2369, a bill to amend title 35, United States Code, to provide that certain tax planning inventions are not patentable, and for other purposes.

S. 2401

At the request of Ms. CANTWELL, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2401, a bill to amend the Internal Revenue Code of 1986 to allow a refund of motor fuel excise taxes for the actual off-highway use of certain mobile machinery vehicles.

S. 2543

At the request of Mr. ENSIGN, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 2543, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 2550

At the request of Mrs. HUTCHISON, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2550, a bill to amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from collecting certain debts owed to the United States by members of the Armed Forces and veterans who die as a result of an injury incurred or aggravated on active duty in a combat zone, and for other purposes.

S. 2578

At the request of Mr. COLEMAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2578, a bill to temporarily delay application of proposed changes to Medicaid payment rules for case management and targeted case management services.

S. 2580

At the request of Mr. SMITH, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2580, a bill to amend the Higher Education Act of 1965 to improve the participation in higher education of, and to increase opportunities in employment for, residents of rural areas.

S. 2595

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2595, a bill to create a national licensing system for residential mortgage loan originators, to develop minimum standards of conduct to be enforced by State regulators, and for other purposes.

S. 2596

At the request of Mr. DEMINT, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2596, a bill to rescind funds appropriated by the Consolidated Appropriations Act, 2008, for the City of Berkeley, California, and any entities located in such city, and to provide that such funds shall be transferred to the Operation and Maintenance, Marine Corps account of the Department of Defense for the purposes of recruiting.

S. 2618

At the request of Ms. KLOBUCHAR, the names of the Senator from Connecticut (Mr. DODD) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 2618, a bill to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Becker, congenital, distal, Duchenne, Emery-Dreifuss Facioscapulohumeral, limb-girdle, myotonic, and oculopharyngeal muscular dystrophies.

S. 2625

At the request of Mr. HARKIN, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 2625, a bill to ensure that deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or in prospective monthly amounts, be excluded from consideration as annual income when determining eligibility for low-income housing programs.

S. 2627

At the request of Mr. DOMENICI, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 2627, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

S. 2633

At the request of Mr. FEINGOLD, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2633, a bill to provide for the safe redeployment of United States troops from Iraq.

S. 2634

At the request of Mr. FEINGOLD, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2634, a bill to require a report setting forth the global strategy of the United States to combat and defeat al Qaeda and its affiliates.

S. RES. 439

At the request of Mr. LUGAR, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. Res. 439, a resolution expressing the strong support of the Senate for the North Atlantic Treaty Organization to enter into a Membership Action Plan with Georgia and Ukraine.

S. RES. 449

At the request of Mr. SMITH, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. Res. 449, a resolution condemning in the strongest possible terms President of Iran Mahmoud Ahmadinejad's statements regarding the State of Israel and the Holocaust and calling for all member States of the United Nations to do the same.

AMENDMENT NO. 3893

At the request of Mr. BROWNBACK, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of amendment No. 3893 proposed to S. 1200, a bill to amend the Indian Health Care Improvement Act to revise and extend the Act.

AMENDMENT NO. 3896

At the request of Mr. VITTER, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. BROWNBACK) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of amendment No. 3896 proposed to S. 1200, a bill to amend the Indian Health Care Improvement Act to revise and extend the Act.

AMENDMENT NO. 3967

At the request of Mr. COBURN, the names of the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. WICKER) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of amendment No. 3967 intended to be proposed to S. 2483, a bill to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes.

AMENDMENT NO. 4023

At the request of Ms. MIKULSKI, the names of the Senator from Maine (Ms. COLLINS), the Senator from Maryland (Mr. CARDIN), the Senator from Ohio (Mr. VOINOVICH), the Senator from Iowa (Mr. HARKIN), the Senator from Pennsylvania (Mr. CASEY), the Senator from New York (Mrs. CLINTON), the Senator from Vermont (Mr. SANDERS) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of amendment No. 4023 proposed to S. 1200, a bill to amend the Indian Health Care Improvement Act to revise and extend the Act.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KOHL:

S. 2638. A bill to change the date for regularly scheduled Federal elections and establish polling place hours; to the Committee on Rules and Administration.

Mr. KOHL. Mr. President, today I rise to introduce the Weekend Voting Act. This legislation will change the day for Congressional and Presidential elections from the first Tuesday in November to the first weekend in November. This legislation is nearly identical to legislation that I first proposed in 1997.

Currently, we are in the midst of the most serious business of our democracy—the primary elections to select the nominees to be our next President. We all want every eligible voter to participate and cast a vote. But recent elections have Shown us that unneeded obstacles are preventing citizens from exercising their franchise. The debacle of defective ballots and voting methods in Florida in the 2000 election galvanized Congress into passing major election reform legislation. The Help American Vote Act, which was enacted

into law in 2002, was an important step forward in establishing minimum standards for States in the administration of Federal elections and in providing funds to replace outdated voting systems and improve election administration. However, there is much that still needs to be done.

With more and more voters needing to cast their ballots on election day, we need to build on the movement which already exists to make it easier for Americans to cast their ballots by providing alternatives to voting on just one election day. Twenty-eight States, including my own State of Wisconsin, now permit any registered voter to vote by absentee ballot. These States constitute nearly half of the voting age citizens of the U.S. Thirty-one States permit in-person early voting at election offices or at other satellite locations. The State of Oregon now conducts statewide elections completely by mail. These innovations are critical if we are to conduct fair elections, for it has become unreasonable to expect that a Nation of 300 million people can line up at the same time and cast their ballots at the same time. And if we continue to try to do so, we will encounter even more reports of broken machines and long lines in the rain and registration errors that create barriers to voting.

That is why I have been a long-time advocate of moving our Federal election day from the first Tuesday after the first Monday in November to the first weekend in November. Holding our Federal elections on a weekend will create more opportunities for voters to cast their ballots and will help end the gridlock at the polling places which threaten to undermine our elections.

Under this bill, polls would be open nationwide for a uniform period of time from 10 a.m. Saturday eastern time to 6 p.m. Sunday eastern time. Polls in all time zones would in the 48 contiguous States also open and close at this time. Election officials would be permitted to close polls during the overnight hours if they determine it would be inefficient to keep them open. Because the polls would be open on both Saturday and Sunday, they also would not interfere with religious observances.

Keeping polls open the same hours across the continental U.S. also addresses the challenge of keeping results on one side of the country, or even a State, from influencing voting in places where polls are still open. Moving elections to the weekend will expand the pool of buildings available for polling stations and people available to work at the polls, addressing the critical shortage of poll workers.

Most important, weekend voting has the potential to increase voter turnout by giving all voters ample opportunity to get to the polls without creating a national holiday. There is already evidence that holding elections on a nonworking day can increase voter turnout. In one survey of 44 democracies, 29 held elections on holidays or weekends and in all these cases voter turnout surpassed our country's voter participation rates.

In 2001, the National Commission on Federal Election Reform recommended that we move our federal election day to a national holiday, in particular Veterans Day. As expected, the proposal was not well received among veterans and I do not endorse such a move, but I share the Commission's goal of moving election day to a nonworking day.

Since the mid 19th century, election day has been on the first Tuesday of November. Ironically, this date was selected because it was convenient for voters. Tuesdays were traditionally court day, and landowning voters were often coming to town anyway.

Just as the original selection of our national voting day was done for voter convenience, we must adapt to the changes in our society to make voting easier for the regular family. We have outgrown our Tuesday voting day tradition, a tradition better left behind to a bygone horse and buggy era. In today's America, 60 percent of all households have two working adults. Since most polls in the United States are open only 12 hours on a Tuesday, from 7 a.m. to 7 p.m., voters often have only one or two hours to vote. As we have seen in recent elections, long lines in many polling places have kept some voters waiting much longer than one or 2 hours. If voters have children, and are dropping them off at day care, or if they have a long work commute, there is just not enough time in a workday to vote.

With long lines and chaotic polling places becoming the unacceptable norm in many communities, we have an obligation to reform how our Nation votes. If we are to grant all Americans an equal opportunity to participate in the electoral process, and to elect our representatives in this great democracy, then we must be willing to reexamine all aspects of voting in America. Changing our election day to a weekend may seem like a change of great magnitude. Given the stakes—the integrity of future elections and full participation by as many Americans as possible—I hope my colleagues will recognize it as a common sense proposal whose time has come.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2638

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Weekend Voting Act''.

SEC. 2. CHANGE IN CONGRESSIONAL ELECTION DAY TO SATURDAY AND SUNDAY.

Section 25 of the Revised Statutes (2 U.S.C. 7) is amended to read as follows:

''SEC. 25. The first Saturday and Sunday after the first Friday in November, in every even numbered year, are established as the days for the election, in each of the States and Territories of the United States, of Representatives and Delegates to the Congress commencing on the 3d day of January thereafter.''.

SEC. 3. CHANGE IN PRESIDENTIAL ELECTION DAY TO SATURDAY AND SUNDAY.

Section 1 of title 3, United States Code, is amended by striking ''Tuesday next after the first Monday'' and inserting ''first Saturday and Sunday after the first Friday''.

SEC. 4. POLLING PLACE HOURS.

(a) IN GENERAL.—

(1) PRESIDENTIAL GENERAL ELECTION.—Chapter 1 of title 3, United States Code, is amended—

(A) by redesignating section 1 as section 1A; and

(B) by inserting before section 1A the following:

''§ 1. Polling place hours

''(a) DEFINITIONS.—In this section:

''(1) CONTINENTAL UNITED STATES.—The term 'continental United States' means a State (other than Alaska and Hawaii) and the District of Columbia.

''(2) PRESIDENTIAL GENERAL ELECTION.—The term 'Presidential general election' means the election for electors of President and Vice President.

''(b) POLLING PLACE HOURS.—

''(1) POLLING PLACES IN THE CONTINENTAL UNITED STATES.—Each polling place in the continental United States shall be open, with respect to a Presidential general election, beginning on Saturday at 10:00 a.m. eastern standard time and ending on Sunday at 6:00 p.m. eastern standard time.

''(2) POLLING PLACES OUTSIDE THE CONTINENTAL UNITED STATES.—Each polling place not located in the continental United States shall be open, with respect to a Presidential general election, beginning on Saturday at 10:00 a.m. local time and ending on Sunday at 6:00 p.m. local time.

''(3) EARLY CLOSING.—A polling place may close between the hours of 10:00 p.m. local time on Saturday and 6:00 a.m. local time on Sunday as provided by the law of the State in which the polling place is located.''.

(2) CONGRESSIONAL GENERAL ELECTION.—Section 25 of the Revised Statutes of the United States (2 U.S.C. 7) is amended—

(A) by redesignating section 25 as section 25A; and

(B) by inserting before section 25A the following:

''SEC. 25. POLLING PLACE HOURS.

''(a) DEFINITIONS.—In this section:

''(1) CONTINENTAL UNITED STATES.—The term 'continental United States' means a State (other than Alaska and Hawaii) and the District of Columbia.

''(2) CONGRESSIONAL GENERAL ELECTION.—The term 'congressional general election' means the general election for the office of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress.

''(b) POLLING PLACE HOURS.—

''(1) POLLING PLACES INSIDE THE CONTINENTAL UNITED STATES.—Each polling place in the continental United States shall be open, with respect to a congressional general election, beginning on Saturday at 10:00 a.m. eastern standard time and ending on Sunday at 6:00 p.m. eastern standard time.

''(2) POLLING PLACES OUTSIDE THE CONTINENTAL UNITED STATES.—Each polling place not located in the continental United States shall be open, with respect to a congressional general election, beginning on Saturday at 10:00 a.m. local time and ending on Sunday at 6:00 p.m. local time.

''(3) EARLY CLOSING.—A polling place may close between the hours of 10:00 p.m. local

time on Saturday and 6:00 a.m. local time on Sunday as provided by the law of the State in which the polling place is located.''.

(b) CONFORMING AMENDMENTS.—

(1) The table of sections for chapter 1 of title 3, United States Code, is amended by striking the item relating to section 1 and inserting the following:

''1. Polling place hours.
''1A. Time of appointing electors.''.

(2) Sections 871(b) and 1751(f) of title 18, United States Code, are each amended by striking ''title 3, United States Code, sections 1 and 2'' and inserting ''sections 1A and 2 of title 3''.

By Mr. GRASSLEY (for himself and Mr. KOHL):

S. 2641. A bill to amend title XVIII and XIX of the Social Security Act to improve the transparency of information on skilled nursing facilities and nursing facilities and to clarify and improve the targeting of the enforcement of requirements with respect to such facilities; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, I come to the floor for the purpose of introducing a bill. The bill's title is the Nursing Home Transparency and Improvement Act of 2008.

I introduce this bill along with Senator KOHL of Wisconsin. It is a bipartisan bill. Senator KOHL, because he is in the majority, has the distinguished pleasure of serving as chairman of a special committee on aging which is also a very important responsibility, particularly since our Government spends about more than $50 billion a year on nursing home care for elderly, among other things that are the responsibility tie of that committee.

The bill that we are introducing is an important piece of legislation that aims to bring some overdue transparency to consumers regarding nursing home quality. It also provides long-needed improvements to our enforcement system.

This legislation further strengthens nursing home staff training requirements. In America today, there are over 1.7 million elderly and disabled individuals in roughly 17,000 nursing homes.

As the baby boom generation ages, that number probably will rise, unless we do something about the problems of osteoporosis and Alzheimer's and diabetes. Hopefully, we can do those things so our nursing homes do not fill up more. But those are some of the health problems that are facing 77 million baby boomers. Some of them undoubtedly will end up in nursing homes.

So we have to have not only a tremendous interest in ensuring nursing home quality based upon the number of people who are already there, but we are going to have more in the future.

While many people are using alternatives such as home care or other methods of community-based care, nursing homes are going to remain a critical option for our elderly and our disabled. I always think in terms of nursing homes being at the end of a continuum of care for people who need some help.

People want to stay in their own home. When there is a question, can they do that without endangering them, bring some help to the home, relatives or home health care types.

If that is not the right environment, then assisted living. And then other things that might eventually bring a person to a nursing home. But a nursing home is a last resort. I say that because during my tenure as chairman of the Aging Committee from 1997 to the year 2001, versus the period of time I was chairman of the Senate Finance Committee, dealing with a lot of aging issues, interacting with a lot of older people, I have never once had anybody say to me that: I am just dying to get into a nursing home.

So I think it is important we do whatever we can to keep people out of nursing homes. But there are some people, a lot of people, and a growing number of people who are going to need that type of care.

So we have to be concerned about the quality of care in nursing homes. We surely owe it to them to make sure they receive the safe and quality care they deserve. Unfortunately in many areas, the nursing homes, we have a few bad apples always spoiling the barrel. Too many Americans receive poor care, often in a subset of a nursing home.

Unfortunately, this subset of chronic offenders stays in business, in many ways keeping their poor track records hidden from the public at large and often facing little or no enforcement from the Federal Government.

As ranking member of the Senate Finance Committee, I have a long-standing commitment to ensuring that nursing home residents receive the safe and quality care we expect for our own loved ones. But this effort requires transparency, transparency in the nursing home industry so consumers are armed with information, consumers having information they need to make the best decisions possible for loved ones. This same transparency also provides additional market incentives for bad homes to improve.

This effort also requires a strong mandatory enforcement and monitoring system to ensure safe and quality care at facilities that would not take the steps needed to do so voluntarily.

The Grassley-Kohl legislation seeks to strengthen both areas, transparency and enforcement. It is a bill that is good for consumers, good for nursing home residents, and good even for the nursing home community.

Let's look at transparency. In the market for nursing home care, similar to all markets, consumers must have adequate data to make informed choices. For years people looking at a nursing home for themselves or loved ones had no way of knowing whether that home was—this is kind of a legal term in the regulations—a ''special focus facility,'' a designation meaning they had been singled out as a consistently poor performer.

Why should consumers not have access to this information? The Government has it and so should consumers. To that end, this bill requires that the ''special focus facilities'' designation be placed on the CMS website. Nursing Home Compare is the name of that website.

By giving consumers this information, we will both give consumers information necessary to make informed choices and poorly performing homes an extra incentive to shape up or consumers then can go elsewhere.

This bill also requires more transparency about ownership information. What is so secretive about who owns a nursing home? Also, it provides transparency in inspection reports and more accountability for large nursing home chains and the development of a standardized resident complaint form so there is a clear and easy way to report problems and have them resolved.

The bill would also bring more transparency on what portion of a nursing home's spending is used for direct care for residents and also bring more uniformity to the reporting of nursing staffing levels so people can make an apples-to-apples comparison between nursing homes.

But even with improved transparency, there are some nursing homes that will not improve on their own. In the nursing home industry, most homes provide quality care on a consistent basis. But as in many sectors, this industry is given a bad name by a few bad apples that spoil the barrel.

So we need to give inspectors better enforcement tools. The current system provides incentives to correct problems only temporarily and allows homes to avoid regulatory sanctions while continuing to deliver substandard care to residents. That system must be fixed.

In ongoing correspondence that I have had with Terry Weems, the Acting Administrator of CMS, that agency has requested the statutory authority to collect civil monetary penalties sooner and hold them in escrow pending appeal. To that end, this bill requires penalties be collected within 90 days following a hearing; after that, they be held in escrow pending appeal.

Penalties should also be meaningful. Too often they are assessed at the lowest possible amount, if at all. Penalties should be more than merely the cost of doing business, they should be collected in a reasonable timeframe and should not be rescinded easily.

These changes would help prod the industry's bad actors to get their act together or get out of business. In addition to increased transparency and improved enforcement, this bill provides commonsense solutions to a number of other problems as well.

This legislation requires the Secretary of Health and Human Services to establish a national independent

monitoring program to tackle problems specific to interstate and large intrastate nursing home chains. This legislation directs the Government Accountability Office to, one, conduct studies on the role, if any, of financial problems in the poor performance of special focus facilities; identify best practices at the State level in temporary management programs; and, three, determine what are the barriers preventing the purchase of nursing homes with a record of poor quality.

Finally, in the case of nursing homes being closed due to prior safety or quality of care, the bill requires that residents and their representatives be given a sufficient notice so they can adequately plan a transfer to a better performing nursing home. I happen to be very sensitive to the fact that nursing home residents are often old and fragile. Moving them into new facilities is often very traumatic. So we have to make sure these residents are transferred appropriately and with the time and care deserved.

This bill would also strengthen training requirements for nursing staff, by including dementia and abuse prevention training as part of the preemployment training.

The Grassley-Kohl bill also requires a study on the appropriateness of increasing training requirements for nurse aids and supervisory staff.

I am proud to introduce this bill today, along with the distinguished Senator from Wisconsin, Mr. KOHL, the chairman of the Aging Committee. He and I have a long history of working on issues together, particularly for the elderly. We will continue to do everything we can to make sure America's nursing home residents receive the safe and quality care they deserve. Increasing transparency, improved enforcement tools, and strengthening training requirements will go a long way toward achieving this goal.

Mr. KOHL. Mr. President, I rise today to introduce the Nursing Home Transparency and Improvement Act of 2008 with my distinguished colleague, Senator GRASSLEY. Senator GRASSLEY conducted a great deal of valuable oversight for nursing homes during his tenure as Aging Committee chairman from 1997 through 2000, and he continues to make major contributions in this area today. Working toward higher standards of nursing home quality is a tradition of which I am proud to be a part.

It is staggering to think that the most recent major law dictating Federal standards for quality, for data reporting, and for enforcement was passed in 1987. Twenty-one years later, we know that it has spurred important improvements in the quality of care provided in nursing homes. Yet we are far from finished, and there are additional improvements that need to be made.

The first is in the area of transparency. If consumers can easily tell which homes have a solid enforcement track record, which are well-staffed, which are owned by a chain with a good reputation for providing excellent services—and which homes are not—then this sort of disclosure can serve as a powerful motivation for homes to provide the best possible care, to hire and keep the most dedicated staff, and to always prioritize the interests of residents. The court of public opinion and the strength of market forces are powerful and inexpensive tools we should be putting to good use.

Our legislation will make sure all this information is available to consumers in a timely and easy-to-use fashion. We want Americans to be able to use the Federal Government's Web site, *Nursing Home Compare*, with ease. We want Americans to have access to the type of information that matters, such as the number of hours of care their loved one will receive from staff every day. We want Americans to be able to use this Web site to lodge complaints of mistreatment or neglect. These are simple, effective ideas, and our bill will make them a reality.

The second area in need of improvement is our Government's system of nursing home quality enforcement. Under the current system, nursing homes that are not providing good care, or—even worse—are putting their residents in harms way, can escape penalty from the Government by abusing a lengthy appeal process, while they slip in and out of compliance with Federal regulations. This is unacceptable. We need the threat of sanctions to mean something—and under my bill with Senator GRASSLEY, they will. Our legislation will require that all civil monetary penalties be collected and placed in an escrow account as soon as they are levied, pending the final resolution of any appeal. Financial penalties will be increased for serious quality deficiencies that cause actual harm to nursing home residents or put them in ''immediate jeopardy.''

In addition, our policy enables regulators to respond effectively when serious quality problems are evident in order to protect the safety of residents. The bill requires that States and facilities provide a secure and orderly process when relocating residents due to a nursing home closure. It also proposes national demonstrations to promote innovations in information technology and ''culture change'' in order to improve resident care.

The Federal Government now spends $75 billion annually on nursing homes through Medicare and Medicaid, and spending is projected to rise as costs associated with the boomer generation increase. Congress has a responsibility to demand high-quality services for residents and accountability from the nursing home industry in return for this huge investment of public resources. I urge my colleagues to join Senator GRASSLEY and myself in sponsoring this commonsense piece of legislation.

By Ms. KLOBUCHAR (for herself, Ms. SNOWE, and Ms. CANTWELL):

S. 2642. A bill to establish a national renewable energy standard, to extend and create renewable energy tax incentives, and for other purposes; to the Committee on Finance.

Ms. KLOBUCHAR. Mr. President, I am here to talk about the American Renewable Energy Act which I am introducing today, along with my colleagues, Senator SNOWE from Maine and Senator CANTWELL from Washington.

Last week, we passed a short-term stimulus package that will help change the economic direction of this country by putting money in the hands of American families, including our seniors and veterans. Last week's action was a start, but we must begin focusing on long-term policies that will help our economy long after these rebate checks have been cashed. If we do not do that, we are going to be back exactly in the place we were before. We need long-term policies that will encourage sustainable economic growth in every corner of this country.

In January, I traveled all around my State on a Main Street tour of Minnesota. We talked about the economic challenges facing the people of our State, but we also talked about the opportunities. Energy was a topic that came up everywhere. It came up when people were filling up their cars and trucks with gas, and it came up when we talked about the opportunities.

I visited southwestern Minnesota, which is home to hundreds of large-scale wind turbines, helping to make Minnesota the Nation's third largest producer of wind energy. Along with ethanol, these wind-energy farms have spurred a rural economic renaissance in our part of the State.

For example, in 1995, SMI & Hydraulics, Inc., began their business in Porter, MN, primarily as a welding and cylinder repair shop for local farmers and businesses. Today, SMI & Hydraulics manufactures the bases for the wind towers we sell all across this country. It just recently expanded its facility to 100,000 square feet and created over 100 new jobs, many of which are traditional manufacturing jobs.

My colleagues have to understand, these places are like barns. They started out as farmers' barns and have expanded and expanded as they have been able to meet this country's rising energy needs.

The success of companies such as SMI & Hydraulics is not unique to Minnesota. Renewable energy has been a bright spot in an otherwise lagging economy. Last year, the renewable electricity sector pumped more than $20 billion into the U.S. economy, generating tens of thousands of jobs in construction, transportation, and manufacturing.

Throughout the country, renewable energy has led us down a path toward new jobs, lower energy bills, and enhanced economic development. That is

why today I am introducing this bill, along with my friends Senator SNOWE and Senator CANTWELL, to help lead us further down the path to a better, cleaner, more prosperous energy future, with new opportunities for investment, innovation, and job creation.

Our bill, as I said, is called the American Renewable Energy Act. There are two key elements of this legislation.

First, the American Renewable Energy Act creates strong, consistent incentives for private sector investment in renewable energy resources and technology by extending tax incentives, such as the production tax credit, for 5 years. Of course, this covers wind, solar, geothermal, hydro, and other forms of renewable energy, and making sure that is in place so we can spur the kind of investment that will create jobs and allow us to be on the same path other countries around the world are on.

Second, the legislation establishes a national renewable energy standard requiring that 20 percent of our energy come from renewable sources, such as wind, solar, and biofuels, by the year 2025. A national renewable energy standard will create a large market for clean sources of energy, reducing global warming pollution, and strengthening our economy.

Let me briefly describe each of these elements. First, the renewable energy tax incentives. Already the industries for solar, wind, and biomass are expanding at annual rates exceeding 30 percent. But at the same time, we are no longer the world leader in two important clean energy fields. Even though all the technology was developed in our country, we rank third in wind power production behind Denmark and Spain, and we are now third in photovoltaic power installed, behind Germany and Japan.

Ironically, these countries surpassed us largely by adopting technologies that had been first developed here in the United States. We came up with the right ideas, but we didn't capitalize on these incentives by having these innovations, by having the right policies in place to support their commercial development and rise and support the jobs that would have come with developing the technology. Our foreign competition was able to leapfrog over American businesses because these other countries have government-driven investment incentives, aggressive renewable energy targets, and other bold national policies.

What I am proposing with my legislation is a package of tax incentives to spur investment in advanced clean technologies to serve the growing market for renewable energy sources. Specifically, in the bill Senator SNOWE and Senator CANTWELL and I are introducing today, we want to extend and expand the existing Federal production tax credit for renewable energy, and I want to make sure it is a long-term credit and businesses will have the clarity and certainty they need to make their own large-scale, long-term capital investments in these technologies.

Currently, the production tax credit and other key energy efficiency tax incentives are set to expire at the end of this year. Our legislation will extend these tax incentives for 5 years.

To pay for these incentives, the legislation will repeal several tax giveaways that currently go to the major oil companies. ExxonMobil shattered another record profit, earning $11.7 billion last quarter and totaling over $40 billion in profits in 2007. Big oil doesn't need these tax incentives, but our rural economies do.

Over the years, the production tax credit has been a problem because of its short-term green light-red light nature. The cycle begins with strong investment and growth in the renewable power industry, thanks to the tax incentive, but then the investment and growth slow down as the tax incentive nears expiration and is allowed to lapse. When the incentive gets restored, the renewable power industry takes time to regain its footing, and then experiences strong growth again until the incentive nears expiration again. Up and down, up and down, up and down. It is no way to run a government policy that should be geared toward creating more jobs in our country.

In fact, the American Wind Energy Association has recently noted that the slowdown in wind industry activity actually starts about 8 months before the tax credit's expiration date. These are large-scale, capital-intensive projects that often take long years to develop. But uncertainty about the future of the production tax credit discourages project development and investment. Extending the tax credit for 5 years would create a much stronger incentive and investment environment for renewable energy development.

Simply put, a new economic sector is emerging. It is one that can shift the Nation's economy to clean energy production, generation, and use. But without the continued support of tax incentives to help this emerging industry compete on a level playing field, the opportunity will be lost.

Over the past few years, the solar energy industry has witnessed unprecedented growth. This growth pumped over $2 billion into the U.S. economy and created 6,000 new jobs. Developing solar energy is an economic engine for our country. From 2006 to 2007, the job base in the solar energy industry grew by 103 percent. Almost all of this growth is directly attributable to the solar investment tax credits that are scheduled to expire at the end of this year. If we allow these credits to expire, those jobs will dry up. We will lose out on creating new companies and we will lose out on creating new opportunities for clean energy.

I have focused on wind and solar, but there are amazing opportunities in other renewable energy fields, including hydro. There are amazing opportunities with geothermal. But we are never going to reach the full potential for jobs in this country if we keep going back and forth, up and down. We have to have a policy that is geared to the long term.

I will also say that in visiting with farmers and ranchers around our State, the other thing we need to do—but we will have to focus on in another bill—is look at creating incentives for individuals and small businesses that may want to put up their own wind turbine. That is a subject for another day, but we have to do everything we can to promote this renewable energy.

The second element in this legislation would provide an additional incentive for investment in renewable energy technology and resources. It would establish an aggressive, nationwide renewable electricity standard, one requiring that all electricity providers generate or purchase 20 percent of their electricity from renewable sources by the year 2025.

Currently, as I show on this chart here, there are 24 States, plus the District of Columbia, that have renewable electricity standards. Together, these States account for more than half of the electricity sales in the United States. You can see what these States are doing here. All on their own, the States have risen to the occasion, and said: Well, the Federal Government isn't doing anything, so I guess we will do it on our own.

California is at 20 percent, Minnesota at 27.4 percent by 2025—one of the most aggressive standards in the country. Bipartisan agreement, a Democratic legislature, and a Republican Governor reached this agreement with our utilities, including Excel Industry signing on and not opposing this agreement. We have New York at 24 percent, Wisconsin at 10 percent by 2015; 15 percent by 2015 for Montana—15 percent by 2020. Look at these States along the way, all over this country, and we are seeing these standards taking place.

While Minnesota, Maine, Washington, and other States are already headed down the path toward a new clean energy economy, the Federal Government hasn't even made it to the trail yet. The Federal Government is still stuck in the fossil age. There is a famous phrase: ''the laboratories of democracy.'' That is how Supreme Court Justice Louis Brandeis described the special role of States in our Federal system. In this model, States are where new ideas emerge and innovative proposals are tested. But Brandeis did not mean for this to serve as an excuse for inaction by the Federal Government. Good ideas and successful innovations are supposed to emerge from the laboratory and serve as a model for national policy and action. The responsibility is on us.

We know what is going on in these States around the country. The courage we are seeing in the States as they

seize opportunities offered by renewable energy should be matched by courage in Washington. I think it is time for the Federal Government to follow the lead of Minnesota, Washington, Maine, and other States around the country and adopt a forward-looking renewable energy standard.

There are many benefits from having a strong national standard. It would save money for American consumers, as much as $100 billion in lower electricity and natural gas bills. It would aid in the fight against climate change by preventing well over 3 billion tons of carbon dioxide from being emitted into the atmosphere by 2030. It would create jobs and increase income across the country, especially in rural areas. Each large utility-scale wind turbine that goes on line generates over $1.5 million in economic activity. Each turbine provides about $5,000 in lease payments for 20 years or more to farmers, ranchers, or other landowners.

You can see from this chart the job creation with this national renewable electricity standard set at 20 percent—355,000 new jobs, nearly twice as much as generating electricity from fossil fuels; $72.6 billion in new capital investment; $16.2 billion in income to farmers, ranchers, and rural landowners; $5 billion in new local tax revenues.

Then look at these consumer savings—$49 billion in lower electricity and natural gas bills; a healthier environment; reductions in global warming pollution equal to taking nearly 71 million cars off the road; less air pollution, damage to land, and less water use. These are the benefits.

We pay for it by taking back some of those tax giveaways we give to those oil companies—ExxonMobil, $11.7 billion in one quarter. So are we going to give them more money or try to create 355,000 new jobs in this country? That is the choice.

I believe the combination of an aggressive renewable electricity standard and a strong package of tax incentives can begin to move our Nation to a new, cleaner, and more prosperous energy path. It is long overdue. The private sector is already beginning to invest in this energy future, and they are ready to invest more. But our Government must provide the right policies and incentives so they will be prepared to make the large-scale, long-term investments that are required to make it happen.

The opportunities are enormous for creating new technologies, new industries, new businesses, and new jobs, while at the same time promoting our energy independence, strengthening our national security, and protecting our global environment. This piece of legislation, cosponsored by my friends Senator SNOWE and Senator CANTWELL, this bipartisan piece of legislation is about leading the new economy, not following along; not doing countless rebate checks after rebate checks—which we need to do right now, but we are never going to get on the path to a new economic future unless we lead the way, and this is Washington's time to lead. This is about making America the global energy leader instead of the lagger. It is about creating a better economy for the next generation by leading a whole new industry. It is about not being complacent. It is about getting on a new energy path.

I believe an aggressive renewable electricity standard, coupled with strong tax incentives, leads us down this path. I urge all of my colleagues to support the American Renewable Energy Act.

By Mr. KOHL:

S. 2647. A bill to suspend temporarily the duty on fan assisted, plugin, scented oil dispensing, electrothermic appliances; to the Committee on Finance.

Mr. KOHL. Mr. President, I rise today to introduce legislation that would temporarily suspend the duty on fan assisted, plug-in air fresheners imported by S.C. Johnson, a company headquartered in Racine, WI.

I understand the importance of manufacturing and the role it plays in our everyday lives. It is no secret that the Bush administration has enfeebled the manufacturing sector, cutting needed funding that helps manufacturers stay competitive. Since 2001, Wisconsin has been hit hard, losing over 63,000 manufacturing jobs. A healthy manufacturing sector is key to better jobs, rising productivity and higher standards of living. Every individual and industry depends on manufactured goods. The production of those goods creates the quality jobs that keep so many Amerian families healthy and strong.

This legislation would suspend the duty on fan assisted, plug-in air fresheners which S.C. Johnson assembles and packages in Racine, WI. Currently, there is no domestic manufacturer, which forces S.C. Johnson to import the product that has a 2.7 percent tariff. Suspending the tariff will cut production costs, keep jobs at home and allow S.C. Johnson to be more competitive in the global marketplace.

S.C. Johnson was created in 1886 as a parquet flooring company and today is one of the world's leading manufacturers of household products including Ziploc storage containers, Windex glass cleaner, Raid insect repellant, and Glade fragrances. Today, S.C. Johnson employs 3,000 people in Wisconsin and provides products in more than 110 countries around the world.

By Mr. SCHUMER:

S. 2648. A bill to amend the Workforce Investment Act of 1998 to improve programs carried out through youth opportunity grants, and for other purposes; to the Committee on Finance.

Mr. SCHUMER. Mr. President, I rise today to introduce the STEP-UP Act. The STEP-UP Act is a comprehensive policy solution directed toward fighting unemployment, particularly among less educated African American men, by implementing innovative and successful job training efforts and improving existing tools like the Earned Income Tax Credit and the Work Opportunity Tax Credit.

In America and my home state of New York there is a growing crisis of joblessness for African American men. The crisis is profound, persistent and perplexing. Across the country and in our own backyard, far too many black men lack an adequate education and face difficulty finding and keeping work. The numbers are staggering and getting worse.

Poverty is not new. African American disadvantage is—sadly—not new. But now is the time for fresh solutions and urgent action, especially now that we are facing an economic recession. We know all too well, that when our economy faces a downturn, the most vulnerable members of the labor force face the greatest challenges in the job market.

My goal today is to both shine a firm spotlight on a problem has received scant attention, inadequate resources, intermittent focus and poor coordination and also to introduce legislation that will offer some solid, practical steps forward. To be clear, the provisions in the STEP-UP ACT will be open to all Americans, but the legislation contains services and incentives that are particularly needed among young African American men.

I am introducing the STEP-UP ACT for several reasons.

First, the problem of African American male unemployment is severe and it is worsening. Consider this: In 2000, 65 percent of black male high school dropouts in their 20's were jobless—in other words not looking or unable to find work—and by 2004, the share had grown to 72 percent ''jobless.'' That translates to almost one out of three men. By comparison the rate for white male high school dropouts was 34 percent and Hispanic males 19 percent. Between 1992 and 1999—the greatest economic expansion in our nation's history—the labor force participation of young black men actually declined from 83.5 percent to 79.4 percent. Clearly the rising tide did not lift all boats.

Second, there is an unprecedented need to fill unskilled and semi skilled jobs across the countries as baby boomers retire, and there is a large supply of jobless black men who could fill them.

Third, after much trial and error, we now have several successful job training programs that work, as well as federal policy options with a proven track record of making a real difference in the labor force. Yet sadly, while the programs are finally working, the Federal funding has gone down by 90 percent.

There is a complex interplay of forces that led us to this point, and many of them are familiar culprits such as: failing schools, dysfunctional families, high incarceration rates, overt and subtle racism, and the decimation of

manufacturing jobs that typically afforded opportunities to men.

All these political, cultural, economic and personal elements combine to erect a steeplechase of barriers that is far too difficult to traverse for far too many urban black men.

While this is a sensitive subject, there is also a subculture of the street that provides easy money and allows some to eschew personal responsibility. But we can't sit passively by and let that subculture claim another generation of these men. The public sector—on all levels—has an obligation to intercede. The Reverend Johnny Ray Youngblood, a pastor and friend of mine from Brooklyn, said it best: ''Government has a moral responsibility to compete against, and win against, subcultures that are immoral, illegal and really inhuman.''

Let me be clear: there is a host of dedicated, even heroic, leaders who have been addressing these issues every day for years. There are ideas and leaders out there can turn this problem around. However, on the Federal level, there has been no comprehensive public policy response to this situation. We have allowed the problems of black men to grow worse unabated.

Last year, as Chairman of the Joint Economic Committee, I held a hearing on this very issue. Our witnesses provided testimony that vividly illustrated how devastating this crisis truly is. This hearing was an eye-opener for me and my colleagues. The hearing also began a dialog in Congress on how we can move forward legislatively to expand job opportunities and incentives for African American men.

I believe there is a rare confluence of forces that should be exploited—now—to ramp up efforts to aggressively attack the plight of jobless black men. The American labor force is in transition and therein lies the opportunity. By 2010 as many as 64 million Americans from the generations born before and after World War II will approach retirement age. Over this period we will be losing 20 percent of our entire workforce—a turnover rate the likes of which our country has never experienced.

Many of the new jobs I am speaking about don't require college degrees, many are entry level, but many can pay upwards of $40,000 with benefits. And the best part is, they can't be outsourced or downsized—because they're crucial to keeping cities working. A nurse, welder, mechanic or long-haul commercial driver doesn't do us any good if he or she is working in Bangalore. We have never before had such a clear picture of where the jobs will be—or what we have to do to connect our struggling young people to them.

What we need to do now is ensure that black men have access to the best, most successful job training programs that can prepare them for these jobs. After years of trying, I believe there is a new paradigm for job training that will make this possible. For the past year, I have been working on the STEP-UP Act to do just that.

Let me tell you about one innovative job training program that was founded in East Harlem but has been replicated successfully throughout the United States and Europe: its called STRIVE and it offers some good clues on what makes a job program work.

Here is the most important thing you need to know about STRIVE: 70 percent of their graduates retain their jobs after 2 years, compared to a 40 percent city-wide average. I visited them to see firsthand how they do it. It impressed me so much I brought 3 Senators to visit STRIVE's offices in Washington, DC, and it blew their hair back as well.

First, STRIVE's core program does not begin with teaching participants how to read an account ledger or hammer in a nail. It begins with what they call ''soft skills'' like how to dress for work, interact with your boss and superiors, and accept criticism. Seems obvious enough, but for many it is harder than it should be to tell the difference between constructive criticism and a provocative ''dis'' that, in the code of the street, demands an aggressive reaction.

In addition to focusing on those elemental ''soft skills,'' STRIVE provides intensive follow-up, long-term involvement with additional training opportunities, and wrap-around services to address the whole host of obstacles that black men face when trying to enter and remain in the workforce.

Our current Federal job-training program—the Workforce Investment Act—WIA—has been steadily underfunded in recent years. To give a sense of how much we have walked away from such initiatives, in 1978 we spent $9.5 billion on jobs programs—$30 billion in today's dollars. In 2007 we spent only $5.1 billion. On top of that, WIA does not mandate or even encourage the STRIVE model. The WIA program hasn't been reauthorized since it expired in 2003 and it needs to be updated to incorporate the lessons of STRIVE.

My bill, the STEP-UP Act, moves our job training agenda closer to the STRIVE model. If we can duplicate some semblage of STRIVE's 70 percent success rates—which they have duplicated in 22 locations around the country—we can begin to really move the employment needle in the right direction.

The STEP-UP Act reauthorizes funding for the Youth Opportunity Program, YO, which was originally established in 1998 to provide grants to programs that offer intensive job training and placement services for hard-to-serve youth between the ages of 16 to 24. When it was created, the YO program was meant to be the ''model'' job training program, the shining star in a system replete with false starts and failed efforts. It drew on the best practices from a generation of previous job training efforts, understanding that attacking the scourge of unemployment meant offering comprehensive services to at risk youth. Preparing young men and women for the workforce has to be more than just teaching someone to touch-type or hammer a nail. A job training program can put anyone into a job, but their efforts will only be successful if we give them a comprehensive skill set and support services.

This legislation draws on the strengths of the YO program but makes some important modifications based on the experience of grantees. First, programs that receive YO grants will be required to provide ''wrap-around'' services. This means not only workforce training, but also those ''soft skills'' that are so essential to keeping a job.

Secondly, the STEP-UP Act encourages grantees to engage with local resources, such as labor organizations, educational institutions, as well as the private sector. By bringing in private businesses, we can truly bridge the gap between training and employment.

Finally, to make sure we don't travel willy-nilly down the same path, we must invest in proven models, we must track progress and we must make adjustments to improve programs as the facts flow in. That is why the STEP-UP Act mandates strict oversight of job training programs that will participate in the Youth Opportunity Grant programs. My bill requires the Secretary of Labor to perform evaluations of participants after the 24 months and report to Congress on the best practices implemented by participants. Too frequently, we have funded job training efforts but we have not demanded results. The Department of Labor needs to dedicate themselves to understanding what programs work best and why.

To summarize for a moment: we know the jobs are out there for young black men, we know there are training programs that work, so what's the missing link? The missing link is ensuring that work pays well enough to help lure young men into the workforce.

Given the limited earning potential for many young African American males, there can be a lot of bottom line reasons not to work in the formal economy. Working a tough job in a warehouse for $7 an hour would put less than $300 a week and around $13,000 a year in your pocket. In 2008, those wages don't go too far.

We need to make work pay for African American men.

The STEP-UP Act offers an economic incentive to join the workforce through a targeted expansion of the Earned Income Tax Credit, EITC. My bill doubles the current credit from $438 up to $875. Effectively, this broadens the scope of the credit and you will be able to receive some credit up until your income reaches $22,880. For someone without kids or a family to support, the extra money you would get from this program would make a real difference.

The second thing my bill does is extend the EITC to those low-wage earners who have kids and are current on their child support payments. There are lots of men out there who really want to work and do right by their families. It can be an uphill battle for them, but many find a way to make it happen.

Considering that about a third of low-income noncustodial fathers nationwide are black, a federal EITC expansion could have a big impact for them. Here is how my bill does it: If you are a dad paying your child support, the existing childless tax credit is quadrupled from $438 to $1,719 a year. This is still much smaller than the credit a family with one child will receive, which is $2,917 in 2008.

Let me be clear: enhancing the EITC is not just about getting men working but about strengthening families, and encouraging low-income fathers to fulfill their parenting responsibilities and stay current on their child support payments. Studies have documented a direct correlation between fathers who pay child support and their involvement in their children's lives. If we can get men working and they become a positive force in the lives of their sons and daughters, we will have achieved two very worthy objectives.

The Earned Income Tax Credit is just one example of a tax incentive that translates to real dollars for working families. Another issue that I want to address is the problem of keeping people in the workforce. Too many men are cycling in and out of employment. We need to make steady employment pay.

The Work Opportunity Tax Credit, or WOTC, is one incentive that I think needs to be strengthened and modified. Currently, WOTC is only a credit for employers, and at its maximum it is worth $2,400 if the worker is employed for 400 hours or more. So if a worker making $7 an hour stays on the job for about 5 months, then his employer gets the maximum credit, but he does not receive anything for hitting this benchmark.

The STEP-UP Act expands WOTC to include employees so that it is not only an employer credit, and to maximize its potential over time. Specifically, once a worker has reached 1,500 hours on the job, or 52 weeks, both the employer and employee should get a $500 credit. We need to encourage employers to really invest in their workers and to ensure that workers are staying on the job.

Today I am asking my colleagues on both sides of the aisle to carefully consider this legislation. Given the severity of the African American jobless problem and the unprecedented opportunity that will result from the mass retirement of workers from the post war generation, shame on us if we do not figure out how to take action to put people who want to work into jobs that pay. It is up to us to align these tools and make them work. We must. Not only must it be a moral imperative that we give more opportunity to African American men, it must be a national imperative to keep our country competitive in the 21st century. I ask my colleagues to join me in this effort and take this initial step towards success.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2648

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Supporting Training and Employment Potential for Underemployed Populations Act'' or the ''STEP UP Act''.

TITLE I—YOUTH OPPORTUNITY GRANT PROGRAM

SEC. 101. FINDINGS.

Congress finds the following:

(1) Finding employment that provides steady income and a career track is a problem for young, undereducated men and women who lack educational credentials and are disconnected from the labor market.

(2) That problem is particularly acute for young African-American men. In 2006, over ⅕, or 21.8 percent, of black men ages 16 through 24 were unemployed. This is roughly double the unemployment rate for all young men (11.2 percent).

(3) Even over a period of relative economic growth, employment for disconnected African-American men has declined. In 1999, 65 percent of African-American male high school dropouts were jobless and not looking for work. In 2004, that rate had risen to 72 percent.

(4) The Youth Opportunity Grant Program was established in the Workforce Investment Act of 1998 to provide intensive job training and placement activities as well as other educational, social, and recreational services to at-risk, hard-to-serve youth.

(5) The Youth Opportunity Grant Program built upon the most promising strategies of previous demonstration programs that strongly suggest the effectiveness of intensive case management and follow-up services in assisting disconnected young men and women in finding long-term employment.

(6) By reauthorizing and refining the Youth Opportunity Grant Program, Congress could help make strides against those serious problems faced by both young African-American men and other disconnected youth.

(7) Over the course of the Youth Opportunity Grant Program, 36 localities with high poverty rates received funding through grants. The Youth Opportunity Grant Program was effective in assisting hard-to-reach populations. The Department of Labor estimates that 42 percent of the eligible youth and 62 percent of the eligible out-of-school youth in the target areas enrolled in the Youth Opportunity Grant Program.

(8) Further understanding of the successes of, challenges faced by, and shortcomings of, the Youth Opportunity Grant Program in the past, and in the future, will require extensive evaluation and study by the Department of Labor.

SEC. 102. YOUTH OPPORTUNITY GRANTS.

Section 169 of the Workforce Investment Act of 1998 (29 U.S.C. 2914) is amended to read as follows:

''SEC. 169. YOUTH OPPORTUNITY GRANTS.

''(a) GRANTS.—

''(1) IN GENERAL.—Using funds made available under subsection (j), the Secretary shall make grants to eligible local boards described in subsection (c) and eligible entities described in subsection (d) to carry out programs that provide activities described in subsection (b) for youth and young adults. The boards and entities shall carry out the programs to increase the long-term employment of youth and young adults who seek assistance and who live in empowerment zones, enterprise communities, or high poverty areas.

''(2) DEFINITION.—In this section:

''(A) HARD-TO-SERVE YOUNG ADULT.—The term 'hard-to-serve young adult' means an individual who is—

''(i) not less than age 25 and not more than age 30; and

''(ii)(I) an unemployed individual;

''(II) a school dropout;

''(III) an individual who has not received a secondary school diploma or its recognized equivalent;

''(IV) an ex-offender; or

''(V) a noncustodial parent with a child support obligation.

''(B) YOUTH OR YOUNG ADULT.—The term 'youth or young adult' means an individual who is not less than age 14 and not more than age 30.

''(3) GRANT PERIOD.—The Secretary may make a grant under this section for a 2-year period, and may renew the grant for each of the 3 succeeding years.

''(4) GRANT AWARDS.—In making grants under this section, the Secretary shall ensure that grants are distributed equitably among local boards and entities serving urban areas and local boards and entities serving rural areas, taking into consideration the poverty rate in such urban and rural areas, as described in subsection (c)(3)(B).

''(b) USE OF FUNDS.—

''(1) IN GENERAL.—A local board or entity that receives a grant under this section shall use the funds made available through the grant to provide job training and employment activities and related services, including—

''(A) activities that meet the requirements of section 129;

''(B) youth development activities such as activities relating to leadership development, citizenship, and re-entry from the justice and juvenile justice systems, community service, and recreation activities; and

''(C)(i) workforce preparation and attitudinal training;

''(ii) sector-specific skills training as described in subsection (f)(1)(D);

''(iii) educational completion services, including classes that lead to a secondary school diploma or its recognized equivalent (and programs to prepare for such a class), remedial reading and mathematics classes (including classes to prepare an individual to read and do mathematics at a college level), and skills certification and credentialing programs;

''(iv) access to internships, transitional jobs, work experience, and nontraditional employment opportunities;

''(v) access to other services either directly or through an organization that enters into a strategic partnership described in subsection (e) with the local board or entity, including parenting classes for fathers and mothers, financial literacy services, services to improve health care (and mental health care) treatment and access, and services to improve access to affordable housing and shelter; and

''(vi) assistance in obtaining the earned income credit under section 32 of the Internal

Revenue Code of 1986 and obtaining benefits through government entitlement programs, such as the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and unemployment compensation programs, as well as other State and local entitlement programs that may be applicable.

''(2) INTENSIVE PLACEMENT AND FOLLOW-UP SERVICES.—In providing activities under this section, a local board or entity shall provide—

''(A) intensive placement services; and

''(B) follow-up services, including case management, every 2 months for not less than 24 months after the completion of participation in the other activities described in this subsection, as appropriate.

''(3) LIMITATION ON USE FOR HARD-TO-SERVE YOUNG ADULTS.—The local board or entity shall not use more than 25 percent of the funds made available through the grant to provide activities for hard-to-serve young adults.

''(c) ELIGIBLE LOCAL BOARDS.—To be eligible to receive a grant under this section, a local board shall serve a community that—

''(1) has been designated as an empowerment zone or enterprise community under section 1391 of the Internal Revenue Code of 1986;

''(2)(A) is a State without a zone or community described in paragraph (1); and

''(B) has been designated as a high poverty area by the Governor of the State; or

''(3) is 1 of 2 areas in a State that—

''(A) have been designated by the Governor as areas for which a local board may apply for a grant under this section; and

''(B) meet the poverty rate criteria set forth in subsections (a)(4), (b), and (d) of section 1392 of the Internal Revenue Code of 1986.

''(d) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity (other than a local board) shall—

''(1) be a recipient of financial assistance under section 166; and

''(2) serve a community that—

''(A) meets the poverty rate criteria set forth in subsections (a)(4), (b), and (d) of section 1392 of the Internal Revenue Code of 1986; and

''(B) is located on an Indian reservation or serves Oklahoma Indians, or Native villages or Native groups (as such terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).

''(e) STRATEGIC PARTNERSHIPS.—

''(1) LOCAL BOARDS.—An eligible local board may—

''(A) work independently to provide activities under this section; or

''(B) enter into a strategic partnership to provide activities under this section with 1 or more entities consisting of—

''(i) a community-based job training provider who is an eligible provider identified in accordance with section 122(e)(3), or another provider selected by the local board;

''(ii) State or local government entities;

''(iii) labor organizations;

''(iv) other entities described in the statement of need required by subsection (f)(1)(C);

''(v) private sector employers;

''(vi) educational institutions, including secondary schools (which may be public schools, parochial schools, or other private schools) or community colleges; or

''(vii) entities in the judicial system, entities in the juvenile justice system, or organizations representing probation and parole officers.

''(2) ENTITIES.—An eligible entity may—

''(A) work independently to provide activities under this section; or

''(B) enter into a strategic partnership to provide activities under this section with—

''(i) the local board; and

''(ii) 1 or more entities described in paragraph (1)(B).

''(f) APPLICATION.—To be eligible to receive a grant under this section, a local board or entity shall submit an application (individually or as part of a strategic partnership described in subsection (e)) to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

''(1)(A) a description of the activities that the local board or entity will provide under this section to youth and young adults in the community described in subsection (c) or (d);

''(B) a description of the strategic partnership referred to in subsection (e), if any, that the applicant intends to enter into to provide activities under this section;

''(C)(i) information describing how the applicant will coordinate the planning and implementation of the activities to be carried out under the grant with entities serving youth in the community involved, including the one-stop operator and one-stop partners in the local workforce investment system, educational institutions including institutions of higher education, child welfare agencies, entities in the juvenile justice system, foster care agencies, and such other community-based organizations as may be appropriate; and

''(ii) a statement of need for the community;

''(D) information identifying employment sectors in the local and regional economy that could employ youth and young adults served under the grant and a plan to provide sector-specific skills training for jobs in those sectors and employment opportunities in those sectors; and

''(E) information identifying the specific role, if any, that private sector employers in growing employment sectors in the local and regional economy will play in that plan, including information describing their skills training curricula and job placement programs;

''(2) a description of the performance measures negotiated under subsection (h), and the manner in which the local boards or entities will carry out the activities to meet the performance measures;

''(3) a description of the manner in which the activities will be linked to activities described in section 129; and

''(4) a description of the community support, including financial support through leveraging additional public and private resources, for the activities.

''(g) CONSIDERATION.—In making grants under this section, the Secretary shall give special consideration to a local board or entity that submits an application under subsection (f) as part of a strategic partnership described in subsection (e) that includes a private sector employer if the employer agrees to—

''(1) commit to hire youth and young adults who complete the program carried out under the grant involved;

''(2) provide personnel, facilities, equipment, and a skills training curriculum for the program;

''(3) provide internships, mentoring, and apprenticeship opportunities for participants in the program; or

''(4) provide funding, scholarships, and access to specified employer-based resources for the program.

''(h) PERFORMANCE MEASURES.—

''(1) IN GENERAL.—The Secretary shall negotiate and reach agreement with the local board or entity on performance measures, for the indicators of performance referred to in subparagraphs (A) and (B) of section 136(b)(2), that will be used under paragraph (3) to evaluate the performance of the local board or entity in carrying out the activities described in subsection (b). Each local performance measure shall consist of such an indicator of performance, and a performance level referred to in paragraph (2).

''(2) PERFORMANCE LEVELS.—The Secretary shall negotiate and reach agreement with the local board or entity regarding the—

''(A) overall performance levels expected to be achieved by the local board or entity on the indicators of performance; and

''(B) separate performance levels for those indicators for the performance of the board or entity—

''(i) regarding participants in the activities who are not less than age 14 and not more than age 24; and

''(ii) regarding participants in the activities who are not less than age 25 and not more than age 30.

''(3) EVALUATIONS AND REPORTS.—

''(A) EVALUATIONS.—

''(i) EVALUATIONS OF PRIOR ACTIVITIES.—Not later than 2 years after the date of enactment of the Supporting Training and Employment Potential for Underemployed Populations Act, the Secretary shall complete the evaluations described in paragraph (1) of local boards and entities, using performance measures with overall performance levels described in paragraph (2)(A), concerning activities carried out under subsection (b) prior to that date of enactment.

''(ii) EVALUATIONS OF NEW ACTIVITIES.—Not later than 2 years after a local board or entity receives a grant under this section after that date of enactment, the Secretary shall conduct the evaluations described in paragraph (1) of that local board or entity, using performance measures with overall performance levels described in paragraph (2)(A) and performance measures with separate performance levels described in paragraph (2)(B).

''(iii) COMPARISON GROUPS.—The evaluations conducted under this paragraph shall include evaluations of carefully matched comparison groups.

''(B) REPORTS.—The Secretary shall prepare a report, based on the evaluations described in subparagraph (A)(i), that contains the baseline data obtained and that begins to detail the best practices of recipients of grants under this section throughout the Nation. The Secretary shall prepare an annual report, based on the evaluations described in subparagraph (A)(ii), that contains the data obtained and that details the best practices of recipients of grants under this section throughout the Nation, with attention to how different activities impact both different demographic sectors of the population and different age groups in the population.

''(4) USE.—If the Secretary, in conducting evaluations under paragraph (3), determines that a local board or entity fails to meet the performance measures for 2 fiscal years, the local board or entity shall not be eligible to receive a grant under this section for a subsequent fiscal year.

''(i) INCENTIVES FOR BUSINESS PARTNERS.—The Secretary shall establish a plan to increase the availability of bonds through the Federal Bonding Program carried out through the Employment and Training Administration to employers that are partners in the programs carried out under this section.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $250,000,000 for fiscal year 2008 and each subsequent fiscal year.''.

SEC. 103. CONFORMING AMENDMENTS.

Section 127 of the Workforce Investment Act of 1998 (29 U.S.C. 2852) is amended—

(1) in subsection (a)(1)—

(A) by striking ''sections'' and inserting ''section''; and

(B) by striking ''and 169'' and all that follows and inserting ''; and''; and

(2) in subsection (b)(1)(A)—

(A) in clause (i), by striking ''provide youth opportunity'' and all that follows through ''grants) and''; and

(B) by striking clause (iv).

TITLE II—EARNED INCOME TAX CREDIT ENHANCEMENT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Earned Income Tax Credit Enhancement Act of 2007''.

SEC. 202. FINDINGS.

Congress finds the following:

(1) The earned income tax credit is considered one of the most successful antipoverty programs in the United States. Previous expansions of the earned income tax credit in the 1990s were instrumental in lifting families, especially single parents, out of poverty by increasing income and building assets.

(2) However, the earned income tax credit provides little assistance for childless workers and noncustodial parents. The credit for childless workers is only 15 percent of the credit for a worker with 1 child.

(3) Increasing the maximum earned income tax credit amount for childless workers would help to lift more individuals out of poverty and mirror the successful credit expansion of the 1990s. Additionally, lowering the age of eligibility will extend this important credit to the growing population of young adults living in poverty.

(4) Although the effectiveness of the work opportunity tax credit has come under scrutiny, the credit is limited in scope. The credit is only available to employers and offers no benefits to employees to encourage job retention. Additionally, the credit only addresses short-term job retention, not long-term employment.

(5) Expanding the work opportunity credit to employees and increasing the time period of the credit's availability could provide greater incentives for employees to stay in their jobs and for employers to retain these workers over long-term periods.

SEC. 203. ENHANCEMENTS TO EARNED INCOME TAX CREDIT.

(a) CREDIT ALLOWED FOR CERTAIN CHILDLESS INDIVIDUALS OVER AGE 18.—

(1) IN GENERAL.—Subclause (II) of section 32(c)(1)(A)(ii) of the Internal Revenue Code of 1986 (relating to eligible individual) is amended by striking ''age 25'' and inserting ''age 21''.

(2) EXCEPTION FOR FULL-TIME STUDENTS.—Paragraph (1) of section 32(c) of such Code is amended by adding at the end the following new subparagraph:

''(G) EXCEPTION FOR FULL TIME STUDENTS.—The term 'eligible individual' shall not include any individual described in subparagraph (A)(ii) if such individual has not attained the age of 25 before the close of the taxable year and is a full time student for more than one half of such taxable year.''.

(b) MODIFICATION OF CREDIT AMOUNT FOR INDIVIDUALS WITHOUT QUALIFYING CHILDREN.—

(1) MODIFICATION OF CREDIT PERCENTAGE.—The last row in the table in section 32(b)(1)(A) of the Internal Revenue Code of 1986 is amended by striking ''7.65'' in the middle column and inserting ''15.30''.

(2) MODIFICATION OF PHASEOUT AMOUNT.—Subparagraph (A) of section 32(b)(2) of such Code is amended to read as follows:

''(A) IN GENERAL.—Subject to subparagraph (B)—

''(i) in the case of an eligible individual with 1 qualifying child—

''(I) the earned income amount is $6,330, and

''(II) the phaseout amount is $11,610,

''(ii) in the case of an eligible individual with 2 or more qualifying children—

''(I) the earned income amount is $8,890, and

''(II) the phaseout amount is $11,610, and

''(iii) in the case of an eligible individual with no qualifying children—

''(I) the earned income amount is $4,220, and

''(II) the phaseout amount is 200 percent of the dollar amount applicable under subclause (I).''.

(c) INCREASED CREDIT FOR CERTAIN INDIVIDUALS WITHOUT QUALIFYING CHILDREN.—

(1) IN GENERAL.—Paragraph (1) of section 32(b) of the Internal Revenue Code of 1986 is amended by striking subparagraphs (B) and (C) and inserting the following:

''(B) INCREASED CREDIT FOR CERTAIN INDIVIDUALS WITHOUT QUALIFYING CHILDREN.—In the case of an eligible individual described in subparagraph (C), the credit percentage under subparagraph (A) shall be 30.6 percent.

''(C) ELIGIBLE INDIVIDUAL DESCRIBED.—An eligible individual is described in this subparagraph with respect to a taxable year if—

''(i) with respect to such eligible individual for the taxable year, another individual—

''(I) bears a relationship to the eligible individual described in section 152(c)(2),

''(II) meets the requirements of section 152(c)(3), and

''(III) has the same principal place of abode as the eligible individual for less than one-half of such taxable year,

''(ii) such eligible individual is required to make child support payments with respect to the individual described in clause (i), and

''(iii) such eligible individual has made all such required child support payments during the taxable year.

For purposes of clause (iii), an eligible individual shall be treated as having made all required child support payments during a taxable year if such eligible individual has made child support payments in an amount not less than the total amount of child support payments required for such eligible individual for such taxable year.''.

(2) NOTIFICATION OF FAILURE TO PAY CHILD SUPPORT.—Section 464(b) of the Social Security Act (42 U.S.C. 664(b)) is amended by adding at the end the following new paragraph:

''(3) The Secretary shall use notices of past-due support under this section in administering the earned income tax credit under section 32 of the Internal Revenue Code of 1986 for eligible individuals described in subsection (b)(1)(C) of such section. The regulations promulgated pursuant to this subsection shall require States to submit such notices at a time adequate to allow the Secretary to properly administer such credit for such individuals.''.

(d) REPEAL OF EGTRRA SUNSET.—Section 901 of the Economic Growth and Tax Relief Reconciliation Act of 2001 (relating to sunset provisions) shall not apply to the amendments made by section 303 of such Act (relating to marriage penalty relief for earned income credit; earned income to include only amounts includible in gross income; simplification of earned income credit).

(e) ELECTION TO AVERAGE EARNED INCOME.—Paragraph (2) of section 32(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(n) ELECTION TO AVERAGE EARNED INCOME.—

''(1) IN GENERAL.—Under rules established by the Secretary, in the case of an eligible individual who has made an election under this subsection, subsection (a) shall be applied—

''(A) by substituting 'the taxpayer's 2-year averaged earned income' for 'the taxpayer's earned income for the taxable year' in paragraph (1) thereof, and

''(B) by substituting '2-year averaged earned income' for 'earned income' in paragraph (2)(B) thereof.

''(2) 2-YEAR AVERAGED EARNED INCOME.—For purposes of this subsection, the term '2-year averaged earned income' means, with respect to any taxable year, the average of—

''(A) the taxpayer's earned income for such taxable year, and

''(B) the taxpayer's earned income for the preceding taxable year.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 204. CARRYBACK AND CARRYFORWARD OF STANDARD DEDUCTION AND PERSONAL EXEMPTION DEDUCTIONS.

(a) STANDARD DEDUCTION.—Section 63 of the Internal Revenue Code of 1986 (relating to taxable income defined) is amended by adding at the end the following new subsection:

''(g) CARRYBACK AND CARRYFORWARD OF DEDUCTIONS FOR INDIVIDUALS WHO DO NOT ITEMIZE.—

''(1) IN GENERAL.—In the case of an eligible taxpayer, if the sum of the deductions described in subsection (b) exceeds the amount of the adjusted gross income of such taxpayer for such taxable year (hereinafter in this subsection referred to as the 'unused deduction year'), such excess may be—

''(A) carried back to the preceding taxable year, and

''(B) carried forward to each of the 2 taxable years following the unused deduction year

''(2) AMOUNT CARRIED TO EACH YEAR.—

''(A) ENTIRE AMOUNT CARRIED TO FIRST YEAR.—The entire amount of the unused deduction for an unused deduction year shall be carried to the earliest of the 3 taxable years to which (by reason of paragraph (1)) such deduction may be carried.

''(B) AMOUNT CARRIED TO OTHER 2 YEARS.—The amount of the unused deduction for the unused deduction year shall be carried to each of the other 2 taxable years to the extent that such unused deduction may not be used for a prior taxable year because of the amount of adjusted gross income of the taxpayer for such taxable year.

''(3) ELIGIBLE TAXPAYER.—For purposes of this subsection, the term 'eligible taxpayer' means, with respect to any taxable year, a taxpayer with respect to whom a credit under section 32 is allowable for such taxable year.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 205. ADVANCED REFUNDABLE CREDIT FOR MEMBERS OF TARGETED GROUPS.

(a) ALLOWANCE OF CREDIT.—

(1) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to refundable credits) is amended by redesignating section 36 as section 37 and by inserting after section 35 the following new section:

''SEC. 36. EMPLOYMENT CREDIT FOR MEMBERS OF TARGETED GROUPS.

''(a) ALLOWANCE OF CREDIT.—In the case of an eligible individual, there shall be allowed as credit against the tax imposed by this title for the taxable year an amount equal to $500.

''(b) ELIGIBLE INDIVIDUAL.—For purposes of this section—

''(1) IN GENERAL.—The term 'eligible individual' means an individual who is a member of a targeted group and—

''(A) who—

''(i) has worked exactly 1,500 hours for an employer during any period beginning on the date such individual was hired and ending with or within the taxable year, and

''(ii) was continuously employed by such employer during such period, or

''(B) who—

''(i) began work with an employer during any 52-week period ending with or within such taxable year, and

''(ii) was continuously employed by such employer during such 52-week period.

''(2) MEMBER OF A TARGETED GROUP.—The term 'member of a targeted group' has the meaning given such term under section 51(d).

''(c) SPECIAL RULES.—For purposes of subsection (a)—

''(1) only 1 employer may be taken into account with respect to any eligible individual for any taxable year, and

''(2) an individual may not be treated as an eligible individual more than once with respect to any employer.

For purposes of this subsection, rules similar to the rules of subsections (a) and (b) of section 52 shall apply.

''(d) COORDINATION WITH ADVANCE PAYMENTS.—

''(1) RECAPTURE OF EXCESS ADVANCE PAYMENTS.—If any payment is made to the individual by an employer under section 3511 during any calendar year, then the tax imposed by this chapter for the individual's last taxable year beginning in such calendar year shall be increased by the aggregate amount of such payments.

''(2) RECONCILIATION OF PAYMENTS ADVANCED AND CREDIT ALLOWED.—Any increase in tax under paragraph (1) shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit (other than the credit allowed by subsection (a)) allowed under this part.

''(e) COORDINATION WITH CERTAIN MEANS TESTED PROGRAMS.—For purposes of—

''(1) the United States Housing Act of 1937,

''(2) title V of the Housing Act of 1949,

''(3) section 101 of the Housing and Urban Development Act of 1965,

''(4) sections 221(d)(3), 235, and 236 of the National Housing Act, and

''(5) the Food Stamp Act of 1977,

any refund made to an individual (or the spouse of an individual) by reason of this section, and any payment made to such individual (or such spouse) by an employer under section 3511, shall not be treated as income (and shall not be taken into account in determining resources for the month of its receipt and the following month).''.

(2) CONFORMING AMENDMENTS.—

(A) Section 1324(b)(2) of title 31, United States Code, is amended by inserting before the period at the end '', or enacted by section 204 of the Earned Income Tax Credit Enhancement Act of 2007''.

(B) The table of sections for subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by redesignating the item relating to section 36 as relating to section 37 and by inserting after the item relating to section 35 the following new item:

''Sec. 36. Employment credit for members of targeted groups.''.

(b) ADVANCED PAYMENTS.—

(1) IN GENERAL.—Chapter 25 of the Internal Revenue Code of 1986 (relating to general provisions relating to employment taxes) is amended by adding at the end the following new section:

''SEC. 3511. ADVANCED PAYMENT OF EMPLOYMENT CREDIT FOR MEMBERS OF TARGETED GROUPS.

''(a) IN GENERAL.—Except as otherwise provided in this section, every employer making a payment of wages for a payroll period to an individual who is an eligible employee with respect to such payroll period shall, at the time of paying such wages, make an additional payment to such employee of $500.

''(b) ELIGIBLE EMPLOYEE.—For purposes of this section, the term 'eligible employee' means, with respect to any payroll period, an individual—

''(1) who is an eligible individual (as defined by section 36(b)), and

''(2) with respect to whom an eligibility certificate under this section is in effect.

''(c) ELIGIBILITY CERTIFICATE.—For purposes of this title, an eligibility certificate under this section is a statement furnished by an employee to the employer which—

''(1) certifies that the employee is a member of a targeted group (as defined in section 51(d)),

''(2) certifies that the employee does not have an eligibility certificate under this section in effect for the calendar year with respect to the payment of wages by another employer, and

''(3) contains such other information as the Secretary may require.

''(d) PAYMENTS TO BE TREATED AS PAYMENTS OF WITHHOLDING AND FICA TAXES.—

''(1) IN GENERAL.—For purposes of this title, payments made by an employer under subsection (a) to his employees for any payroll period—

''(A) shall not be treated as the payment of compensation, and

''(B) shall be treated as made out of—

''(i) amounts required to be deducted and withheld for the payroll period under section 3401 (relating to wage withholding), and

''(ii) amounts required to be deducted for the payroll period under section 3102 (relating to FICA employee taxes), and

''(iii) amounts of the taxes imposed for the payroll period under section 3111 (relating to FICA employer taxes),

as if the employer had paid to the Secretary, on the day on which the wages are paid to the employees, an amount equal to such payments.

''(2) ADVANCE PAYMENTS EXCEED TAXES DUE.—In the case of any employer, if for any payroll period the sum of the aggregate amount of payments under subsection (a) plus any amount paid under section 3507 exceeds the sum of the amounts referred to in paragraph (1)(B), each such advance payment shall be reduced by an amount which bears the same ratio to such excess as such advance payment bears to the aggregate amount of all such advance payments.

''(3) EMPLOYER MAY MAKE FULL ADVANCE PAYMENTS.—The Secretary shall prescribe regulations under which an employer may elect (in lieu of any application of paragraph (2))—

''(A) to pay in full all amounts under subsection (a), and

''(B) to have additional amounts paid by reason of this paragraph treated as the advance payment of taxes imposed by this title.

''(4) FAILURE TO MAKE ADVANCE PAYMENTS.—For purposes of this title (including penalties), failure to make any advance payment under this section at the time provided therefor shall be treated as the failure at such time to deduct and withhold under chapter 24 an amount equal to the amount of such advance payment.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 25 of such Code is amended by adding at the end the following new item:

''Sec. 3511. Advanced payment of employment credit for members of targeted groups.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 206. MODIFICATIONS TO WORK OPPORTUNITY CREDIT.

(a) EXPANSION TO YOUTH OPPORTUNITY PROGRAM PARTICIPANTS, WIA YOUTH ACTIVITY PARTICIPANTS, AND YOUNG OFFENDERS.—

(1) IN GENERAL.—Paragraph (1) of section 51(d) of the Internal Revenue Code of 1986 (relating to members of targeted groups) is amended by striking ''or'' at the end of subparagraph (H), and by adding at the end the following new subparagraph:

''(J) a youth opportunity program participant,

''(K) a qualified WIA youth activity participant, or

''(L) a qualified young offender.''.

(2) DEFINITIONS.—Subsection (d) of section 51 of the Internal Revenue Code of 1986 is amended by redesignating paragraphs (11), (12), and (13) as paragraphs (14), (15), and (16), respectively, and by inserting after paragraph (10) the following new paragraph:

''(11) YOUTH OPPORTUNITY PROGRAM PARTICIPANT.—The term 'youth opportunity program participant' means an individual who is certified by an eligible local board or eligible entity (as such board and entity are described in section 169 of the Workforce Investment Act of 1998)—

''(A) as having completed a program carried out under that section, and

''(B) as having a hiring date which is not more than 1 year after the last date on which such individual completed such a program.

''(12) QUALIFIED WIA YOUTH ACTIVITY PARTICIPANT.—The term 'qualified WIA youth activity participant' means any individual who is certified by a designated local agency—

''(A) as an eligible youth (as defined in section 101 of the Workforce Investment Act of 1998) who—

''(i) is not less than age 18 and not more than age 21, and

''(ii) has been enrolled in or has received a youth activity (as so defined) under chapter 4 of subtitle B of title I of such Act, and

''(B) as having a hiring date which is not more than 1 year after the last date on which such individual was so enrolled or so received such activity.

''(13) QUALIFIED YOUNG OFFENDER.—The term 'qualified young offender' means any individual who is certified by a designated local agency—

''(A) as being not less than age 18 and not more than age 21,

''(B) as having been convicted of a misdemeanor, and

''(C) as having a hiring date which is not more than 1 year after the last date on which such individual was so convicted or was released from prison.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to individuals who begin work for the employer after the date of the enactment of this Act.

(b) ADDITIONAL WORK OPPORTUNITY CREDIT FOR RETAINED EMPLOYEES.—

(1) IN GENERAL.—Subsection (a) of section 51 of the Internal Revenue Code of 1986 (relating to amount of credit) is amended by striking ''equal to 40 percent of the qualified first-year wages for such year.'' and inserting ''equal to the sum of—

''(1) 40 percent of the qualified first year wages for such year, plus

''(2) $500 for each retained employee.''.

(2) RETAINED EMPLOYEE.—Section 51 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(l) RETAINED EMPLOYEE.—For purposes of this section, the term 'retained employee' means an employee who is a member of a targeted group and—

''(1) who—

''(A) has worked exactly 1,500 hours for the taxpayer during any period beginning on the date such employee was hired and ending with or within the taxable year, and

''(B) was continuously employed by such taxpayer during such period, or

''(2) who—

''(A) began work with the taxpayer during any 52-week period ending with or within such taxable year, and

''(B) was continuously employed by such taxpayer during such 52-week period.

For purposes of the preceding sentence, no employee may be treated as a retained employee more than once with respect to any taxpayer.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 207. PUBLICATION OF CHANGES AND ASSISTANCE WITH PREPARATION.

The Secretary of the Treasury shall—

(1) publicly disseminate information with respect to the amendments made by this title (including the dissemination of such information to State and local government one-stop job centers), and

(2) provide appropriate assistance to taxpayers (through low-income taxpayer clinics and other sources) for the purpose of allowing taxpayers to benefit from the amendments made by this title.

By Mr. SPECTER (for himself, Mrs. DOLE, Mr. ENSIGN, Mr. MARTINEZ, Mr. CORNYN, Ms. STABENOW, and Mrs. HUTCHISON):

S. 2650. A bill to provide for a 5-year carryback of certain net operating losses and to suspend the 90 percent alternative minimum tax limit on certain net operating losses; to the Committee on Finance.

Mr. SPECTER. Mr. President, I have sought recognition to introduce legislation to expand a widely used business tax benefit whereby business owners balance out net losses over prior years when the business has a net operating gain. Spreading out this tax liability helps a business to decrease the adverse impact of a difficult year. Specifically, this legislation increases the general net operating loss, NOL, carryback period from 2 years to 5 years in the case of an NOL for any taxable year ending during 2006, 2007, or 2008.

I am pleased with the quick passage of H.R. 5140, the Recovery Rebates and Economic Stimulus for the American People Act of 2008. It provides tax rebates for individuals, capital investment incentives for businesses, and important modifications to our housing laws that will enable more homeowners to refinance their unmanageable mortgages. However, it is my belief that several important items were left behind that deserved to be included. The bill I am introducing today is identical to Section 113 of a modified Senate Finance Committee Economic Stimulus package, Senate Amendment No. 3983 to H.R. 5140. On February 6, 2008, the Senate rejected this broader package on a procedural vote, leaving it just one vote short of the 60 that were required. I am still hopeful that Congress will revisit some of these important issues in 2008, either as stand-alone legislation or as part of another stimulus package if it is determined to be appropriate.

One particular industry that would benefit from passage of this legislation is the home building industry, which is currently struggling due to a huge inventory of new homes under construction with few buyers. Under present law, a business loss can only be deducted from taxes paid from the previous 2 years. If the loss cannot be carried back, it must be used in the future. Many home builders are now reporting financial losses when a few years ago they were generating jobs, providing local development, and paying taxes. Expanding the NOL carryback provision to 5 years would enable builders and other businesses to receive an immediate rebate on taxes paid in previous years and provide a much needed infusion of capital to their businesses. The inability to do so will result in the need to either increase high-cost borrowing or further liquidate land and homes, which would only compound the existing inventory problem.

The Joint Committee on Taxation estimated that passage of this provision as part of the Senate Finance Committee Stimulus package would have cost $15 billion in 2008 and $5.1 billion over 10 years.

I urge my colleagues to support this important legislation that will help numerous industries that are currently struggling to survive in a harsh economic downturn.

By Mr. INHOFE:

S. 2651. A bill to amend the Clean Air Act to make technical corrections to the renewable fuel standard; to the Committee on Environment and Public Works.

Mr. INHOFE. Mr. President, today I rise to introduce the Technical Corrections to the Clean Air Act's renewable fuels standard. This bill is a measured response to the overly aggressive biofuels increase mandated by the Energy Independence and Security Act of 2007 passed in December. The Energy bill's mandates allow no room for error in a fuels industry already constrained by tight supplies, full capacity, environmental regulation, and volatile market conditions. This technical corrections bill is not an effort to substantively overhaul the RFS program but rather is an attempt to smooth its unintended consequences. Recognizing the delicate political balance surrounding RFS, these simple fixes are intended to provide flexibility for the fuels industry in meeting these mandates. As ranking member on the Environment and Public Works Committee I did not support the 2007 Energy bill. The enactment of these technical corrections would not change my overall opposition to the current flaws enacted to the RFS program, but my bill does make this new RFS less onerous.

The first correction to the Clean Air Act's renewable fuels standard allows a carryover of ethanol credits. This improvement does nothing to change the currently mandated numbers. Rather, it provides flexibility to an industry facing many uncertainties. In 2007, the industry used approximately 2 billion gallons of ethanol over and above the necessary levels prescribed in the Energy Policy Act of 2005, EPACT. However, EPACT language and EPA rulemaking do not allow for 2-year consecutive ''carryover'' of credits. This means that although the industry has exceeded the 2007 requirements, they would be unable to apply these credits after 12 months. My bill would accommodate the uncertain levels of production from year to year. Considering the myriad variables involved in the ethanol production process including crop yields, land use, and feed stock prices, it only makes sense to allow more flexibility.

Another fix extends the small refinery exemption by 2 years. This language also does nothing to change mandated levels. A small refinery produces less than 75,000 barrels average daily aggregate and EPACT exempts these facilities from the renewable fuels numbers until 2011. These refineries are dealing with drastically smaller economies of scale in production. In order to protect these refineries from potential economic hardship and subsequent job loss, this exemption should be extended from the year 2011 to 2013.

I am hopeful that my colleagues in the Senate will join me and quickly pass the bill I am introducing today.

By Ms. LANDRIEU (for herself, Mr. INOUYE, Mr. STEVENS, Mr. LAUTENBERG, Mr. VITTER, Mr. COCHRAN, Mrs. DOLE, Mr. GRAHAM, and Mr. ALEXANDER):

S. 2652. A bill to authorize the Secretary of Defense to make a grant to the National World War II Museum Foundation for facilities and programs of America's National World War II Museum; to the Committee on Armed Services.

Ms. LANDRIEU. Mr. President, the Second World War will probably be known as one of the greatest achievements in American history. The ultimate victory over enemies in the Pacific and in Europe is a testament to the uncommon valor of American Soldiers, Sailors, Airmen, and Marines. The years 1941 to 1945 also witnessed an unprecedented mobilization of domestic industry which supplied our fighting men on two distant fronts. As the generation that faced this challenge comes to a close, it is important that we take the time to honor them for the many sacrifices they made. It was the gallantry of American troops abroad and the tireless devotion of workers at home that brought the end of this Great War.

I come to the floor today, to honor all of the 16 million World War II veterans and their families for the many sacrifices they made. Today, along

with eight of my colleagues, I would like to introduce America's National World War II Museum Expansion Act.

On June 6, 2000, the 56th anniversary of the D-Day invasion of Normandy, the National D-Day Museum, operated in New Orleans, LA, opened their doors. The museum is the only museum in the U.S. that exists for the exclusive purpose of accounting for the American experience during World War II, both on the battlefront and at home. The museum educates on all of the branches of the Armed Forces and the Merchant Marine.

The museum was founded by the late World War II historian Stephen Ambrose. The museum and the decision to locate it in New Orleans was the result of a conversation Mr. Ambrose had with President Dwight D. Eisenhower. It was said in the conversation that President Eisenhower and former Supreme Commander, Allied Expeditionary Forces in Europe, credited Andrew Jackson Higgins, the man behind Higgins Industries in New Orleans, as the ''man who won the war for us''. Higgins designed and produced amphibious landing crafts that became known as the Higgins Boats. These boats were used in every major amphibious operation of World War II, including D-Day, and responsible for transporting the men from the ship to the shore.

The museum is a premier educational institution, which educates diverse audiences through its collection of artifacts, photographs, letters, documents, and personal testimonies of participants in the war and on the home front. It is important that we continue preserving, maintaining, and interpreting the artifacts, documents, images, and history collected by the museum. For these reasons, in 2003 Congress designated the National D-Day Museum in New Orleans as America's National World War II Museum. Since the designation, the Museum Board has embarked on an extraordinary expansion, with plans to quadruple its size. The museum will account for all service branches and campaigns of the war, including the war on the home front.

This bill is a one time permanent $50 million authorization for the expansion of the National World War II Museum in New Orleans. Specifically, the $50 million authorization would provide funding for the U.S. Freedom Pavilion, which is part of the museum's expansion. The U.S. Freedom Pavilion will be the main entrance building to the main theatre, exhibit halls, and other pavilions. Among its major exhibits, the Freedom Pavilion will contain an interactive exhibition honoring all of the World War II veterans who have also served the nation as President, or as a member of the U.S. Senate or the U.S. House of Representatives between the years of 1941 and 1945.

A combination of State, local, and private funding, totaling $240 million, will match the $50 million Federal authorization. To date, the State of Louisiana has already dedicated $33 million toward the expansion, and has pledged additional funds up to $50 million to match dollar for dollar the $50 million Federal authorization, if approved by Congress. The private sector support has already surpassed $40 million, and the remaining balance of the expansion will be raised privately.

A House companion bill, H.R. 2923, has been introduced by Chairman DINGELL and is cosponsored by 11 other members, including all members of the Louisiana U.S. House of Representatives Delegation. In closing, I want to give many thanks to Senators INOUYE, STEVENS, LAUTENBERG, VITTER, DOLE, ALEXANDER, COCHRAN and GRAHAM, for joining me in helping to preserve an important piece of our history. I would like to give special thanks to Senator INOUYE, Senator STEVENS, and Senator LAUTENBERG. This museum is a tribute to you and your fellow servicemen.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2652

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''America's National World War II Museum Expansion Act''.

SEC. 2. GRANT TO NATIONAL WORLD WAR II MUSEUM FOUNDATION FOR AMERICA'S NATIONAL WORLD WAR II MUSEUM.

(a) GRANT.—The Secretary of Defense may make a grant in the amount of $50,000,000 to the National World War II Museum Foundation for use in accordance with subsection (b) for the museum in New Orleans, Louisiana, designated as America's National World War II Museum by section 8134 of the Department of Defense Appropriations Act, 2005 (Public Law 108–87; 117 Stat. 1103) (referred to in this section as the ''Museum'').

(b) USE OF FUNDS.—The grant under subsection (a) shall be used for the following:

(1) The planning, design, and construction of a new facility for the Museum, to be known as the United States Freedom Pavilion, and its exhibitions, and the planning, design, and construction of a new canopy over the courtyard of the Museum, to be known as the Canopy of Peace.

(2) The public display of artifacts, photographs, letters, documents, and personal histories dating from 1939 to 1945, including exhibits portraying American sacrifices both on the battlefield and on the home front and the industrial mobilization of the American home front.

(3) Educational outreach programs for teachers and students.

(4) Traveling exhibitions on the history and lessons of World War II for United States military facilities.

(5) Educational programs to foster the expansion of European and Pacific exhibits at the Museum to be included in the Center for the Study of the American Spirit.

(6) Projects that enable the Museum to function as a liaison between museums, scholars, and members of the general public in the United States and around the world.

(7) A readily accessible repository of information and materials reflecting the historical, social, and cultural effects of World War II.

(8) The preservation, interpretation, and public exhibition of memorabilia, models, artifacts of significance (and replicas), and oral histories from the combat experience of members of the United States Armed Forces.

(9) Other appropriate activities relating to the management and operation of the United States Freedom Pavilion, including the sale of concessions, appropriate mementos, and other materials, the proceeds of which would help support the overall operation of the Museum and the United States Freedom Pavilion.

(c) REPORT.—Not later than 60 months after receiving a grant under this section, the Secretary shall submit to Congress a report documenting how the Museum used the grants funds and evaluating the success of the projects and activities funded by the grant.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this Act.

By Mr. COLEMAN (for himself and Mr. BINGAMAN):

S. 2653. A bill to further United States security by restoring and enhancing the competitiveness of the United States for international students, scholars, scientists, and exchange visitors and by facilitating business travel to the United States; to the Committee on the Judiciary.

Mr. COLEMAN. Mr. President, today, along with my distinguished colleague from New Mexico, Senator BINGAMAN, I am introducing legislation to restore and enhance our Nation's competitiveness for international students, scholars, scientists, and exchange visitors, and better facilitate legitimate business travel to the U.S.

In the immediate aftermath of the events of 9/11, it was necessary to take the steps we did to improve and enhance our Nation's security. But in the more than 6 years since 9/11, these well-intentioned changes have had unintended consequences, stifling legitimate academic and scientific exchange and international business travel, and tarnishing our Nation's image around the world.

Three years ago, Senator BINGAMAN and I introduced a similar bill designed to reverse the decline in the number of foreign students studying at American colleges and universities. At that time, international applications to U.S. graduate schools and to English as a Second Language, ESL, programs were plummeting, and visa delays were numbering in the thousands. Visa delays were also negatively impacting the scientific and business communities, resulting in billions of dollars of losses for the U.S. economy, as scientific research, conferences, and business meetings had to be canceled and shifted to overseas locations.

Over the past 3 years, there have been improvements with visa issuance, and it is the State Department's Bureau of Consular Affairs, particularly Assistant Secretary Maura Harty, who deserves much of the credit. I am pleased with their advancements to enhance consular staff; adopt newer,

more efficient technology; offer international students, scholars, and exchange visitors preferential consideration when scheduling in-person interview appointments; and extend security clearance validity. The Department also has established a business visa center to field inquiries from U.S. businesses and their worldwide counterparts, although the center cannot expedite in-person interview appointments or the processing of visa applications.

This is not to say that visa delays have disappeared entirely. Delays do continue to occur, albeit not at the huge volume they once were. Because of this, there is a lot of lingering uncertainty about the process which generates a great deal of concern for international students, scholars, exchange visitors, and business travelers, and reinforces a perception that America is not a welcoming place for international visitors.

Indeed, serious concerns remain regarding the U.S. position in the competition for international talent, particularly among higher education, the scientific community, and the private sector. Our competitiveness problem is not just a visa problem—we cannot solve it simply by fixing the visa problems that were created after 9/11.

The U.S. now faces strong competition for international students, scholars, scientists, and exchange visitors. The United Kingdom, Australia, New Zealand, and the European Union all have coordinated, government-led strategic plans in place for attracting international students and scholars to their colleges and universities. Even our neighbor to the north, Canada, plans to announce a strategic plan this year. Meanwhile, traditional sending countries such as China and India are expanding their own higher education offerings, both to retain more of their own students and to attract international students. In the face of this competition, the U.S. still struggles along with piecemeal efforts, with each positive action seemingly cancelled out by a negative action and persistent negative perceptions. The results are worrisome.

While international student enrollment in the U.S. declined in both the 2003–2004 and 2004–2005 academic years, and remained stagnant in 2005–2006, over the same period, enrollment in the United Kingdom jumped more than 80,000, in Australia and France more than 50,000, and in Germany and Japan more than 20,000. In 2006, then-U.K. Prime Minister Tony Blair announced a goal of attracting an additional 100,000 international students to Great Britain in the next 5 years.

Although we have started to see the enrollment numbers tick upwards slightly just this past year—in Minnesota, 9,048 international students were studying at colleges and universities last academic year, contributing $186.4 million to the state's economy—it is still below the peak level of 9,143 achieved in 2003–2004, so there is still ground to make up for what was lost over the past 3 years to ensure we regain our place as the most desired destination for study and for research. Even if we return to pre-9/11 numbers, we may find we have lost market share to competing nations.

Why should this matter to the U.S.? Recent public opinion polls taken around the world show that the U.S. has fallen out of favor. But these same polls also show that foreigners who have personally visited the U.S. have a significantly more favorable opinion than those who have never visited.

International students and scholars benefit greatly from their experiences in the U.S., not only from their studies and research, but also from living in daily American life. They carry these experiences home, often becoming ambassadors of goodwill and understanding. Many go on to achieve leadership positions in their home countries in government, business, or education. These exchanges also benefit American students, researchers and business colleagues, who similarly have the opportunity to learn about another culture in this globalized world.

Two expert commissions recently issued recommendations citing international educational exchange as a critical form of public diplomacy outreach. Last November, the Center for Strategic and International Studies' Commission on Smart Power cited international educational exchange as a key element for improving America's declining standing and influence in the world. Just last month, the Secure Borders and Open Doors Advisory Committee, a federal advisory committee tasked by the Departments of Homeland Security and State to provide recommendations on the Departments' missions to protect not only America's security but also our economic livelihood, ideals, image, and strategic relationships with the world, cited the need for a proactive national strategy to mobilize all the tools and assets at our disposal to attract international students and scholars to the U.S.

International students and scholars are not only important for public diplomacy, they also are essential for our Nation's global competitiveness. They make significant contributions to our economic growth and innovation. According to recent National Science Board data, nearly half of all graduate enrollments at U.S. colleges and universities in the science and engineering fields are international students. And these students often go on to positively impact future research and technology output in this country. I strongly support efforts to build up America's own supply of science and technology talent, but we also must continue to actively attract international talent to our shores if we are to retain our innovative edge.

It is a reality of our time that, at the high-skill level, the temporary immigration system has become a conveyor belt of talent into the permanent immigration system. Most foreign students do want to go home after graduation, but some want to stay and use the knowledge they have acquired at our universities. For example, Ms. Indra Nooyi, the current CEO of PepsiCo, the world's fourth largest food and beverage company, is herself a former international student who received her master's degree from Yale University's School of Management.

So it is for all these important reasons that Senator BINGAMAN and I once again introduce legislation on this important issue: The American Competitiveness Through International Openness Now, ACTION, Act of 2008.

This year's bill once again calls for the establishment of a strategic plan for increasing the competitiveness of the U.S. in recruiting international students, scholars and exchange visitors. The U.S. can no longer sit back and rest on its laurels when engaging in this global competition, especially when all of our competitors clearly have stepped up their game.

Our biggest problem is our inability to marshal the efforts of all the relevant agencies into one coherent effort. Too often, these agencies work in an uncoordinated manner, or worse, at cross purposes. The PR blunder cases, where one arm of our government sets up exchange programs to attract people and another arm of the government detains them at the border, is only the tip of the iceberg. Our legislation would create a White House-chaired International Education Coordinating Council to guide the work of the myriad agencies that affect our competitiveness for international students and exchange visitors.

One of the most important provisions in the legislation would remove the nonimmigrant intent requirement for international students, the so-called 214(b) rule. This outdated requirement that all applicants for student visas must intend to return home after their studies makes no sense, especially when talent-starved high-tech industries actively court international students upon graduation. As I stated earlier, our ability to attract international talent is essential to sustaining our competitive edge in the world. Retaining such a requirement is simply out of step in this day and age, especially when most of our competitors are going out of their way to enact policies to make it easier for international students to stay after graduation.

The bill calls for further improvement in the timeliness and efficiency of the visa issuance process for those in the sciences. It directs the Secretary of State to issue guidance to reduce the length of time to issue visas to scientists to a maximum of 30 days, and to provide a special review process for those cases that are delayed more than 45 days. It also directs the Secretary of State to review and update the Technology Alert List on a regular basis,

and to consult with academia and the private sector as part of this review, to ensure the list reflects the current state of technology.

It also calls for expediting visa reviews for so-called ''Trusted Travelers'': easily identifiable, low-risk frequent travelers who have a history of past visa approvals, haven't violated their immigration status, and have provided their biometric data, plus any additional information required, to the consulate. This would both ease travel for these individuals and permit consular resources to be focused on more important cases. There is also a provision to also allow expedited visa reviews for international students, scholars and exchange visitors who leave the United States temporarily to visit their families or attend conferences and require a new visa to return to the same program. Today, these people can be stranded abroad for months without being able to return to their programs.

The legislation calls for the reinstatement of domestic or stateside visa renewals for those here on employment-based non-immigrant visas. This practice was discontinued in 2004, because U.S. consulates abroad were better equipped to collect the required biometric data from the renewal applicant. Given today's available technology, we should seek to reinstate this practice. This would help to alleviate the volume of renewal applicants at our overseas consulates, as well as help renewal applicants who often opt to forgo travel overseas due to the uncertainty of timely and efficient processing of their renewal applications.

Finally, there has been much public debate about driver's licenses and Real ID. In our well-intentioned efforts to ensure that only persons in the U.S. legally are able to acquire driver's licenses, we have unintentionally hamstrung the ability of legal nonimmigrants to have licenses. Real ID's unrealistic documentation and renewal requirements for international students and scholars send yet another negative signal about America's openness to them, and frankly ignore technical advances which could provide both better assurances about a person's legal status and licenses of a longer validity. Our bill will correct this problem in a way that will strengthen, not weaken, the integrity of driver's licenses.

For all of these reasons, our legislation is endorsed by NAFSA: Association of International Educators, the world's largest professional association advocating for international education and exchange programs, by the National Foreign Trade Council, the Nation's premier business organization dedicated to advancing global commerce, and by USA Engage, a leading broad-based coalition of trade associations promoting global economic engagement.

The American way of life owes its success and vitality to its historic ability to harness the best in knowledge and ideas, not only those that are homegrown, but also those that come from outside our borders. The longer we wait to take action, the more we risk missing out on future U.S. academic, business, and research success.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2653

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''American Competitiveness Through International Openness Now Act of 2008'' or as the ''ACTION Act of 2008''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Although the United States is engaged in a global competition for international students and scholars, the United States lacks a comprehensive strategy for conducting and succeeding in this competition.

(2) In January 2008, the Secure Borders and Open Doors Advisory Committee of the Homeland Security Advisory Council issued a report that specifically cites international education as a key component of public diplomacy, stating: ''America is losing competitiveness for international students for one primary reason . . . because our competitors have—and America lacks—a proactive national strategy that enables us to mobilize all the tools and assets at our disposal, and that enables the federal bureaucracy to work together in a coherent fashion, to attract international students.''

(3) Attracting the world's most talented students and scholars to campuses and research institutes in the United States will contribute significantly to the leadership, competitiveness, and security of this Nation.

(4) The international student market has been transformed in the 21st century. Traditional competitor countries have adopted and implemented strategies for capturing a greater share of the market. New competitors, primarily the European Higher Education Area, have entered the market. Traditional sending countries, such as China and India, are expanding their indigenous higher education capacity, both to retain their own students and to attract international students. All of these changes are giving international students many more options for pursuing higher education outside their home countries.

(5) The number of international students enrolled in United States higher education institutions declined in the academic years 2003–04 and 2004–05, and remained constant in academic year 2005–06. In academic year 2006–07, international student enrollments increased 3 percent, yet remained below the peak level, achieved in the 2002–03 academic year.

(6) From 2003 to 2006, international student enrollments increased—

(A) by more than 80,000 in the United Kingdom;

(B) by more than 50,000 in Australia and France; and

(C) by more than 20,000 in Germany and Japan.

(7) Anecdotal evidence indicates that international students, scholars, and scientists continue to find the process of gaining entry to the United States to be demeaning and unnecessarily cumbersome.

(8) While intensive English programs in the United States are a gateway to degree programs, international student enrollments in such programs have declined by almost 50 percent since 2000, and many schools offering such programs have closed. This is due primarily to the difficulty of obtaining a United States visa for the purpose of studying English.

(9) At a time when talent is both scarce and mobile and attracting talent is essential to the leadership, competitiveness, and security of the United States, it is as important for our Nation's visa system to be a gateway for international talent as it is for it to be a barrier to international criminals. Although the Department of State has made significant progress in improving the United States visa system, the system still does not effectively serve this dual purpose.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that it should be the policy of the United States—

(1) to make international educational exchange a priority in order to promote United States leadership, competitiveness, and security;

(2) to restore United States competitiveness for international students, scholars, scientists, and exchange visitors;

(3) to ensure that all agencies of the United States Government work together to create a welcoming environment for legitimate international students, scholars, scientists, and exchange visitors, without sacrificing safety;

(4) to pursue a visa policy that keeps the United States safe, prosperous, and free, by—

(A) addressing legitimate security concerns; and

(B) keeping the United States a welcoming Nation; and

(5) to ensure that United States consulates have adequate resources to perform their required duties.

SEC. 4. ENHANCING UNITED STATES COMPETITIVENESS FOR INTERNATIONAL STUDENTS, SCHOLARS, SCIENTISTS, AND EXCHANGE VISITORS.

(a) STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a strategic plan for increasing the competitiveness of the United States for international students, scholars, scientists, and exchange visitors.

(2) CONTENT.—The strategic plan submitted under this subsection shall include—

(A) a clear directive to the Department of State, the Department of Homeland Security, the Department of Education, the Department of Commerce, the Department of Energy, and other Federal departments that impact—

(i) the propensity of international students, scholars, scientists, and exchange visitors to visit the United States;

(ii) the ability of such individuals to gain entry into the United States; and

(iii) the ability of such individuals to obtain a driver's license, Social Security card, and other documents essential to daily life in the United States;

(B) a marketing plan, including continued improvements in the use of the Internet and other media resources, to promote and facilitate study in the United States by international students;

(C) a clear division of labor among the departments referred to in subparagraph (A);

(D) a plan to enhance the role of the educational advising centers of the Department of State that are located in foreign countries to promote study in the United States and to prescreen visa applicants;

(E) a clarification of the lines of authority and responsibility for international students in the Department of Commerce;

(F) a clear role for the Department of Education in increasing the competitiveness of the United States for international students; and

(G) a clear delineation of the lines of authority and streamlined procedures within the Department of Homeland Security related to international students, scholars, scientists, and exchange visitors.

(b) INTERNATIONAL EDUCATION COORDINATION COUNCIL.—

(1) ESTABLISHMENT.—There is established in the Executive Office of the President a council to be known as the International Education Coordination Council (referred to in this subsection as the ''Council'').

(2) PURPOSE.—The Council shall coordinate the activities of the Federal Government in order to further the purposes of this Act.

(3) CHAIR.—The President shall designate an official of the Executive Office of the President to preside over the Council.

(4) COMPOSITION.—The Council shall be composed of the following positions, or their designees:

(A) The Secretary of State.

(B) The Secretary of Homeland Security.

(C) The Secretary of Education.

(D) The Secretary of Commerce.

(E) The Secretary of Energy.

(F) The Secretary of Labor.

(G) The Director of the Federal Bureau of Investigation.

(H) The Commissioner of Social Security.

(I) The head of any other agency designated by the President.

(c) ELIMINATION OF NONIMMIGRANT INTENT CRITERION FOR STUDENTS.—

(1) IN GENERAL.—Section 101(a)(15)(F)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)(i)) is amended—

(A) by striking ''having a residence in a foreign country which he has no intention of abandoning,'' and inserting ''having the intention, capability, and sufficient financial resources to complete a course of study in the United States,''; and

(B) by striking ''and solely''.

(2) PRESUMPTION OF STATUS.—Section 214(b) of the Immigration and Nationality Act is amended by striking ''subparagraph (L) or'' and inserting ''subparagraph (F), (L), or''.

(d) COUNTERING VISA FRAUD.—The Secretary of State shall—

(1) require United States consular offices, with particular emphasis on consular offices in countries that send large numbers of international students and exchange visitors to the United States, to submit to the Secretary plans for countering visa fraud that respond to the particular fraud-related problems in the countries where such offices are located; and

(2) not later than 180 days after enactment of this Act, report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the measures taken to counter visa fraud under the plans submitted under paragraph (1).

(e) IMPROVING THE SECURITY CLEARANCE PROCESS FOR SCIENTISTS.—

(1) DURATION OF SECURITY CLEARANCES.—The Secretary shall extend the duration of security clearances for scientists admitted under section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)) until sooner of—

(A) the expiration of the program for which the scientist was admitted; or

(B) the date that is 5 years after the beginning of such extension.

(2) PORTABILITY OF SECURITY CLEARANCES.—

(A) VALIDITY ACROSS NONIMMIGRANT CLASSIFICATIONS.—Except as provided under subparagraph (B), a security clearance issued with respect to an individual classified within a nonimmigrant classification shall remain valid with respect to a change of the individual to another nonimmigrant classification if the security clearance approved in connection with the first classification is in substantially the same field as the field involved in the subsequent classification.

(B) NATIONAL INTEREST WAIVER.—Subparagraph (A) shall not apply with respect to an applicant for a security clearance if the Secretary determines that the application of such subparagraph with respect to such applicant is not in the national security interests of the United States.

(3) VISA PROCESSING TIME.—The Secretary shall issue appropriate guidance to—

(A) reduce the length of time required to issue visas to scientists to a maximum of 30 days; and

(B) provide for a special review process to resolve instances in which the length of time required to issue visas to scientists exceeds 45 days.

(4) REVIEW OF TECHNOLOGY ALERT LIST.—

(A) INTERAGENCY PROCESS.—The Secretary shall establish an interagency group to review the technology alert list not less frequently than once every 2 years.

(B) CHAIR.—The interagency review group established pursuant to subparagraph (A) shall be chaired by an appropriate official of the Department of State.

(C) CONSULTATION.—As part of its assessment of the current state of technology, the interagency review group shall consult with academic experts and with companies that manufacture and distribute the items on the technology alert list.

(D) IMPLEMENTATION.—The Secretary shall—

(i) promptly revise the technology alert list in accordance with the recommendations of the group; and

(ii) promptly notify consular officials of the Department of State of the revisions.

(5) ANNUAL REPORT.—

(A) SUBMISSION.—The Secretary shall submit an annual report on the implementation of this subsection to—

(i) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(ii) the Committee on Foreign Relations of the Senate;

(iii) the Committee on Armed Services of the Senate;

(iv) the Committee on Energy and Commerce of the House of Representatives;

(v) the Committee on Science and Technology of the House of Representatives; and

(vi) the Committee on Armed Services of the House of Representatives.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include such information as the Secretary determines appropriate, including—

(i) progress made to reduce the length of time required to process visas to scientists, including the average processing time to complete security clearances for visa applicants in each nonimmigrant visa classification under section 101(a)(15) of the Immigration and Nationality Act;

(ii) any revisions made to the technology alert list under paragraph (4);

(iii) the number of individuals in each nonimmigrant visa classification who have—

(I) received a security clearance in the preceding year;

(II) been approved for a visa after receiving such clearance; or

(III) been denied such clearance; and

(iv) the distribution of such individuals by country of nationality.

(6) DEFINITIONS.—In this subsection:

(A) SCIENTISTS.—The term ''scientists'' means individuals subject to clearance under section 212(a)(3)(A)(i)(II) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(A)(i)(II)).

(B) SECRETARY.—The term ''Secretary'' means the Secretary of State.

(C) TECHNOLOGY ALERT LIST.—The term ''technology alert list'' means the list of goods, technology, and sensitive information that is maintained by the Department of State.

(f) SHORT-TERM STUDY ON TOURIST VISA.—Section 101(a)(15)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(B)) is amended by inserting ''for a period longer than 90 days'' after ''study''.

(g) DRIVERS' LICENSES FOR INTERNATIONAL STUDENTS AND EXCHANGE VISITORS.—Section 202(c)(2)(C) of the Real ID Act of 2005 (49 U.S.C. 30301 note) is amended by adding at the end the following:

''(v) PROVISIONS FOR NONIMMIGRANTS MONITORED UNDER THE STUDENT AND EXCHANGE VISITOR INFORMATION SYSTEM.—With respect to a nonimmigrant subject to the monitoring system required under section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372)—

''(I) notwithstanding clause (ii), a temporary driver's license or temporary identification card issued to such nonimmigrant pursuant to this subparagraph shall be valid for the shorter of—

''(aa) the period of time of the nonimmigrant's authorized stay in the United States; or

''(bb) the standard issuance period for drivers' licenses provided by the State; and

''(II) valid status under that monitoring system shall be deemed to be valid documentary evidence that the nonimmigrant maintains status for purposes of clause (iv).''.

(h) CHANGE OF STATUS FOR CERTAIN F–VISA HOLDERS SEEKING ADJUSTMENT OF STATUS.—An individual who has been in valid status under section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)) shall be considered to have remained in such status until the beginning of a fiscal year if—

(1) a petition under section 101(a)(15)(H)(i)(b) of such Act has been filed on behalf of such individual and has been approved for such fiscal year;

(2) the cap with respect to such petitions provided in paragraph (1)(A) or (5)(C) of section 214(g) of such Act was reached before such fiscal year; and

(3) such individual's valid status under section 101(a)(15)(F) of such Act would otherwise terminate not more than 6 months before such fiscal year.

(i) SOCIAL SECURITY ENUMERATION AT PORTS OF ENTRY.—

(1) FINDING.—Congress finds that section 205(c)(2)(B)(i)(I) of the Social Security Act (42 U.S.C. 405(c)(2)(B)(i)(I)) requires the Commissioner of Social Security to assign Social Security numbers, to the maximum extent practicable, to aliens at the time of their lawful admission to the United States—

(A) for permanent residence; or

(B) under any other status which permits such aliens to engage in employment in the United States.

(2) MEMORANDUM OF UNDERSTANDING.—Pursuant to such section, not later than 180 days after the date of the enactment of this Act, the Commissioner of Social Security, the Secretary of State, and the Secretary of Homeland Security shall reach agreement on a memorandum of understanding to expand the enumeration-at-entry program to include all eligible individuals seeking admission to the United States under section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)).

(3) IMPLEMENTATION.—Not later than 1 year after the date of the enactment of this Act,

the expanded enumeration-at-entry program described in paragraph (2) shall become effective at all United States ports of entry.

SEC. 5. FACILITATING BUSINESS AND ACADEMIC TRAVEL.

(a) EXPEDITED VISA REVIEWS FOR TRUSTED TRAVELERS.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall establish a trusted traveler program for international students, researchers, scholars, and individuals engaged in business, which shall operate in accordance with such guidance and procedures as the Secretary may determine.

(2) TRUSTED TRAVELER DESCRIBED.—The trusted traveler program shall provide for expedited visa review for—

(A) frequent low-risk visitors to the United States, who—

(i) have a history of visa approvals;

(ii) have not violated their immigration status;

(iii) have provided biometric data; and

(iv) have agreed to provide the consulate with such information as the Secretary may require; and

(B) aliens admitted under subparagraph (F) or (J) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15), who—

(i) are pursuing a program in the United States;

(ii) have not violated their immigration status;

(iii) have left the United States temporarily; and

(iv) require a new visa to return to the same program.

(3) AUTHORITY TO WAIVE PERSONAL APPEARANCE.—Notwithstanding section 222(h) of the Immigration and Nationality Act (8 U.S.C. 1202(h)), the Secretary may waive the requirement for an in-person interview by a consular officer with respect to trusted travelers described in paragraph (2).

(b) ENHANCING CONSULAR RESOURCES AND PERFORMANCE.—

(1) REQUIREMENT.—The Secretary of State shall—

(A) issue instructions providing for—

(i) enhanced staffing of United States consulates with high demand for visas and long visa-processing backlogs; and

(ii) enhanced training, in partnership with institutions of higher education, leaders in educational exchange, and the business community, for consular officers with respect to processing visas for international students and scholars and individuals traveling for business;

(B) issue strong operational guidance to all United States consular posts to eliminate inconsistencies in visa processing; and

(C) through regular reviews, hold such posts accountable for removing such inconsistencies.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the implementation of this subsection.

(c) RESTORATION OF REVALIDATION PROCEDURES FOR EMPLOYMENT-BASED VISAS.—

(1) IN GENERAL.—Section 222 of the Immigration and Nationality Act (8 U.S.C. 1202) is amended by adding at the end the following:

''(i) The Secretary of State shall issue regulations to permit an alien granted a nonimmigrant visa under subparagraph (E), (H), (I), (L), (O), or (P) of section 101(a)(15) to apply for a renewal of such visa within the United States if—

''(1) such visa is valid or did not expire more than 12 months before the date of such application;

''(2) the alien is seeking a nonimmigrant visa under the same subparagraph under which the alien had previously received a visa; and

''(3) the alien has complied with the immigration laws of the United States.''.

(2) CONFORMING AMENDMENT.—Section 222(h) of such Act is amended, in the matter preceding subparagraph (1), by striking ''Notwithstanding'' and inserting ''Except as provided under subsection (i), and notwithstanding''.

(d) COMPREHENSIVE HUMAN CAPITAL WORKFORCE PLAN.—The Secretary of State and the Secretary of Homeland Security shall jointly—

(1) develop a plan for the appropriate selection, training, and supervision of Federal Government officials whose contact with foreign citizens impacts the international image of the United States, including consular and customs and border protection officials; and

(2) submit an annual report on the implementation of the plan described in paragraph (1) to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Homeland Security of the House of Representatives; and

(D) the Committee on Foreign Affairs of the House of Representatives.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 454—DESIGNATING THE MONTH OF MARCH 2008 AS ''MRSA AWARENESS MONTH''

Mr. DURBIN (for himself, Mr. HATCH, Mr. MENENDEZ, Mr. SPECTER, and Mr. BROWN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 454

Whereas Methicillin-resistant Staphylococcus aureus (MRSA) is a type of infection that is resistant to treatment with the usual antibiotics and is one of the most common pathogens that cause Healthcare-Associated Infections (HAIs) in the United States and in many parts of the world;

Whereas a study led by the Centers for Disease Control and Prevention estimates that in 2005 more than 94,000 invasive MRSA infections occurred in the United States and more than 18,500 of these infections resulted in death;

Whereas the percentage of Staphylococcus aureus infections in the United States that are attributable to MRSA has grown from 2 percent in 1974 to 63 percent in 2004;

Whereas the annual number of hospitalizations associated with MRSA infections, including both HAIs and community-based infections, more than tripled between 1999 and 2005, from 108,600 to 368,600;

Whereas approximately 85 percent of all invasive MRSA infections were associated with healthcare;

Whereas serious MRSA infections occur most frequently among individuals in hospitals and healthcare facilities, particularly the elderly, those undergoing dialysis, and those with surgical wounds;

Whereas individuals infected with MRSA are most likely to have longer and more expensive hospital stays, with an average cost of $35,000;

Whereas there has been an increase in reported community-acquired staph infection outbreaks, including antibiotic-resistant strains, in States such as Illinois, New York, Kentucky, Virginia, Maryland, Ohio, North Carolina, Florida, and the District of Columbia;

Whereas clusters of community-acquired MRSA infections have been reported since the late 1990s among competitive sports teams, correctional facilities, schools, workplaces, military facilities, and other community settings;

Whereas a person who is not infected with MRSA can be a vehicle for the transmission of infections through skin-to-skin contact; and

Whereas many instances of MRSA transmission can be prevented through the use of appropriate hygienic practices, such as hand washing and appropriate first aid for open wounds and active skin infections, are followed: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the need to apply what is already known about reducing the transmission of infections in hospitals, effectively using diagnostics, and ensuring appropriate use and utilization of antibiotics to meet patient and public health needs;

(2) recognizes the need to pursue operational research to find the best ways of preventing hospital- and community-acquired Methicillin-resistant Staphylococcus aureus (MRSA) and developing new antibiotics for improving care for MRSA patients;

(3) recognizes the importance of raising awareness of MRSA and methods of preventing MRSA infections;

(4) supports the work of advocates, healthcare practitioners, and science-based experts in educating, supporting, and providing hope for individuals and their families affected by community and healthcare associated infections; and

(5) designates the month of March 2008 as ''MRSA Awareness Month''.

Mr. DURBIN. Mr. President, in response to the emerging threat of methicillin-resistant staphylococcus aureus, or MRSA, infections, I introduced legislation in November to improve the prevention, detection, and treatment of community and healthcare-associated infections. The Community and Healthcare Associated Infections Reduction Act of 2007 builds on what hospitals are already doing and what infectious disease experts and government agencies agree is critical to reducing the emergence of these infections.

In the last few months, the problem has persisted and Congress has done little. The problem is not going away. Just last month a hospital in Chicago treated a patient with a nasty sore on his wrist that was attributable to MRSA. Unfortunately, the hospital found that the infection was unresponsive to two medications that have been recommended, mainstay treatments for MRSA. The already-formidable microbe has strengthened its defenses.

Scientists are constantly trying to learn more information about MRSA and its impact on communities, even while healthcare professionals are fighting to keep patients safe. Although MRSA infections can be mild or moderate, almost 100,000 become serious and lead to 19,000 deaths each year, according to the Centers for Disease Control and Prevention.

The CDC estimates that in 2005 in the U.S., 94,000 people developed an