for other purposes; to the Committee on Financial Services.

By Mr. KILMER (for himself and Mr. HECK of Washington):

H.R. 5038. A bill to establish the Maritime Washington National Heritage Area in the State of Washington, and for other purposes; to the Committee on Natural Resources.

By Mrs. KIRKPATRICK:

H.R. 5039. A bill to make technical amendments to Public Law 93-531, and for other purposes; to the Committee on Natural Resources.

By Mr. LABRADOR:

H.R. 5040. A bill to require the Secretary of the Interior to convey certain Federal land to Idaho County in the State of Idaho, and for other purposes; to the Committee on Natural Resources.

By Mr. LAMBORN (for himself and Mr. SHERMAN):

H.R. 5041. A bill to require the Secretary of State to offer rewards totaling up to $5,000,000 for information on the kidnapping and murder of Naftali Fraenkel, a dual United States-Israeli citizen, that began on June 12, 2014; to the Committee on Foreign Affairs.

By Mr. MCNERNEY:

H.R. 5042. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program under which the Secretary enters into partnership agreements with non-Federal entities for the construction of major medical facility projects; to the Committee on Veterans' Affairs.

By Mr. PETERS of California:

H.R. 5043. A bill to amend the Trafficking Victims Protection Act of 2000 to direct the Secretary of State to submit reports to Congress on child protection compacts; to the Committee on Foreign Affairs.

By Mr. PETERS of California:

H.R. 5044. A bill to amend the Trafficking Victims Protection Act of 2000 to direct the Interagency Task Force to Monitor and Combat Trafficking to develop a comprehensive action plan to combat human trafficking; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERS of Michigan:

H.R. 5045. A bill to increase access to capital for veteran entrepreneurs to help create jobs; to the Committee on Small Business.

By Mr. PETERS of Michigan:

H.R. 5046. A bill to protect individuals who are eligible for increased pension under laws administered by the Secretary of Veterans Affairs on the basis of need of regular aid and attendance from dishonest, predatory, or otherwise unlawful practices, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PETERS of Michigan:

H.R. 5047. A bill to prohibit the Secretary of Veterans Affairs from altering available health care and wait times for appointments for health care for certain veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PETERS of Michigan:

H.R. 5048. A bill to expand and improve care provided to veterans and members of the Armed Forces with mental health disorders or at risk of suicide, to review the terms or characterization of the discharge or separation of certain individuals from the Armed Forces, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes; to the Committee on

Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIMPSON:

H.R. 5049. A bill to exchange trust and fee land to resolve land disputes created by the realignment of the Blackfoot River along the boundary of the Fort Hall Indian Reservation, and for other purposes; to the Committee on Natural Resources.

By Mr. SIMPSON:

H.R. 5050. A bill to repeal the Act of May 31, 1918, and for other purposes; to the Committee on Natural Resources.

By Ms. SLAUGHTER (for herself, Ms. DEGETTE, Mr. NADLER, Mr. BERA of California, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Ms. BROWNLEY of California, Mrs. CAPPS, Ms. CASTOR of Florida, Ms. CHU, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. DEFAZIO, Ms. DELAURO, Ms. DELBENE, Mr. DOGGETT, Ms. DUCKWORTH, Ms. EDWARDS, Mr. ELLISON, Ms. ESTY, Mr. FARR, Mr. FATTAH, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. GRAYSON, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HONDA, Mr. HOYER, Mr. HUFFMAN, Mr. ISRAEL, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. KEATING, Mr. KENNEDY, Mr. KILMER, Mrs. KIRKPATRICK, Ms. KUSTER, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Mr. BEN RAY LUJÁN of New Mexico, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MAFFEI, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MENG, Mr. MICHAUD, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Florida, Ms. NORTON, Mr. PALLONE, Ms. PELOSI, Mr. PERLMUTTER, Mr. PETERS of Michigan, Mr. PETERS of California, Ms. PINGREE of Maine, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Ms. SCHWARTZ, Mr. SCOTT of Virginia, Ms. SHEA-PORTER, Mr. SIRES, Mr. SMITH of Washington, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of California, Mr. TIERNEY, Ms. TITUS, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Mr. WAXMAN, Mr. WELCH, Ms. WILSON of Florida, Mr. YARMUTH, Ms. BASS, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CLEAVER, Mr. CROWLEY, Ms. ESHOO, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. KILDEE, Mrs. NAPOLITANO, Mr. PASTOR of Arizona, Mr. PAYNE, Mr. VEASEY, Ms. WATERS, Mr. MCNERNEY, Mr. HIGGINS, Ms. SINEMA, Mr. HORSFORD, and Mr. BECERRA):

H.R. 5051. A bill to ensure that employers cannot interfere in their employees' birth control and other health care decisions; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas:

H.J. Res. 117. A joint resolution providing for the appointment of Michael Lynton as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

By Ms. FOXX:

H. Res. 660. A resolution electing a Member to certain standing committees of the House of Representatives; considered and agreed to.

By Mrs. DAVIS of California (for herself and Mr. POLIS):

H. Res. 662. A resolution expressing support for designation of October 2014 as ''National Principals Month''; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 5032.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. CAPPS:

H.R. 5033.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. GRAVES of Missouri:

H.R. 5034.

Congress has the power to enact this legislation pursuant to the following:

The power granted Congress under Article I, Section 8, Clause 18, of the United States Constitution, in making all Laws which shall be becessary and proper for carring into Execution the forgoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BUCSHON:

H.R. 5035.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: The Congress shall have power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

Article I, Section 8, Clause 5: To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures; and

Article I, Section 8, Clause 18: The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. COBLE:

H.R. 5036.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 8 of the United States Constitution.

By Mr. ROYCE.

H.R. 5037

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (The Congress shall have Power ''To regulate Commerce with foreign Nations, and among the several States and with the Indian Tribes'') and Article I, Section 8, Clause 18 (The Congress shall have Power ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof').

By Mr. KILMER:

H.R. 5038.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clauses 1 and 18, and Article IV, section 3, clause 2 of the U.S. Constitution.

By Mrs. KIRKPATRICK:

H.R. 5039.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. LABRADOR:

H.R. 5040.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. LAMBORN:

H.R. 5041.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. To make all laws which shall be necessary and proper...

By Mr. MCNERNEY:

H.R. 5042.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. PETERS of California:

H.R. 5043.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. PETERS of California:

H.R. 5044.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. PETERS of Michigan:

H.R. 5045.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution of the United States

By Mr. PETERS of Michigan:

H.R. 5046.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution of the United States

By Mr. PETERS of Michigan:

H.R. 5047.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution of the United States

By Mr. PETERS of Michigan:

H.R. 5048.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution of the United States

By Mr. SIMPSON:

H.R. 5049.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, which grants Congress the power to regulate Commerce with the Indian Tribes.

By Mr. SIMPSON:

H.R. 5050.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, which grants Congress the power to regulate Commerce with the Indian Tribes.

By Ms. SLAUGHTER:

H.R. 5051.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constitution of the United States of America and Section 5 of the Fourteenth Amendment to the Constitution of the United States of America.

Mr. SAM JOHNSON of Texas:

H.J. Res. 117

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 17, giving Congress exclusive jurisdiction over the District of Columbia. That clause was cited as the authority for the government's ability to accept the original Smithson donation and the creation of the Smithsonian Institution via the Act of August 10, 1846.

Article 1, Section 8, Clause 18, the Necessary and Proper clause, which provides the power to enact legislation necessary to effectuate one of the earlier enumerated powers, such as the authority granted in Clause 17 above.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 20: Mr. THOMPSON of California.

H.R. 32: Ms. DELAURO.

H.R. 217: Mr. MASSIE, Mr. BYRNE, Mr. THORNBERRY, and Mr. COBLE.

H.R. 279: Mr. MICHAUD.

H.R. 421: Ms. DELBENE.

H.R. 543: Mr. YARMUTH, Mr. PITTS, Ms. HERRERA BEUTLER, Ms. MCCOLLUM, and Mr. MCCAUL.

H.R. 794: Mr. RICHMOND.

H.R. 983: Ms. CHU.

H.R. 988: Ms. JACKSON LEE, Ms. MCCOLLUM, Ms. NORTON, and Mrs. NEGRETE MCLEOD.

H.R. 997: Mr. CHABOT.

H.R. 1015: Mr. KIND.

H.R. 1019: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1070: Mr. MCALLISTER.

H.R. 1072: Mr. JOYCE.

H.R. 1094: Ms. DELBENE.

H.R. 1127: Ms. KELLY of Illinois.

H.R. 1136: Ms. ROS-LEHTINEN and Ms. MCCOLLUM.

H.R. 1173: Mr. POCAN.

H.R. 1176: Ms. GRANGER, Mrs. ELLMERS, and Mr. JOHNSON of Ohio.

H.R. 1418: Ms. KELLY of Illinois.

H.R. 1431: Mr. CARSON of Indiana and Mr. FARR.

H.R. 1507: Mr. KIND.

H.R. 1553: Mr. MCCAUL, Mr. SOUTHERLAND, and Mr. MCALLISTER.

H.R. 1563: Ms. BROWNLEY of California.

H.R. 1620: Mr. SEAN PATRICK MALONEY of New York and Ms. DELAURO.

H.R. 1696: Ms. DUCKWORTH, Mr. MICHAUD, Ms. LEE of California, Mr. TONKO, and Mr. HONDA.

H.R. 1705: Mr. TAKANO.

H.R. 1772: Mr. BROOKS of Alabama.

H.R. 1851: Mr. PETERSON, Mr. GARCIA, Ms. VELÁZQUEZ, Ms. SHEA-PORTER, and Mr. MCDERMOTT.

H.R. 1893: Mr. PIERLUISI, Mr. RANGEL, Mr. CAPUANO, Ms. LEE of California, Mr. SIRES, and Mrs. LOWEY.

H.R. 1907: Mr. TAKANO.

H.R. 1975: Mr. HECK of Washington and Mr. QUIGLEY.

H.R. 1984: Ms. MATSUI.

H.R. 2028: Ms. KELLY of Illinois, Mr. DOYLE, Mr. KIND, Ms. MCCOLLUM, Mr. PERLMUTTER, Mr. MCNERNEY, Mr. THOMPSON of California, and Ms. KAPTUR.

H.R. 2066: Mr. HONDA.

H.R. 2164: Mr. NUNNELEE and Mr. POMPEO.

H.R. 2220: Mr. FRANKS of Arizona, Mr. BROOKS of Alabama, Mr. POMPEO, and Mr. STIVERS.

H.R. 2278: Mr. AUSTIN SCOTT of Georgia.

H.R. 2398: Mr. FARENTHOLD.

H.R. 2417: Mr. ROE of Tennessee.

H.R. 2450: Mr. VARGAS, Mr. ENYART, and Ms. SCHAKOWSKY.

H.R. 2453: Mr. LAMALFA, Mr. STIVERS, and Mr. SCHNEIDER.

H.R. 2482: Ms. LEE of California and Ms. CHU.

H.R. 2509: Mr. GRIJALVA.

H.R. 2536: Mr. MEADOWS and Mr. PAULSEN.

H.R. 2553: Ms. KELLY of Illinois.

H.R. 2602: Mr. BROOKS of Alabama.

H.R. 2607: Ms. SLAUGHTER and Mr. DAVID SCOTT of Georgia.

H.R. 2619: Ms. CLARKE of New York.

H.R. 2654: Ms. NORTON.

H.R. 2656: Mr. FARENTHOLD.

H.R. 2663: Mrs. ELLMERS.

H.R. 2673: Mr. MULLIN, Mr. FLEISCHMANN, and Mr. LANKFORD.

H.R. 2678: Mr. CLAWSON of Florida.

H.R. 2692: Mr. TAKANO.

H.R. 2737: Ms. LEE of California.

H.R. 2780: Mr. RANGEL.

H.R. 2856: Mr. LARSON of Connecticut, Mr. COURTNEY, Ms. ESTY, Mr. KING of New York, and Ms. DELAURO.

H.R. 2870: Mr. BUCHANAN.

H.R. 2920: Ms. LEE of California.

H.R. 2932: Mr. GOODLATTE.

H.R. 2983: Mr. MCGOVERN.

H.R. 3116: Ms. LEE of California and Mr. FITZPATRICK.

H.R. 3310: Mr. CAPUANO.

H.R. 3410: Mr. ROE of Tennessee.

H.R. 3465: Ms. MOORE.

H.R. 3471: Mr. SEAN PATRICK MALONEY of New York and Mr. SCHNEIDER.

H.R. 3481: Mr. SMITH of New Jersey.

H.R. 3544: Mr. RUPPERSBERGER, Mr. FRANKS of Arizona, and Mr. SMITH of Washington.

H.R. 3581: Mr. AMODEI and Mr. YOUNG of Indiana.

H.R. 3711: Ms. GABBARD.

H.R. 3742: Mrs. MCMORRIS RODGERS.

H.R. 3877: Mr. POCAN, Ms. TSONGAS, and Mr. LANGEVIN.

H.R. 3899: Mr. LEVIN.

H.R. 3992: Mr. PIERLUISI and Ms. SINEMA.

H.R. 4035: Mr. POCAN and Ms. SCHAKOWSKY.

H.R. 4040: Ms. KAPTUR.

H.R. 4045: Mr. GOODLATTE.

H.R. 4103: Mr. POCAN.

H.R. 4110: Mr. AL GREEN of Texas and Ms. LEE of California.

H.R. 4143: Mr. HONDA, Mr. WALBERG and Mr. MEEKS.

H.R. 4149: Ms. LEE of California.

H.R. 4159: Mr. LOEBSACK and Ms. SEWELL of Alabama.

H.R. 4162: Ms. CHU.

H.R. 4190: Mr. BERA of California.

H.R. 4213: Mr. LOEBSACK.

H.R. 4216: Mr. POCAN.

H.R. 4254: Mr. ROHRABACHER.

H.R. 4272: Mr. STEWART.

H.R. 4319: Mr. GOSAR.

H.R. 4324: Mr. PALLONE and Mr. MEADOWS.

H.R. 4347: Mr. WOLF.

H.R. 4351: Mr. POCAN and Mr. COLLINS of New York.

H.R. 4385: Mr. QUIGLEY.

H.R. 4408: Mr. JONES.

H.R. 4418: Mr. GARDNER.

H.R. 4432: Mr. MCINTYRE.

H.R. 4446: Mr. GARY G. MILLER of California and Mr. LAMALFA.

H.R. 4447: Mr. FLEMING.

H.R. 4449: Mr. KLINE.

H.R. 4466: Ms. JENKINS, Mr. DAINES, and Mr. FLEISCHMANN.

H.R. 4490: Mr. JONES.

H.R. 4510: Mr. HOLDING, Mr. BARBER, and Mr. FLEISCHMANN.

H.R. 4578: Ms. HANABUSA, Mr. TIERNEY, Mrs. BEATTY, Ms. CHU, and Mr. HECK of Washington.

H.R. 4581: Mr. LAMBORN.

H.R. 4582: Mr. SCHIFF and Mr. MCNERNEY.

H.R. 4592: Mr. SMITH of New Jersey.

H.R. 4594: Mr. WELCH.

H.R. 4626: Mr. PERLMUTTER, Mr. FINCHER, Mr. FOSTER, and Mr. DAVID SCOTT of Georgia.

H.R. 4664: Mr. BERA of California.

H.R. 4682: Mr. COSTA, Mr. GIBSON and Mr. HARRIS.

H.R. 4703: Mr. KLINE.

H.R. 4706: Mr. QUIGLEY and Mr. WALZ.

H.R. 4720: Mr. BARTON, Mr. COLE and Mr. WOMACK.

H.R. 4741: Mr. BACHUS and Ms. BROWNLEY of California.

H.R. 4749: Mr. JOYCE.

H.R. 4757: Mr. TIPTON.

H.R. 4771: Ms. SHEA-PORTER and Mr. AMODEI.

H.R. 4777: Mr. MCCAUL.

H.R. 4778: Mr. KENNEDY and Mr. RAHALL.

H.R. 4783: Ms. JACKSON LEE.

H.R. 4811: Mr. HUELSKAMP.

H.R. 4826: Mr. MATHESON and Ms. KELLY of Illinois.

H.R. 4843: Mr. HASTINGS of Florida and Mr. POCAN.

H.R. 4852: Mr. JONES.

H.R. 4857: Mr. PAULSEN and Mr. GRIFFIN of Arkansas.

H.R. 4863: Ms. MCCOLLUM.

H.R. 4882: Mr. MCKINLEY.

H.R. 4904: Mrs. KIRKPATRICK, Mr. LEWIS, Mr. LANGEVIN, Ms. NORTON, Mr. POCAN, and Mr. RANGEL.

H.R. 4906: Ms. ESTY.

H.R. 4930: Mr. LONG.

H.R. 4962: Mr. WILLIAMS.

H.R. 4964: Mr. KIND, Ms. DELBENE, Mr. POCAN, Mr. GARAMENDI, and Mr. LOEBSACK.

H.R. 4971: Mr. COOK, Mr. YOHO and Mr. RUIZ.

H.R. 4979: Mr. WEBER of Texas and Mr. FARENTHOLD.

H.R. 4980: Mr. KELLY of Pennsylvania, Mrs. BLACK, Mr. KLINE, Mr. SMITH of Nebraska, Mr. BRADY of Texas, Mr. HUIZENGA of Michigan, and Mr. YOUNG of Indiana.

H.R. 4981: Mr. ROTHFUS, Mr. ENYART, Mr. DAINES, Mrs. CAROLYN B. MALONEY of New York, Mr. RODNEY DAVIS of Illinois, and Mr. MORAN.

H.R. 4982: Mr. ROE of Tennessee, Mr. GUTHRIE, Mrs. BROOKS of Indiana, Mr. THOMPSON of Pennsylvania, Mr. ROKITA, Mr. WALBERG, Mr. MESSER, and Ms. HERRERA BEUTLER.

H.R. 4983: Mr. KELLY of Pennsylvania, Mr. ROE of Tennessee, Mr. MARCHANT, Mr. GUTHRIE, Mrs. BROOKS of Indiana, Mr. THOMPSON of Pennsylvania, Mr. ROKITA, Mr. HECK of Nevada, and Mr. BUCSHON.

H.R. 4984: Mr. KELLY of Pennsylvania, Mr. ROE of Tennessee, Mrs. BROOKS of Indiana, Mr. THOMPSON of Pennsylvania, Mr. ROKITA, Mr. HECK of Nevada, Mr. BUCSHON, and Mr. MESSER.

H.R. 4985: Mr. TONKO, Ms. BROWNLEY of California, Mrs. CHRISTENSEN, Mr. ENYART, Mr. HASTINGS of Florida, Mr. LEWIS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. HANABUSA, Ms. MCCOLLUM, and Mr. MCGOVERN.

H.R. 4988: Mr. BISHOP of Utah, Mrs. ELLMERS, Mr. FRANKS of Arizona, Mr. HARRIS, and Mr. RIBBLE.

H.R. 4989: Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. GARRETT, Mr. BISHOP of Utah, Mrs. LUMMIS, Mr. LAMALFA, and Mr. KING of Iowa.

H.R. 4990: Ms. MOORE and Mr. O'ROURKE.

H.R. 5004: Mr. QUIGLEY and Mr. OWENS.

H.R. 5014: Mr. BROOKS of Alabama, Mr. BURGESS, Mr. MARCHANT, Mr. BYRNE, Mr. BOUSTANY, and Mr. SAM JOHNSON of Texas.

H.R. 5019: Mrs. MCCARTHY of New York, Mr. ISRAEL, Mr. MEEKS, Ms. MENG, Ms. VELÁZQUEZ, Ms. CLARKE of New York, Mr. NADLER, Mr. RANGEL, Mr. ENGEL, Mr. GIBSON, Mr. TONKO, Mr. OWENS, Mr. HANNA, Mr. MAFFEI, Mr. HIGGINS, Mrs. CAROLYN B. MALONEY of New York, and Mr. CROWLEY.

H.R. 5023: Mr. ENYART and Mr. BACHUS.

H.J. Res. 20: Mr. HECK of Washington.

H.J. Res. 108: Mr. DESJARLAIS.

H. Con. Res. 3: Mr. MASSIE and Mr. STOCKMAN.

H. Res. 109: Mr. FRELINGHUYSEN and Mr. CHABOT.

H. Res. 456: Mr. KENNEDY and Mr. TERRY.

H. Res. 494: Mr. BISHOP of New York.

H. Res. 593: Ms. CHU.

H. Res. 601: Mr. STIVERS, Mr. NUGENT, Mr. WEBSTER of Florida, and Mr. POCAN.

H. Res. 612: Mr. STEWART, Mr. LANCE, and Mr. MCCLINTOCK.

H. Res. 620: Mr. ROHRABACHER, Mr. MARINO, Mr. OLSON, Mr. SMITH of Nebraska, and Mr. COLE.

H. Res. 622: Mr. GRIFFIN of Arkansas.

H. Res. 630: Mr. POCAN.

H. Res. 631: Mrs. ELLMERS.

H. Res. 644: Mrs. BACHMANN, Mrs. HARTZLER, Mr. CARTER, Mrs. NOEM, Mr. WOMACK, Mr. MULVANEY, Mr. HULTGREN, Mrs. ELLMERS and Mr. LAMALFA.

H. Res. 657: Mr. BARBER, Mr. BARROW of Georgia, Mr. BISHOP of New York, Ms. BROWNLEY of California, Mr. BUCHANAN, Mrs. BUSTOS, Mr. CICILLINE, Mr. COHEN, Mr. CONNOLLY, Mr. COOK, Mr. COSTA, Mr. CROWLEY, Mr. CUELLAR, Mr. DEUTCH, Ms. DUCKWORTH, Mr. ENYART, Ms. ESTY, Ms. GABBARD, Mr. GALLEGO, Mr. GARCIA, Mr. GARRETT, Mr. GENE GREEN of Texas, Mr. HANNA, Mr. HIGGINS, Mr. HIMES, Mr. HUFFMAN, Mr. JEFFRIES, Mr. KELLY of Pennsylvania, Mr. KENNEDY, Mr. KING of New York, Mrs. KIRKPATRICK, Ms. KUSTER, Mr. LANCE, Mr. LANGEVIN, Mr. LEVIN, Mr. LOWENTHAL, Mrs. LOWEY, Mr. MAFFEI, Mr. MATHESON, Mrs. MCCARTHY of New York, Ms. MENG, Mr. MURPHY of Florida, Mr. MURPHY of Pennsylvania, Mr. NADLER, Mr. OWENS, Mr. PERLMUTTER, Mr. PETERS of California, Mr. PETERSON, Mr. POLIS, Mr. PRICE of Georgia, Mr. QUIGLEY, Mr. RAHALL, Mr. ROSKAM, Ms. ROS-LEHTINEN, Mr. RUIZ, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Mr. SCHRADER, Ms. SINEMA, Mr. STIVERS, Mr. SWALWELL of California, Mr. TAKANO, Ms. TITUS, Ms. WASSERMAN SCHULTZ, and Mr. WAXMAN.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4923

OFFERED BY: MR. BILIRAKIS

AMENDMENT NO. 18: Page 7, line 21, after the dollar amount, insert ''(reduced to $0)''.

Page 59, line 20, after the dollar amount, insert ''(increased by $2,000,000)''.

H.R. 4923

OFFERED BY: MR. GRIJALVA

AMENDMENT NO. 19: Page 21, line 2, after the dollar amount, insert ''(reduced by $2,000,000)''.

Page 26, line 24, after the dollar amount, insert ''(increased by $2,000,000)''.

H.R. 4923

OFFERED BY: MR. REED

AMENDMENT NO. 20: Page 23, line 5, after the dollar amount, insert ''(increased by $4,000,000)''.

Page 26, line 24, after the dollar amount, insert ''(reduced by $4,000,000)''.

H.R. 4923

OFFERED BY: MS. BONAMICI

AMENDMENT NO. 21: Page 19, line 12, after the dollar amount, insert ''(increased by $9,000,000)''.

Page 26, line 24, after the dollar amount, insert ''(reduced by $9,000,000)''.

H.R. 4923

OFFERED BY: MRS. BLACKBURN

AMENDMENT NO. 22: At the end of the bill (before the short title), insert the following:

SEC. ____. Each amount made available by this Act is hereby reduced by 1 percent.

H.R. 4923

OFFERED BY: MR. LANKFORD

AMENDMENT NO. 23: At the end of the bill (before the short title), insert the following:

SEC. 508. None of the funds made available by this Act may be used to prepare, propose, or promulgate any regulation or guidance that references, relies on, or otherwise considers the analysis contained in ''Technical Support Document: - Social Cost of Carbon for Regulatory Impact Analysis - Under Executive Order 12866'' issued by the Interagency Working Group on Social Cost of Carbon, United States Government (February 2010), ''Technical Support Document: - Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis - Under Executive Order 12866'' issued by the Interagency Working Group on Social Cost of Carbon, United States Government (May 2013), ''Technical Support Document - Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis - Under Executive Order 12866'' issued by the Interagency Working Group on Social Cost of Carbon, United States Government (revised November 2013), or ''Technical Support Document - Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis - Under Executive Order No. 12866'', published at 78 Fed Reg. 228 (November 26, 2013).