

Kansas (Mr. BROWNBACK) were added as cosponsors of amendment No. 1484 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1494

At the request of Mrs. HUTCHISON, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of amendment No. 1494 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1504

At the request of Mrs. LINCOLN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of amendment No. 1504 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1515

At the request of Mr. NELSON of Florida, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Virginia (Mr. WEBB) were added as cosponsors of amendment No. 1515 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1517

At the request of Mr. BUNNING, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 1517 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1526

At the request of Mr. FEINGOLD, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of amendment No. 1526 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of

the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1528

At the request of Mr. LIEBERMAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 1528 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1534

At the request of Mr. VOINOVICH, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of amendment No. 1534 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1554

At the request of Mr. BURR, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Maryland (Mr. CARDIN), the Senator from Texas (Mr. CORNYN) and the Senator from Missouri (Mr. BOND) were added as cosponsors of amendment No. 1554 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1557

At the request of Mrs. LINCOLN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of amendment No. 1557 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1558

At the request of Mr. NELSON of Florida, the names of the Senator from Arkansas (Mrs. LINCOLN), the Senator from Tennessee (Mr. CORKER), the Senator from Maine (Ms. COLLINS) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of amendment No. 1558 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe

military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1561

At the request of Mr. BINGAMAN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 1561 intended to be proposed to S. 1390, an original bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. LANDRIEU (for herself and Mr. INHOFE):

S. 1458. A bill to encourage the development and implementation of a comprehensive, global strategy for the preservation and reunification of families and the provision of permanent parental care for orphans; to the Committee on Foreign Relations.

Ms. LANDRIEU. Mr. President, I rise to introduce a bill called the Families for Orphans Act that Senator INHOFE and I are sponsoring.

We are very fortunate, indeed, to have a Secretary of State who is quite knowledgeable about this subject. The office we seek to create would be housed within the Department of State under the watchful eye of Secretary Hillary Clinton, who did so much work on this subject when she was a Member of the Senate and even prior to her service in the Senate as First Lady of both Arkansas and the United States. So I am particularly happy we would be recommending what is, I think, a very appropriate establishment of an office within the Office of the Secretary of State.

This bill has been discussed for several years here. We have had several opportunities for debate on the floor. But a great coalition has come together, representing advocates for orphans around the world, to come together in a unified way to make a strong argument that this kind of office should indeed be established. There are some very compelling reasons why this should be.

First of all, right now in our system, there is no coordination in the Office of the Secretary of State or in the Department of State for policies related to orphans. This is an alarming situation because the number of orphans is growing exponentially in the world due to an increase in conflicts in many parts of the world; severe droughts and natural disasters that are causing families to be separated, children from adults; and the AIDS epidemic. Some people have referred to it as a factory that produces orphans. And you can understand the nature of that disease.

So the actions we take relative to trying to get a more coordinated policy are very important, and that is what this bill seeks to do.

It is, I think, understood among all Members of this body—I do not even hear one dissenting voice—that the most appropriate place for children to grow up is in a family.

We think there are over 130 million orphans in the world who have been deprived for whatever reason—death or war or famine or disease—of their right to belong to a family. It is our obligation as the leaders of the world to try to find the best possible substitute family for these children.

Children don't do a very good job of raising themselves. That is a virtual impossibility. Our efforts, unfortunately, dealing with children have been focused on their survival, on just getting medical care and health care and food and nutrition. I don't think we are doing enough as a government to focus on reuniting children with whatever extended family might be possible for them to be raised by, and then looking out somewhere beyond the extended family opportunity to domestic families who would take in that child and their siblings. We most certainly have not made the kind of effort I think is appropriate and is a ready source of loving arms in families in terms of the international community that would like to step up and adopt many children who are unable to find families in their own countries. That is basically what this office would do.

It would coordinate efforts by the aid and development community that, as I said, are currently focused on nutrition, housing, education, and medical care, and would refocus efforts on that, plus reunification of families and then adoption opportunities.

First, as I said, the U.S. programs are disconnected. Secondly, the United States, right now, in our opinion, does not engage in enough proactive diplomacy on this issue. Third, the United States should be able to advise and support other countries in the development of their own child welfare systems. We know we have made so many mistakes in the United States. We hate to see countries making similar mistakes. Some of those mistakes would be terminating parental rights, not being aggressive enough in seeking placement within extended families, separating siblings in placement, and then, the worst of all—if those things aren't bad enough—the worst of all, leaving children who have had their parental rights terminated basically stuck in limbo for 10 or 12 or 14, and in some extreme cases, 18 years in foster care where they never have a permanent parent or a permanent family to call their own.

I would remind my colleagues, because I continue to remind myself, that a child is never too old to need a parent. We all think of adoption as adopting infants or toddlers or school-aged children, but I would suggest to this body and to those listening that you are never too old to need a father or a mother. At the age of 54, I continue to talk to my parents regularly. They

continue to give me advice and counsel. I have been blessed to have grandparents well into my adult life. The thought of a child growing up at any age—18, 20, 5, 12—without any permanent attachment to a family is tragic. The fact is there are methods and resources we can bring to bear to change that outcome for the millions of orphans who are in the world in our own country and around the world. That is what this office does.

The primary functions will be to act as a primary adviser to the Secretary of State and to the President to provide diplomatic representation, to develop an evidence-based, comprehensive global strategy, to support foreign governments through sound policy and technical assistance, to develop best practices with cultural sensitivity, and to support in-country family preservation, reunification, and permanency as primary solutions, using domestic adoption and international adoption as basically the last possibilities.

One of the most important things in the bill is to conduct a census because we don't know how many orphans there are in the world and in what countries. Until we get a handle on the numbers, it is very hard to find appropriate solutions and to mobilize the world community to act.

I contend there are millions and millions and millions of families who are able and willing and ready to take in orphans, to build their family through adoption, to add to the blessing of biological children, children who have come to their families through adoption. I have had personal experience myself with that issue. I am excited about the possibility of coordinating this effort and can think of no better person than Secretary Hillary Clinton to provide the leadership to establish this office as the Congress seeks to fund it and provide the resources to make it work.

So that is a description of the Families for Orphans Act. It is a bipartisan bill. We are getting extremely exciting feedback from our colleagues in the House. Representative DIANE WATSON from California and Representative JOHN BOOZMAN from Arkansas have introduced an identical bill, so we are very encouraged by the work the House has done on this subject and look forward to a quick hearing and quick passage.

By Mr. BURRIS:

S. 1463. A bill to amend the Public Health Service Act to establish a National Organ and Tissue Registry Resource Center, to authorize grants for State organ and tissue donor registries, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. BURRIS. Mr. President, today I rise to speak on the subject of organ donation. Every day in this country, 17 people die while waiting for a donated organ. Typically, people wait 3 to 5 years before an organ becomes avail-

able, and the organ waiting list grows at a rate five times faster than donations.

What we need are improvements to the organ donor registry system, to increase efficiency and share best practices between states. The Everson Walls and Ron Springs Gift for Life Act of 2009 is named in honor of two close friends and former NFL teammates, one of whom may not be here today were it not for the incredible generosity of “living organ donation.” Ron's struggle with diabetes led to the failure of both kidneys. Everson's decision to give Ron one of his kidneys, led them both to create the Gift for Life Foundation. The group spreads awareness of organ donation issues, particularly among minority communities, who suffer disproportionately from the organ shortage.

This act will establish a National Organ and Tissue Donor Registry Resource Center to provide technical assistance to state donor registries. The center will also serve as a State registry information clearinghouse for the evaluation and development of best practices for donor registries nationwide. Further, the act will codify minimum operating standards for donor registries, and establish a grant program to develop, expand, and evaluate State donor registries. Finally, the act will create a study on the feasibility of establishing a living donor database in order to track the short and long-term health effects for such individuals.

I urge the Senate to take action on this important issue. We must improve the functioning of our organ donation system. Thousands of lives hang in the balance.

By Mr. ISAKSON. (for himself, Mr. DODD, Mr. CHAMBLISS, and Mr. BURRIS):

S. 1465. A bill to amend the Child Care and Development Block Grant Act of 1990 to require child care providers to provide to parents information regarding whether such providers carry liability insurance; to the Committee on Health, Education, Labor, and Pensions.

Mr. ISAKSON. Mr. President, it was September 9, 2001, in Augusta, GA, when Jackie Boatwright, on her way home from church, got a horrific call on her cell phone. The little boy, Anthony DeJuan Boatwright, then 14 months of age that she had dropped off at day care in the morning had been rushed to the hospital.

Upon her arrival at the hospital, a doctor gave her the grim news. He said, “It appears your son has suffered a near drowning accident from falling into a bucket of mop water containing bleach. He has been without a pulse for more than an hour but we have managed to get a heartbeat. It is not a strong one right now but we have one.”

Today, nearly 8 years later, Juan now resides with his wonderful mother Jackie. He is semi-comatose and dependent on a ventilator.

The child care center where Juan was injured was licensed, but not insured. At the time, there was no way for Jackie or other parents to know the insurance status of child care providers.

Today, Senators DODD, CHAMBLISS, BURRIS and I introduce straight-forward, bipartisan legislation that will require day care centers to disclose whether or not they carry appropriate insurance for the facility.

The House of Representatives has passed this legislation multiple times, but now we in this body take our turn to simultaneously both honor young Juan and provide parents with much-needed information about child care facilities.

It is time this body passed this legislation and sent it on to President Obama for his signature.

I urge my colleagues to support this legislation.

By Mr. WEBB (for himself and Mr. BROWN):

S. 1468. A bill to increase access to adult education to provide for economic growth; to the Committee on Finance.

Mr. WEBB. Mr. President, today I am introducing, with great pride, the Adult Education and Economic Growth Act of 2009. I wish to point out that I and my staff have been working on this legislation for more than a year. It is designed to address a problem that we quite frankly do not spend enough attention on, I think, as we discuss the challenges of education in America. This is not the problem that is often discussed with respect to technical degrees or how we can compete with foreign countries in the number of engineers we are putting out, with those sorts of issues. It is the question of how we can assure basic competencies at the working level of a lot of American companies. I have started calling this the Second Chance Act for Education. There are a lot of people in this country who, for a variety of reasons, when they are in their teens or their late teens, cease their educational pursuits even before they finish high school. Perhaps someone might have a child, or get in trouble with the law, or get an independent streak and decide to leave school. Then when you get to the age of say 30 or beyond, you realize the disadvantage you have in attempting to compete in the marketplace.

There are very few provisions in our law and in our policies that address this situation. This bill is designed to address it. We seek to reform and increase investment in what we call adult education, which is that span of education that will bring people beyond a high school degree and hopefully into postsecondary education. We are looking at job training and other workforce programs that we need as a country to build a 21st century workforce. I am pleased to be joined in this initiative as a principal cosponsor with Senator SHERROD BROWN. By almost any measure, our Nation faces a crit-

ical need to strengthen existing programs of adult education. Our current adult education system falls far short in preparing our people to compete in the global marketplace. In fact, it is estimated that only 2½ million of the 93 million people who could benefit from these types of services are actually receiving them today.

The American labor market has changed dramatically with the advent of new technology and with the loss of jobs in our manufacturing sector. The need for well-trained and highly skilled workers is obvious. It has increased. At the same time our adult education system, which should be effectively preparing low-skilled workers to meet the demands in this shifting economy, has not kept pace.

Since 2002, the Federal Government has consistently decreased spending on adult education. In addition, the Nation's primary Federal resource for adult education, job training and employment services, the Workforce Investment Act, has not been reauthorized for more than 10 years. One can imagine how the American economy and the American workforce has changed over the last 10 years.

There are other signs pointing to the need for a better approach to adult education. If we look at adult education enrollment rates, in 1998, there were more than 4 million individuals enrolled in these types of programs. By 2007, that number had dropped to only 2 million, basically a 40-percent drop from when the Workforce Investment Act was originally enacted.

One of the largest barriers to economic growth in many communities is the lack of a skilled workforce, particularly those with entry-level skills. It is critical that we increase the number of individuals who obtain a high school diploma and encourage them to go forward into postsecondary education. I am sure we can all agree that the best economic tool for any community is a well-educated, skilled workforce. A growing number of American skilled workers right now are facing retirement age, and the growth in skilled labor has actually stagnated. If we continue along the current path, we will see only a 19-percent increase in the number of postsecondary education equipped native-born workers, which is about one-seventh the rate of growth during the past two decades. By comparison, countries such as China and India are doubling and tripling the number of college graduates in their countries.

According to the Workforce Alliance, 80 percent of the jobs in today's economy require some sort of education past a high school degree, yet there are 8 million adults in the workforce today who have low literacy, limited English proficiency, or lack educational credentials beyond high school. With so many workers who are unemployed or underemployed, it is clear that we should be investing in the training or retraining of American workers to fill

this growing gap. Our legislation begins that vital task by addressing these problems.

Today we are proposing a two-pronged approach to strengthen the Nation's workforce. First, we want to build on ramps for American workers who got off track, perhaps, in their teens and need new skills and a better education in order to improve their lives. Just as importantly, we want to encourage employers to help them by offering tax credits to businesses that invest in these employees. Our government has long provided employers with limited tax credits when they help their employees go to college or to graduate school. It is basic logic, and I believe to the national good, that we should provide similar incentives for this type of adult education.

This bill authorizes a rather modest \$500 million increase in funding to invigorate State and local adult education programs nationwide in order to increase the number of adults with a high school diploma. As a result, the bill will inevitably increase the number of high school graduates who go on to college and update and expand the job skills of the American workforce writ large. All of this is relevant to my longstanding personal goal of promoting basic economic fairness in our society.

Other provisions in the bill will improve workers' readiness to meet the demands of a global workforce by providing pathways to obtain basic skills, job training, and adult education. It will provide workers with greater access to on-the-job training in adult education by encouraging public-private partnerships between government, business, and labor. It will increase the use of technology in workforce skills training. It will improve access to correctional educational programs to channel former offenders into productive endeavors and to reduce recidivism. It will encourage investment in lower-skilled workers by providing employers with a tax credit if they invest in their employees' education. This tax credit is aimed at encouraging general and transferable skills development that may be in the long-term interest of most of its employers but are not always so clearly rewarded by the marketplace.

This act focuses on addressing the unique needs of adults with limited basic skills, with no high school diploma, or with limited English proficiency. Those individuals who may have taken a different path early in their lives and who now find themselves eager to go back to school and receive additional job training and skills should be provided opportunities to get back on track.

My legislation also would bolster the President's just announced goal of ensuring that 5 million more Americans graduate from communities college by 2020 and updating curriculum to keep up with the skills needed in today's workforce.

I encourage my colleagues to support this important endeavor. I am very proud of the work my staff has done on this for more than a year. Our Nation's workforce and local communities will be stronger for it. It is my hope that this legislation could be passed in a timely manner.

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. 1468

*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 "Adult Education and Economic Growth Act of 2009".

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) In order to remain competitive in today's global economy, the United States must reverse the trend of underinvestment in adult education and workforce development and empower its workforce through adequate resources and effective and innovative educational and workforce programs. Since 1979, investments in adult education and workforce development programs have declined in real terms by more than 70 percent.

(2) Current Federal adult basic education programs serve less than 3,000,000 individuals a year. Some States have experienced difficulties integrating adult education public job training and career and technical education programs that could help these individuals meet specific industry demand while advancing along a career path.

(3) In 2007, more than 25,000,000 adults ages 18 through 64 had no high school credential. Every year, 1 in 3 young adults—more than 1,200,000 people—drop out of high school.

(4) Employers need highly-skilled workers to be able to compete globally. Between 2004 and 2014, 24 of the 30 fastest-growing occupations are projected to demand workers with some form of postsecondary education or training. Yet nearly half of the United States workforce has a high school diploma or less.

(5) Technology and globalization, coupled with the unfolding economic recession, are rendering low-wage and low-skill workers particularly vulnerable. Unemployment is highest among those without a college degree and has grown at a faster rate among this group since the start of the economic recession in December 2007.

(6) According to the Bureau of Labor Statistics, the unemployment rate for individuals age 25 and older who have less than a high school diploma has risen from 7.5 percent in December 2007 to 14.8 percent in April 2009. The unemployment rate for high school graduates with no college degree has increased from 4.6 percent to 9.3 percent. The unemployment rate for high school graduates with some college experience or an associate degree has risen from 3.7 percent to 7.4 percent.

(7) The United States ranks 11th among OECD countries in percent of young adults with a high school diploma—the only country in which younger adults are less educated than the previous generation.

(8) In 2006, 18,400,000 adults spoke English "less than very well", according to the United States Census Bureau (2006 American Community Survey). Of these adults, 8,200,000 held no high school credential and 5,000,000 had completed high school but were not college or job ready.

(9) Although 88,000,000 adults ages 18 to 64 have a high school diploma or less, or limited English proficiency, funding for programs authorized under the Workforce Investment Act of 1998 for adults, dislocated workers, and youth declined by about 12 percent between 2000 and 2007.

(10) According to the National Commission on Adult Literacy, 1 in every 100 adults in the United States 16 and older is in prison or jail in the United States. About 43 percent do not have a high school diploma or its equivalent, and 56 percent have very low literacy skills. Ninety-five percent of incarcerated individuals return to our communities.

(11) In order to meet the needs of the workforce, there must be a strong connection between the adult education and workforce development system, in order to better meet the needs of limited English proficient job seekers and those with basic skills deficiencies. For example, in program year 2006, less than 1 percent of individuals who exited the title I adult program under the Workforce Investment Act of 1998 were co-enrolled in adult education.

(12) Workforce development programs, including adult education, throughout the Federal Government and the States are not aligned well, limiting their capacity to leverage resources, to provide full and appropriate access to services, and to provide reliable and comparable data related to activities and outcomes across the programs.

(13) In the current economic climate, it is imperative that the United States invest in the education, training, and development of all workers in the United States who are unemployed or underemployed, to help fill the labor demands of the United States so that they do not look elsewhere to find skilled workers.

**SEC. 3. PURPOSES.**

The purposes of this Act are the following:

(1) To increase access substantially to adult education, literacy, and workplace skills services for adults who have limited basic skills, lack a high school diploma or its equivalent, or are limited English proficient.

(2) To create seamless pathways from adult education and occupational skills development to postsecondary education or training and workforce development programs and services that help adult learners persist throughout the pipeline from the lowest levels of basic literacy or English language proficiency to the achievement of a level of proficiency that will enable the adult learner to successfully transition to family-sustaining jobs in careers with the promise of advancement.

(3) To develop an adult education, literacy, and work skills system that coordinates and integrates adult education, literacy, and workplace skills services with workforce development and postsecondary education and training opportunities across agencies and programs.

(4) To greatly improve outcomes for adults receiving adult education, literacy, and workplace skills services in terms of learning gains, acquisition of basic workforce skills, accelerated learning, acquisition of a high school diploma or its equivalent, or successful transition to postsecondary education or training or to family-sustaining jobs in the workplace.

**TITLE I—WORKFORCE INVESTMENT SYSTEMS**

**SEC. 101. DEFINITIONS.**

Section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801) is amended by adding at the end the following:

"(54) INTEGRATED EDUCATION AND TRAINING.—The term 'integrated education and training' means training that combines education or training for a specific occupation

or occupational cluster with English literacy instruction or other adult education, literacy, and workplace skills activities, including programs that provide for dual or concurrent enrollment.

"(55) CAREER PATHWAY.—The term 'career pathway' means a high quality, rigorous, engaging set of education, training, and workplace experiences that—

"(A) align adult education, job training, postsecondary education, or occupational training to create a pathway to attaining a recognized postsecondary education credential that will qualify an individual for career advancement in projected employment opportunities identified in the State plan under section 112;

"(B) include advising and counseling to support the development of individual education and career plans; and

"(C) lead to a secondary school diploma or its recognized equivalent (for individuals who have not completed secondary school), a postsecondary degree, a registered apprenticeship or another recognized occupational certification, a certificate, or a license.

"(56) WORKPLACE SKILLS.—The term 'workplace skills' means the combination of basic skills, critical thinking skills, and self management skills with competency in utilizing resources, using information, working with others, understanding systems, working with technology, and other skills necessary for success in the workplace.

"(57) REGISTERED APPRENTICESHIP PROGRAM.—The term 'registered apprenticeship program' means an industry skills training program at the postsecondary level that combines technical and theoretical training through structured on-the-job learning with related instruction (in classrooms or through distance learning) while an individual is employed, working under the direction of qualified personnel or a mentor, and earning incremental wage increases aligned to enhanced job proficiency, resulting in the acquisition of a nationally recognized and portable certificate, under a plan approved by the Office of Apprenticeship or a State agency recognized by the Department of Labor."

**SEC. 102. PURPOSE.**

Section 106 of the Workforce Investment Act of 1998 (29 U.S.C. 2811) is amended by inserting "adult education and" before "workforce investment systems".

**SEC. 103. STATE WORKFORCE INVESTMENT BOARDS.**

Section 111 of the Workforce Investment Act of 1998 (29 U.S.C. 2821) is amended—

(1) in subsection (b)(1)(C)—

(A) in clause (vi)(II), by striking "and" after the semicolon;

(B) by redesignating clause (vii) as clause (viii); and

(C) by inserting after clause (vi) the following:

"(vii) the lead State agency officials with responsibilities for the programs and activities carried out under title II; and"; and

(2) in subsection (d)(2), by inserting "adult education and" before "workforce investment system".

**SEC. 104. STATE PLAN.**

Section 112 of the Workforce Investment Act of 1998 (29 U.S.C. 2822) is amended—

(1) in subsection (a), by inserting "and aligns with the State plan described in section 224" before the period at the end; and

(2) in subsection (b)—

(A) in paragraph (4)—

(i) in subparagraph (B), by inserting "academic levels and" before "job skills";

(ii) in subparagraph (C), by striking "and" after the semicolon;

(iii) in subparagraph (D), by striking "State;" and inserting "State, including education, training, and registered apprenticeship programs and their relationship to

such career opportunities and skills and economic development needs; and"; and

(iv) by adding at the end the following:

“(E) the integrated education and training activities that will be integrated and aligned with workforce programs and services under this title, and the State’s efforts to increase the number of participants concurrently enrolled in adult education services under title II and training and employment activities under this title;”.

(B) in paragraph (8)—

(i) in subparagraph (A)(x), by striking “and” after the semicolon;

(ii) in subparagraph (B), by striking the semicolon and inserting “, including performance on the core indicators described in section 212; and”; and

(iii) by adding at the end the following:

“(C) a description of any integrated data systems used to track performance outcomes over time for the participants in the programs and activities described in subparagraph (A);”;

(C) in paragraph (9), by striking “businesses and representatives of labor organizations” and inserting “businesses, representatives of labor organizations, and representatives of education and training (including adult education providers, postsecondary education providers, and training providers)”; and

(D) in paragraph (17)(A)(iv), by adding “, including individuals receiving services under title II” after “disabilities)”.

#### SEC. 105. LOCAL WORKFORCE INVESTMENT BOARDS.

Section 117(h)(2)(A) of the Workforce Investment Act of 1998 (29 U.S.C. 2832(h)(2)(A)) is amended—

(1) in clause (v), by striking “and” after the semicolon; and

(2) by inserting after clause (vi), the following:

“(vii) representatives of adult education; and”.

#### SEC. 106. LOCAL PLAN.

Section 118(b)(1) of the Workforce Investment Act of 1998 (29 U.S.C. 2833(b)(1)) is amended—

(1) in subparagraph (B), by striking “and” after the semicolon;

(2) in subparagraph (C), by inserting “academic levels and” before “job skills”; and

(3) by adding at the end the following:

“(D) the type and availability of workforce investment activities in the local area, including education, training, and registered apprenticeship programs and their relationship to such business, job seeker, and worker needs, employment opportunities, and economic development needs; and

“(E) the integrated education and training activities that will be carried out under this title or title II and the alignment of those activities.”.

#### SEC. 107. USE OF FUNDS FOR YOUTH ACTIVITIES.

Section 129 of the Workforce Investment Act of 1998 (29 U.S.C. 2854) is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking “and” after the semicolon;

(B) in paragraph (6), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(7) to provide opportunities for career pathways for eligible youth.”; and

(2) in subsection (c)—

(A) in paragraph (1)(C)—

(i) in clause (iii), by striking “and” after the semicolon;

(ii) in clause (iv)(II), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following:

“(v) opportunities for career pathways; and

“(vi) for the completion of secondary school, in appropriate cases.”; and

(B) in paragraph (2)—

(i) in subparagraph (I), by striking “and” after the semicolon;

(ii) in subparagraph (J), by striking the period and inserting “; and”; and

(iii) by adding at the end the following:

“(K) dual enrollment opportunities.”.

#### SEC. 108. USE OF FUNDS FOR EMPLOYMENT AND TRAINING ACTIVITIES.

Section 134(d) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(d)) is amended—

(1) in paragraph (3)(A)(i)(I), by striking “and are unable to obtain employment through core services provided under paragraph (2)”; and

(2) in paragraph (4)—

(A) in subparagraph (A)(i), by striking “and who are unable to obtain or retain employment through such services”;

(B) in subparagraph (D)—

(i) in clause (viii), by striking “and” after the semicolon;

(ii) in clause (ix), by striking the period and inserting “; and”; and

(iii) by adding at the end the following:

“(x) integration of adult education and training.”; and

(C) in subparagraph (G)(ii)—

(i) in subclause (II), by striking “or” after the semicolon;

(ii) in subclause (III), by striking the period and inserting “; or”; and

(iii) by adding at the end the following:

“(IV) the local board determines that it would facilitate the training of multiple individuals in high-demand occupations; or

“(V) the local board determines that it would facilitate the provision of integrated education and training programs.”.

#### SEC. 109. PERFORMANCE ACCOUNTABILITY SYSTEM.

Section 136(b)(2)(A) of the Workforce Investment Act of 1998 (29 U.S.C. 2871(b)(2)(A)) is amended—

(1) in clause (i)—

(A) in the matter preceding subclause (I), by striking “and (for participants who are eligible youth age 19 through 21) for youth activities authorized under section 129”; and

(B) in subclause (IV)—

(i) by inserting “and performance on the core indicators described in section 212, as appropriate” after “recognized equivalent”; and

(ii) by striking “, or by participants who are eligible youth age 19 through 21 who enter postsecondary education, advanced training, or unsubsidized employment”; and

(2) in clause (ii)—

(A) in the matter preceding subclause (I), by striking “(for participants who are eligible youth age 14 through 18)”;

(B) in subclause (I), by striking “and, as appropriate, work readiness or occupational skills” and inserting “, workplace skills, or occupation skills, as appropriate”;

(C) in subclause (II), by striking “and” after the semicolon;

(D) in subclause (III), by striking the period and inserting “; and”; and

(E) by adding at the end the following:

“(IV) performance on measures described in subclauses (I), (II), and (III) of clause (i) by youth 18 years of age and older.”.

#### SEC. 110. DEMONSTRATION AND PILOT PROJECTS.

Section 171(b)(1) of the Workforce Investment Act of 1998 (29 U.S.C. 2916(b)(1)) is amended—

(1) in subparagraph (G), by striking “and” after the semicolon;

(2) in subparagraph (H), by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

“(I) projects that assist low skill and limited English proficient workers to acquire the basic, English, work readiness, and ap-

plied technical or occupational skills through integrated education and training programs to successfully transition to postsecondary education, workforce development, and employment in career pathways; and

“(J) projects that test effective ways to develop comprehensive career pathways learning approaches that fully align adult education with secondary education, postsecondary education, including registered apprenticeship programs, workforce development, and supportive service activities, and with regional economic development strategies to meet the skill needs of existing and emerging regional employers as well as the needs of low skilled adults, helping adults, especially those who are low skilled, to advance through progressive levels of education and training as quickly as possible and gain education and workforce skills of demonstrated value to the labor market at each level.”.

### TITLE II—ADULT EDUCATION, LITERACY, AND WORKPLACE SKILLS

#### SEC. 201. PURPOSE.

Section 202 of the Adult Education and Family Literacy Act (20 U.S.C. 9201) is amended—

(1) in paragraph (1), by inserting “and postsecondary education or training” after “self-sufficiency”;

(2) in paragraph (2), by striking “and” after the semicolon;

(3) in paragraph (3)—

(A) by inserting “and transition to postsecondary education and career pathways” after “education”; and

(B) by striking the period and inserting “; and”;

(4) by adding at the end the following:

“(4) assist adults with limited English proficiency in improving their reading, writing, speaking, listening, and comprehension skills in English and mathematical skills and acquiring an understanding of the American system of government, individual freedom, and the responsibilities of citizenship.”.

#### SEC. 202. DEFINITIONS.

(a) IN GENERAL.—Section 203 of the Adult Education and Family Literacy Act (20 U.S.C. 9202) is amended—

(1) by redesignating paragraphs (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), and (18), as paragraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), (15), (16), (17), (18), (19), (20), and (21), respectively;

(2) by inserting after paragraph (2) the following:

“(3) CAREER PATHWAY.—The term ‘career pathway’ has the meaning given the term in section 101 of the Workforce Investment Act of 1998.”;

(3) in paragraph (6), as redesignated by paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting “an organization that has demonstrated effectiveness in providing adult education, literacy, and workplace skills activities that may include” after “means”;

(B) in subparagraph (B), by striking “of demonstrated effectiveness”;

(C) in subparagraph (C), by striking “of demonstrated effectiveness”;

(D) in subparagraph (H), by striking “and” after the semicolon;

(E) in subparagraph (I), by striking the period and inserting “; and”;

(F) by adding at the end the following:

“(J) a partnership between an entity described in any of subparagraphs (A) through (I) and an employer.”;

(4) in paragraph (8), as redesignated by paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting “the economic prospects for” after “sustainable changes in”; and

(ii) by inserting “and that better enable parents to support their children’s learning needs” after “a family”;

(B) by redesignating subparagraphs (A) through (D) as subparagraphs (B) through (E), respectively; and

(C) by inserting before subparagraph (B), as redesignated by subparagraph (B), the following:

“(A) Parent adult education, literacy, and workplace skills activities that lead to readiness for postsecondary education or training, career advancement, and economic self-sufficiency.”;

(5) by inserting after paragraph (12), as redesignated by paragraph (1), the following:

“(13) INTEGRATED EDUCATION AND TRAINING.—The term ‘integrated education and training’ has the meaning given the term in section 101 of the Workforce Investment Act of 1998.

“(14) INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION PROGRAM.—The term ‘integrated English literacy and civics education program’ means programs of instruction designed to help an individual of limited English proficiency achieve competence in English through contextualized instruction on the rights and responsibilities of citizenship, naturalization procedures, civic participation, and United States history and Government to help such an individual acquire the skills and knowledge to become an active and informed parent, worker, and community member.”; and

(6) by adding at the end the following:

“(22) WORKPLACE SKILLS.—The term ‘workplace skills’ has the meaning given the term in section 101 of the Workforce Investment Act of 1998.”.

(b) CONFORMING AMENDMENT.—Section 173A(b)(8) of the Workforce Investment Act of 1998 (29 U.S.C. 2918a(b)(8)) is amended by striking “section 203(10) of the Adult Education and Family Literacy Act (20 U.S.C. 9202(10))” and inserting “section 203(11) of the Adult Education and Family Literacy Act (20 U.S.C. 9202(11))”.

#### SEC. 203. AUTHORIZATION OF APPROPRIATIONS.

Section 205 of the Adult Education and Family Literacy Act (20 U.S.C. 9204) is amended to read as follows:

#### “SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this title \$850,000,000 for fiscal year 2010 and such sums as may be necessary for each succeeding fiscal year.”.

#### SEC. 204. RESERVATION OF FUNDS; GRANTS TO ELIGIBLE AGENCIES; ALLOTMENTS.

Section 211 of the Adult Education and Family Literacy Act (20 U.S.C. 9211) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “\$8,000,000” and inserting “\$15,000,000”;

(B) in paragraph (2)—

(i) by striking “1.5 percent” and inserting “1.25 percent”;

(ii) by striking “\$8,000,000” and inserting “\$12,000,000”; and

(iii) by striking “and” after the semicolon;

(C) in paragraph (3), by striking the period and inserting “; and”; and

(D) by adding at the end the following:

“(4) shall reserve 12 percent to carry out section 244.”; and

(2) in subsection (d), by striking paragraphs (1) through (4) and inserting the following:

“(1)(A) is at least 16 years of age;

“(B) is beyond the age of compulsory school attendance under the law of the State or outlying area;

“(C) does not have a secondary school diploma or its recognized equivalent; and

“(D) is not enrolled in secondary school; or

“(2) is an individual—

“(A) described in each of subparagraphs

(A), (B), and (D) of paragraph (1); and

“(B) who is limited English proficient.”.

#### SEC. 205. PERFORMANCE ACCOUNTABILITY SYSTEM.

Section 212(b) of the Adult Education and Family Literacy Act (20 U.S.C. 9212(b)) is amended—

(1) in paragraph (1)(A)—

(A) in clause (i), by inserting “and the employment performance indicator described in paragraph (2)(B)” after “paragraph (2)(A)”; and

(B) in clause (ii), by striking “paragraph (2)(B)” and inserting “paragraph (2)(C)”;

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) in clause (ii), by striking “in, retention in” and all that follows through the period at the end and inserting “in postsecondary education, including registered apprenticeship, or other skill training programs.”; and

(ii) by adding at the end the following:

“(iv) Attainment of work readiness, workforce skills, and certificates that are nationally or industry recognized or approved by the State board or local board, as appropriate.”;

(B) by redesignating subparagraph (B) as subparagraph (D);

(C) by inserting after subparagraph (A) the following:

“(B) EMPLOYMENT PERFORMANCE INDICATOR.—Consistent with applicable Federal and State privacy laws—

“(i) an eligible agency shall identify in the State plan an individual participant employment performance indicator, which shall be entry into employment; and

“(ii) the State agency responsible for maintaining and analyzing the data described in clause (i) shall assist the eligible agency in obtaining and using quarterly wage records to collect such data.

“(C) TECHNOLOGY LITERACY INDICATOR.—Beginning in 2013, an eligible agency shall include a technology literacy indicator in its performance measure.”; and

(D) by striking subparagraph (D), as redesignated by subparagraph (B), and inserting the following:

“(D) ADDITIONAL INDICATORS.—An eligible agency may identify in the State plan additional indicators, including customer feedback, for adult education, literacy, and workplace skills activities authorized under this subtitle.”; and

(3) in paragraph (3)(B)—

(A) in the heading, by inserting “AND EMPLOYMENT PERFORMANCE INDICATOR” after “INDICATORS”; and

(B) by striking “paragraph (2)(B)” and inserting “paragraph (2)(C) and for the employment performance indicator described in paragraph (2)(B)”.

#### SEC. 206. STATE DISTRIBUTION OF FUNDS; MATCHING REQUIREMENT.

Section 222(a) of the Adult Education and Family Literacy Act (20 U.S.C. 9222(a)) is amended—

(1) in paragraph (1)—

(A) by striking “not more than 10” and inserting “not less than 10”; and

(B) by striking “82.5 percent” both places the term appears and inserting “80 percent”; and

(2) in paragraph (2), by striking “12.5 percent” and inserting “15 percent”.

#### SEC. 207. STATE LEADERSHIP ACTIVITIES.

Section 223(a) of the Adult Education and Family Literacy Act (20 U.S.C. 9223(a)) is amended to read as follows:

(a) ACTIVITIES.—

“(1) REQUIRED ACTIVITIES.—Each eligible agency shall use funds made available under section 222(a)(2) for the following adult education, literacy, and work readiness skills activities:

“(A) The establishment or operation of professional development programs to improve the quality of instruction provided pursuant to local activities required under section 231(b).

“(B) The provision of technical assistance to eligible providers of adult education, literacy, and workplace skills activities to enable them to fulfill the purpose of this title, as described in section 202.

“(C) The monitoring and evaluation of adult education and related activities to determine what works and broadly disseminate information about models and best practices and tools within the State.

“(D) The provision of technology assistance, including staff training, to eligible providers of adult education, literacy, and workplace skills activities to enable the eligible providers to improve the quality of such activities.

“(E) Coordination with the workforce investment systems supported under title I.

“(2) PERMISSIBLE ACTIVITIES.—Each eligible agency may use funds made available under section 222(a)(2) for 1 or more of the following adult education, literacy, and workplace skills activities:

“(A) The support for State or regional networks of literacy resource centers.

“(B) Incentives for program coordination and integration, and performance awards.

“(C) Developing and disseminating curricula for postsecondary and job training readiness, including curricula for using technology for distance learning and for instructional and teacher training purposes.

“(D) Coordination with existing support services, such as transportation, child care, and other assistance designed to increase rates of enrollment in, and successful completion of, adult education, literacy, and workplace skills activities, to adults enrolled in such activities.

“(E) Developing innovative content and models for integrated education and training programs.

“(F) Developing innovative content and models to foster the transition to postsecondary education and career pathways.

“(G) Linkages with postsecondary educational institutions.

“(H) Linkages with community-based organizations.

“(I) Support for recruitment and outreach for instructors, students, and employers.”.

#### SEC. 208. STATE PLAN.

Section 224 of the Adult Education and Family Literacy Act (20 U.S.C. 9224) is amended—

(1) in subsection (b)—

(A) in paragraph (11), by striking “and” after the semicolon;

(B) in paragraph (12), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(13) a description of the knowledge and skills necessary for acceptance in postsecondary education and training;

“(14) a description of any certification or other requirements for instructors in eligible adult education, literacy, and workplace skills program providers in the State;

“(15) a description of the professional development needs of adult education, literacy, and workplace skills providers in the State;

“(16) a description of how the State will—

“(A) use technology to improve the quality of adult education, literacy, and workplace skills services; and

“(B) expand access to such services for workers and students;

“(17) a description of how the State will carry out programs described in section 244;“

“(18) a description of the data system that the State will use to track over time student outcomes on the performance measures described in section 212;“

“(19) a description of the State’s program to invest in the skills of workers, including plans for involving business as an active partner in the effort; and“

“(20) a description of how the adult education programs will be integrated with occupational skills programs and aligned with postsecondary education, career, and technical education, workforce development programs, and other Federal funds available under title I and other relevant Federal programs.”;

(2) by striking subsection (e) and inserting the following:

“(e) PEER REVIEW AND PLAN APPROVAL.—The Secretary shall—

“(1) establish a peer review process to assist in the review and approval of State plans;“

“(2) in consultation with the National Institute for Adult Education, Literacy, and Workplace Skills, appoint individuals, representing the range of stakeholders, to the peer-review process, including—

“(A) representatives of adult learners, adult education, literacy, and workplace skills providers, eligible agencies, State educational agencies, institutions of higher education, representatives of local or State workforce investment boards; and“

“(B) experts in the fields of adult education, literacy, and workplace skills;“

“(3) approve a State plan within 120 days after receiving the plan, unless the Secretary makes a written determination, within 30 days after receiving the plan, that the plan does not meet the requirements of this section or is inconsistent with specific provisions of this subtitle; and“

“(4) not finally disapprove of a State plan before offering the eligible agency the opportunity, prior to the expiration of the 30-day period beginning on the date on which the eligible agency received the written determination described in paragraph (3), to revise the plan, and providing technical assistance in order to assist the eligible agency in meeting the requirements of this subtitle.”;

and

(3) by striking subsections (f) and (g).

**SEC. 209. PROGRAMS FOR CORRECTIONS EDUCATION AND OTHER INSTITUTIONALIZED INDIVIDUALS.**

Section 225 of the Adult Education and Family Literacy Act (20 U.S.C. 9225) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by striking “and” after the semicolon at the end;

(B) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(5) integrated education and training programs;

“(6) career pathways programs;

“(7) dual enrollment programs; and“

“(8) preparation for postsecondary education and training.”;

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following:

“(d) REPORT.—In addition to any report required under section 212(c), each eligible agency that receives assistance provided under this section shall annually prepare and submit to the Secretary a report on the progress, as described in section 212(c)(1), of the eligible agency with respect to the programs and activities of the eligible entity receiving assistance under this section.”.

**SEC. 210. GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS.**

Section 231(b)(1) of the Adult Education and Family Literacy Act (20 U.S.C. 9241(b)(1)) is amended to read as follows:

“(1) Adult education, literacy, and workplace skills services, which may include workplace literacy services, integrated education and training services, and transition to postsecondary education and training and career pathways.”;

**SEC. 211. LOCAL APPLICATION.**

Section 232 of the Adult Education and Family Literacy Act (20 U.S.C. 9242) is amended—

(1) in the matter preceding paragraph (1), by inserting “the measurable goals to be accomplished as a result of the grant or contract and” after “including”;

(2) in paragraph (1), by striking “and” after the semicolon;

(3) in paragraph (2), by striking the period and inserting “; and”;

(4) by adding at the end the following:

“(3) a description of how the grantee or contractor will collect data for purposes of reporting performance measures to assess and evaluate the progress of adult education students and activities.”;

**SEC. 212. ADMINISTRATIVE PROVISIONS.**

Section 241 of the Adult Education and Family Literacy Act (20 U.S.C. 9251) is amended by adding at the end the following:

“(c) RULEMAKING.—

“(1) IN GENERAL.—The Secretary shall issue such regulations as are necessary to reasonably ensure compliance with this title.

“(2) CONSULTATION.—Before publishing in the Federal Register proposed regulations to carry out this title, the Secretary shall consult with the Secretary of Labor and obtain the advice and recommendations of representatives of—

“(A) adult learners;

“(B) adult education, literacy, and workplace skills providers;

“(C) eligible agencies;

“(D) State educational agencies;

“(E) institutions of postsecondary education, including community colleges;

“(F) representatives of State and local workforce investment boards;

“(G) other organizations involved with the implementation and operation of programs under this title; and

“(H) community based organizations involved with the implementation and operation of programs under this title.

“(3) MEETINGS AND ELECTRONIC EXCHANGE.—The advice and recommendations described in paragraph (2) may be obtained through such mechanisms as regional meetings and electronic exchanges of information.”;

**SEC. 213. NATIONAL INSTITUTE FOR ADULT EDUCATION, LITERACY, AND WORKPLACE SKILLS.**

Section 242 of the Adult Education and Family Literacy Act (20 U.S.C. 9252) is amended—

(1) by striking the section heading and inserting the following “**NATIONAL INSTITUTE FOR ADULT EDUCATION, LITERACY, AND WORKPLACE SKILLS**”;

(2) by striking subsection (a) and inserting the following:

“(a) PURPOSE.—The purpose of the National Institute for Adult Education, Literacy, and Workplace Skills is to—

“(1) provide national leadership regarding adult education and family literacy;

“(2) coordinate adult education, literacy, and workplace skills services and policy; and

“(3) serve as a national resource for adult education, literacy, and workplace skills programs by—

“(A) providing the best and most current information available;

“(B) providing national leadership on the use of technology for adult education; and

“(C) supporting the creation of new ways to offer adult education, literacy, and workplace skills services of proven effectiveness.”;

(3) in subsection (b)—

(A) in paragraph (1), by striking “National Institute for Literacy” and inserting “National Institute for Adult Education, Literacy, and Workplace Skills”;

(B) in paragraph (2), by striking “separate” and inserting “independent”; and

(C) in paragraph (3), by striking “National Institute for Literacy Advisory Board” and inserting “National Institute for Adult Education, Literacy, and Workplace Skills Advisory Board”;

(4) in subsection (c)(1)—

(A) in subparagraph (A)—

(i) in clause (iii), by striking “and” after the semicolon;

(ii) in clause (iv), by inserting “and” after the semicolon; and

(iii) by adding at the end the following:

“(v) effective practices for integrated English literacy and civics education programs.”;

(B) by striking subparagraph (D) and inserting the following:

“(D) to collect and disseminate information on methods of advancing education and literacy that show great promise for adults eligible for services under this title.”;

(C) by striking subparagraph (E) and inserting the following:

“(E) to provide policy and technical assistance to Federal, State, and local organizations for the improvement of adult education, literacy, and workplace skills services.”;

(D) in subparagraph (G), by inserting “and integrated English literacy and civics education programs” after “workforce investment activities”;

(E) in subparagraph (H), by striking “and” after the semicolon;

(F) in subparagraph (I), by striking the period and inserting a semicolon; and

(G) by adding at the end the following:

“(J) to carry out section 306 of the Adult Education and Economic Growth Act of 2009; and

“(K) not later than 4 years after the date of enactment of the Adult Education and Economic Growth Act of 2009, to conduct an evaluation and submit a report to the Interagency Group, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Education and Labor of the House of Representatives on the effectiveness of programs funded under this title in achieving the purpose described in section 202, which evaluation and report shall include—

“(i) a longitudinal study of outcomes for adult learners served under programs under this title;

“(ii) an analysis of the adequacy of the performance measures identified in section 212; and

“(iii) recommendations for improved performance measures and on how to improve program effectiveness.”; and

(5) in subsection (e)—

(A) in the heading, by striking “**NATIONAL INSTITUTE FOR LITERACY ADVISORY BOARD**” and inserting “**NATIONAL INSTITUTE FOR ADULT EDUCATION, LITERACY, AND WORKPLACE SKILLS ADVISORY BOARD**”; and

(B) in paragraph (1)(A), by striking “National Institute for Literacy Advisory Board” and inserting “National Institute for Adult Education, Literacy, and Workplace Skills Advisory Board”.

**SEC. 214. NATIONAL LEADERSHIP ACTIVITIES.**

Section 243 of the Adult Education and Family Literacy Act (20 U.S.C. 9253) is amended to read as follows:

**SEC. 243. NATIONAL LEADERSHIP ACTIVITIES.**

“The Secretary shall establish and carry out a program of national leadership activities to improve the quality and outcomes of adult education, literacy, and workplace skills programs nationwide. Such activities shall include the following:

“(1) Technical assistance, which may include—

“(A) assistance to eligible providers in developing and using certification systems, performance measures, and data systems for the improvement of adult education, literacy, and workplace skills activities, including family literacy services, transition to postsecondary education or career pathways, and integrated English literacy and civics education programs;

“(B) assistance related to professional development activities and assistance for the purpose of developing, improving, identifying, and disseminating the most successful methods and techniques for providing adult education, literacy, and workplace skills activities, including family literacy services, transition to postsecondary education or career pathways, and integrated English literacy and civics education programs, based on scientific evidence where available; or

“(C) assistance in distance learning and promoting and improving the use of technology in the classroom.

“(2) National demonstration projects for improving adult education, literacy, and workplace skills services, which may include projects that—

“(A) accelerate learning outcomes for adult learners with the lowest literacy levels;

“(B) promote career pathways;

“(C) allow dual enrollment in adult secondary education and credit bearing postsecondary coursework;

“(D) provide integrated education and training services;

“(E) build capacity to enhance the intensity of adult education, literacy, and workplace skills services;

“(F) establish partnerships to improve the quality of and expand adult education, literacy, and workplace skills services to more adults;

“(G) provide professional development opportunities to adult education, literacy, and workplace skills service providers;

“(H) develop new curricula and methods of instruction that improve learning outcomes in adult education, literacy, and workplace skills programs; and

“(I) provide integrated English literacy and civics education program instruction.

“(3) Dissemination of the results and best practices identified in the national demonstration projects described in paragraph (2).

“(4) Program evaluation and data collection and reporting.”.

**SEC. 215. INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION PROGRAMS.**

Chapter 4 of subtitle A of the Adult Education and Family Literacy Act (20 U.S.C. 9251 et seq.) is amended by adding at the end the following:

**SEC. 244. INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION PROGRAMS.**

“(a) IN GENERAL.—From funds reserved under section 211(a)(4) for each fiscal year, the Secretary shall award grants to States, in accordance with the allocations under subsection (b), for integrated English literacy and civics education programs.

“(b) ALLOCATIONS.—

“(1) IN GENERAL.—Subject to paragraph (2), of the funds described in subsection (a), the Secretary shall allocate—

“(A) 65 percent to States on the basis of a State’s need for integrated English and

civics education programs, as determined by calculating each State’s share of a 10-year average of the data compiled by the Office of Immigration Statistics of the Department of Homeland Security, for immigrants admitted for lawful permanent residence for the 10 most recent years; and

“(B) 35 percent to States on the basis of whether the State experienced growth, as measured by the average of the 3 most recent years for which data compiled by the Office of Immigration Statistics of the Department of Homeland Security are available, for immigrants admitted for lawful permanent residence.

“(2) MINIMUM.—No State shall receive an allocation under paragraph (1) for a fiscal year in an amount that is less than \$60,000.”.

**TITLE III—21ST CENTURY TECHNOLOGY AND SKILLS FOR ADULT LEARNERS****SEC. 301. PURPOSES.**

The purposes of this title are the following:

(1) To expand access to adult education services through the use of technology.

(2) To provide professional development for providers of adult education, literacy, and workplace skills services so that they are able to—

(A) effectively use technology in the delivery of adult education, literacy, and workplace skills services; and

(B) improve the quality of instruction and accelerate the—

(i) achievement of basic educational skills, English language literacy, and secondary school equivalency or postsecondary education; and

(ii) training readiness for adult learners.

(3) To assist States in developing a 21st Century delivery system for adult education, literacy, and workplace skills services.

(4) To assist adults in developing technology literacy.

**SEC. 302. DEFINITIONS.**

In this title:

(1) ADULT EDUCATION TERMS.—The terms “adult education”, “eligible agency”, “eligible provider”, “Secretary”, and “State” have the meanings given the terms in section 203 of the Adult Education and Family Literacy Act (20 U.S.C. 9202).

(2) DISTANCE EDUCATION.—The term “distance education” has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(3) INSTITUTE.—The term “Institute” means the National Institute for Adult Education, Literacy, and Workplace Skills established under section 242 of the Adult Education and Family Literacy Act (20 U.S.C. 9252).

(4) TECHNOLOGY LITERACY.—The term “technology literacy” means the knowledge and skills in using contemporary information, communication and learning technologies in a manner necessary for successful lifelong learning and citizenship in the knowledge-based, digital, and global 21st Century, which includes the abilities—

(A) to effectively communicate and collaborate;

(B) to analyze and solve problems;

(C) to access, evaluate, manage, and create information and otherwise gain information literacy; and

(D) to do so in a safe and ethical manner.

**SEC. 303. RESERVATION OF FUNDS AND ALLOCATIONS.**

(a) RESERVATION OF FUNDS.—From the sums appropriated under section 307 for a fiscal year, the Secretary shall reserve 3 percent or \$7,500,000 to carry out section 306, whichever amount is less.

(b) ALLOTMENT OF REMAINDER.—From the sums remaining for a fiscal year after making the reservation under subsection (a), the Secretary shall allot—

(1) 75 percent to carry out section 305;

(2) 20 percent to carry out section 304; and

(3) 5 percent for administrative costs in carrying out section 304.

**(C) ALLOTMENTS TO ELIGIBLE AGENCIES.—**

(1) IN GENERAL.—From the sums available to carry out section 304 for a fiscal year, the Secretary shall allot to each eligible agency with an approved application an amount that bears the same relationship to such sums as the amount received under section 211(c)(2) of the Adult Education and Family Literacy Act (20 U.S.C. 9211(c)(2)) by such eligible agency bears to the amount received under such section for such fiscal year by all eligible agencies.

(2) MINIMUM ALLOTMENT.—No eligible agency shall receive an allotment under paragraph (1) for a fiscal year in amount that is less than \$100,000. If the amount appropriated to carry out section 304 for a fiscal year is not sufficient to pay such minimum allotment, the amount of such minimum allotments shall be ratably reduced.

**SEC. 304. GRANTS TO ELIGIBLE AGENCIES.**

(a) AUTHORIZATION OF GRANTS.—The Secretary shall award grants to eligible agencies from allotments under section 303(b).

**(b) APPLICATION.—**

(1) IN GENERAL.—Each eligible agency that desires to receive a grant under this title shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(2) CONTENTS.—An application submitted under paragraph (1) shall contain the following:

(A) A description of the eligible agency’s technology plan for the adult education system, including measurable goals to be achieved.

(B) A description of how the eligible agency will provide technical assistance and support to local programs.

(C) A description of how the eligible agency will use technology to expand adult education, literacy, and workplace skills services to more adults, including those in rural areas.

(D) A description of the long-term goals and strategies for improved outcomes for adult learners.

(E) A description of the professional development activities to be undertaken.

(F) A description of the performance benchmarks and how data will be collected.

(G) A description of how the eligible agency will ensure that grants or contracts to eligible providers are of sufficient size and scope to achieve the purposes of this title.

(c) ACTIVITIES.—An eligible agency that receives a grant under this title shall carry out the following:

(1) Developing a statewide technology plan for the adult education system.

(2) Providing professional development for adult education, literacy, and workplace skills service providers.

(3) Providing access to curricula, instruction, and assessment for adult learners and eligible providers.

(4) Supporting the development of curricula and assessment tools for adult education, literacy, and workplace skills service providers.

(5) Providing guidance and technical assistance to eligible providers.

(6) Supporting innovative pilot projects such as the use of assistive technology to deliver content to adult learners.

**SEC. 305. GRANTS AND CONTRACTS TO ELIGIBLE PROVIDERS.**

(a) AUTHORIZATION OF GRANTS AND CONTRACTS.—An eligible agency that receives a grant under this title shall award grants and contracts to eligible providers to carry out activities described in this section.

(b) ELIGIBLE PROVIDER APPLICATION.—An eligible provider that desires to receive a grant or contract under this title shall submit an application to an eligible agency, which shall include—

(1) a description of how the eligible provider will integrate technology into the eligible provider's delivery of adult education, literacy, and workplace skills services;

(2) a description of professional development activities to be undertaken; and

(3) a description of plans to regularly replace computers and servers that lack the functional capabilities to process new online applications and services, including video conferencing, video streaming, virtual simulations, and distance education courses.

(c) ELIGIBLE PROVIDER ACTIVITIES.—An eligible provider that receives a grant or contract under this title shall carry out the following:

(1) Acquiring and effectively implementing technology tools, applications, and other resources in conjunction with enhancing or redesigning adult education, literacy, and workplace skills curricula to increase adult learning outcomes and improve adult technology literacy.

(2) Acquiring and effectively implementing technology tools, applications, and other resources to—

(A) conduct on-going assessments and use other timely data systems to more effectively identify individual learning needs and guide personalized instruction, learning, and appropriate interventions that address those personalized student learning needs; and

(B) support individualized learning, including through instructional software and digital content that support the learning needs of each student or through providing access to high quality courses and instructors, especially in rural areas.

(3) Providing professional development activities for providers of adult education, literacy, and workplace skills services that includes—

(A) training that is on-going, sustainable, timely, and directly related to delivering adult education, literacy, and workplace skills services;

(B) training in strategies and pedagogy in the delivery of adult education, literacy, and workplace skills services that involves the use of technology and curriculum redesign as key components of changing teaching and learning and improving outcomes for adult learners;

(C) training in the use of technology to ensure that providers of adult education, literacy, and workplace skills services are able to use technology for data analysis to enable individualized instruction and to use technology to improve technology literacy for adult learners; and

(D) training that includes on-going communication and follow-up with instructors, facilitators, and peers.

(4) Acquisition and implementation of technology tools, applications, and other resources to be employed in professional development activities.

#### SEC. 306. NATIONAL ADULT LEARNING AND TECHNOLOGY RESOURCE CENTER.

(a) IN GENERAL.—The Institute shall establish and maintain the National Adult Learning and Technology Resource Center (referred to in this section as the "Center").

(b) DUTIES OF THE CENTER.—The Center shall—

(1) develop frameworks for technology-based learning and professional development materials for adult education, literacy, and workplace skills;

(2) develop frameworks for performance measures for technology literacy;

(3) provide technical assistance to eligible entities and eligible providers of adult education, literacy, and workplace skills;

(4) support distance education for professional development for eligible entities and eligible providers of adult education, literacy, and workplace skills services;

(5) support the innovative uses of technology, such as the use of assistive technology, to deliver content to adult learners; and

(6) be accessible to the public through the website of the Institute.

#### SEC. 307. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title \$250,000,000 for fiscal year 2010 and such sums as may be necessary for each succeeding fiscal year.

### TITLE IV—RESEARCH IN ADULT EDUCATION

#### SEC. 401. RESEARCH IN ADULT EDUCATION.

(a) IN GENERAL.—Section 133(c)(2)(A) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9533(c)(2)(A)) is amended by inserting "education and" before "literacy".

(b) NATIONAL RESEARCH AND DEVELOPMENT CENTER.—

(1) IN GENERAL.—The Secretary of Education shall direct the Commissioner for Education Research of the National Center for Education Research established pursuant to section 131 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9531) to establish a national research and development center for adult education, literacy, and workplace skills as described in section 133(c)(2)(A) of such Act (20 U.S.C. 9533(c)(2)(A)).

(2) PROVISION FOR EXPANSION OF RESEARCH.—If, as of the date of the enactment of this Act, the Commissioner for Education Research of the National Center for Education Research has established a center for adult literacy in accordance with section 133(c)(2)(A) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9533(c)(2)(A)), the Commissioner shall expand the topic of research of such center to include adult education, in accordance with the amendment made by subsection (a).

### TITLE V—EMPLOYER INCENTIVES

#### SEC. 501. CREDIT FOR EMPLOYER EDUCATIONAL ASSISTANCE PROGRAMS.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

#### “SEC. 45R. CREDIT FOR EMPLOYER EDUCATIONAL ASSISTANCE PROGRAMS.

“(a) GENERAL RULE.—For purposes of section 38, in the case of an employer, the employer educational assistance program credit determined under this section for the taxable year is an amount equal to 50 percent of the qualified educational assistance expenses paid or incurred by the taxpayer to or on behalf of any employee of the taxpayer during the taxable year, regardless if the program is provided at the workplace or outside of the workplace.

##### “(b) LIMITATIONS.—

“(1) PER EMPLOYEE LIMITATION.—The amount of the qualified educational assistance expenses taken into account under subsection (a) with respect to any employee for the taxable year shall not exceed \$5,250.

“(2) TOTAL LIMITATION.—The aggregate amount of the qualified educational assistance expenses taken into account under subsection (a) with respect to all employees of the taxpayer for the taxable year shall not exceed the average of the aggregate qualified educational assistance expenses with respect to all employees of the taxpayer taken into account under subsection (a) in the 3 taxable years preceding such taxable year.

##### “(3) TRANSITION RULE.—

“(A) IN GENERAL.—In the case of a taxable year in which qualified educational assistance expenses of the taxpayer have not been taken into account under subsection (a) for each of the 3 taxable years preceding such taxable year, the aggregate amount of the qualified educational assistance expenses taken into account under subsection (a) with respect to all employees of the taxpayer for such taxable year shall not exceed the average of the sum of—

“(i) the aggregate qualified educational assistance expenses with respect to all employees of the taxpayer taken into account under subsection (a) in any of the 3 taxable years preceding such taxable year, plus

“(ii) the aggregate amount of amounts paid or expenses incurred by the employer, for which an exclusion was allowable to any employee of the employer under section 127, in any of such 3 taxable years in which no expenses were taken into account under subsection (a), plus

“(iii) in the case of a taxable year in which expenses have not been taken into account under subsection (a) or section 127 for each of the 3 taxable years preceding such taxable year, an amount equal to—

“(I) \$5,250, multiplied by

“(II) the number of employees of the taxpayer with respect to which the taxpayer has qualified educational assistance expenses in such taxable year.

“(c) QUALIFIED EDUCATIONAL ASSISTANCE EXPENSES.—For purposes of this section—

“(1) IN GENERAL.—The term 'qualified educational assistance expenses' means expenses paid for educational assistance pursuant to an educational assistance program (within the meaning of section 127(b)).

“(2) EDUCATIONAL ASSISTANCE.—The term 'educational assistance' has the meaning given such term by section 127(c)(1), applied without regard to subparagraph (B) thereof, except that such term includes a payment only if such payment is made with respect to an employee enrolled in a program provided at the workplace or outside of the workplace—

“(A) leading to a sub-baccalaureate degree or career technical certificate awarded by an accredited postsecondary institution; or

“(B) in basic education, workplace skills, or English language training leading to a nationally recognized certificate of proficiency.

“(d) OTHER DEFINITIONS AND SPECIAL RULES.—Rules similar to the rules of paragraphs (2) through (5) of section 127(c) shall apply for purposes of this section.

“(e) DENIAL OF DOUBLE BENEFIT.—No deduction or other credit shall be allowed under this chapter to an employer for any amount taken into account in determining the credit under this section.”.

“(b) CREDIT INCLUDED IN GENERAL BUSINESS CREDIT.—Section 38(b) of the Internal Revenue Code of 1986 is amended by striking “plus” at the end of paragraph (34), by striking the period at the end of paragraph (35) and inserting “, plus”, and by adding at the end the following new paragraph:

“(36) the employer educational assistance program credit determined under section 45R(a).”.

“(c) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“Sec. 45R. Credit for employer educational assistance programs.”.

“(d) EFFECTIVE DATE.—The amendments made by this section shall apply to expenses relating to courses of instruction beginning after December 31, 2009.

By Mrs. BOXER:

S. 1469. A bill to provide for the administration of Port Chicago Naval Magazine National Memorial as a unit of the National Park System, and for other purposes; to the Committee on Armed Services.

Mrs. BOXER. Mr. President, the Port Chicago Naval Magazine National Memorial Enhancement Act of 2009 would help increase visitor access to the Port Chicago Naval Magazine National Memorial on the former Concord Naval Weapons Station and ensure the long-term preservation of this important World War II site. The legislation is strongly supported by the National Park Service, a coalition of more than 37 civil rights organizations in California, the National Parks Conservation Association, and the Friends of Port Chicago.

The Port Chicago Memorial marks the location of an explosion 65 years ago this week that killed and wounded numerous African American sailors and eventually paved the way for racial desegregation of the Armed Forces.

On the night of July 17, 1944, as sailors were loading ammunition at the Port Chicago Naval Magazine, a terrible explosion occurred. More than 5,000 tons of ammunition ignited, sending a blast more than 12,000 feet into the sky. The explosion killed 320 sailors, wounded hundreds more, and destroyed the surrounding town of Port Chicago. Less than a month after the explosion, survivors were ordered to resume work at a new site. Most survivors refused, citing the need for improved supervision, training, and working conditions to prevent another disaster. In response, the Navy charged 50 men with conspiring to mutiny, and all were convicted. The majority of men killed in the explosion and all those convicted of mutiny were African-American.

Following the conviction, future Supreme Court Justice Thurgood Marshall, who at the time was a lawyer with the National Association for the Advancement of Colored People, took up the case. Roughly a year later, the Navy began moving towards racial desegregation, and in 1948, President Truman issued an Executive Order desegregating all of the Armed Forces and guaranteeing "equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion, or national origin."

In 1992, Congress authorized the creation of a National Memorial at Port Chicago. However, under its current authorities, the National Park Service still has limited ability to provide visitor access to the Memorial or to assist with the site's preservation. My bill authorizes the Interior Department to work with the City of Concord and the East Bay Regional Park District to operate a visitor's center for the Memorial, allowing veterans, students, and other visitors to learn more about the events that transpired at Port Chicago. The bill also designates the Memorial

as a unit of the National Park System, allowing the Park Service to become more actively involved in its preservation.

The bill specifically states that as much public access as possible will be provided "without interfering with military needs," meaning that the timing and extent of public visitation will be adapted to accommodate military activities when they occur near the Memorial.

Eventually, when the Secretary of Defense determines that the land is excess to military needs, the bill authorizes the Secretaries of Defense and Interior to enter into a Memorandum of Understanding leading to the transfer of the Memorial to the National Park Service.

The Port Chicago National Memorial ensures that the stories of those who served and died at Port Chicago will not be forgotten. By enabling visitors to come to this site, future generations can continue to honor and learn from these brave sailors who selflessly served our Nation and who fought to overcome the barriers of racial segregation.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 212—EXPRESSING THE SENSE OF THE SENATE THAT ANY SAVINGS UNDER THE MEDICARE PROGRAM SHOULD BE INVESTED BACK INTO THE MEDICARE PROGRAM, RATHER THAN CREATING NEW ENTITLEMENT PROGRAMS

Mr. JOHANNS submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 212

Whereas the Federal Hospital Insurance Trust Fund established under section 1817 of the Social Security Act (42 U.S.C. 1395i) is projected to be insolvent by 2017; and

Whereas the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is the largest source of general revenue spending on health care for both the Federal government and the States: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) any savings under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) should be invested back into the Medicare program, rather than creating new entitlement programs; and

(2) any savings under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) should be used to increase the Federal medical assistance percentage (as defined in section 1905(b) of such Act (42 U.S.C. 1396d(b)).

Mr. JOHANNS. Mr. President, the Medicare and Medicaid Programs are the largest single purchaser of health care in the world. These programs account for over 20 percent of all U.S. Federal Government spending. More than 1 in 5 taxpayer dollars we actually spend will go to the Medicare or Medicaid Program. By the time my chil-

dren become senior citizens, these two programs are projected to consume every dollar of tax revenue raised per year. Recently, the Medicare trustees reported that the Medicare Program is literally projected to be bankrupt by 2017, just 8 short years away. That is 2 years earlier than projected last year.

Our ability to offer financial predictions provides little consolation to senior citizens who depend on the Medicare Program to receive their medical care. For the millions of baby boomers, my generation, expecting the Medicare Program to be there for them and their future health care needs, these projections basically say that on the current course, we are out of luck.

Unfortunately, the Medicaid Program outlook is not much better, a program I am very familiar with as a prior Governor. Medicaid is the largest source of general revenue spending on health care for both the Federal Government and State governments. In fact, Medicaid represents 40 percent of Federal Government general revenue spending on health care and 41 percent of such spending by the States. That is why, as economic conditions have continued to worsen, State Medicaid budgets are increasingly in crisis. States are struggling to pay Medicaid obligations and still balance their budgets. It is a tough job—I know from personal experience—one that is not for the faint of heart.

The President is proposing, in my judgment, to exacerbate the problem by creating another government-run entitlement program. Of course, in order to pay for this new program, he has identified cuts in Medicare and Medicaid. Let's be clear: We have one soon-to-be-bankrupt program that consumes a huge chunk of health care spending today, and the rushed reform would take money from it to pay for a new health care program. Seriously, this is a vicious cycle and something we would only see in Washington. The American people deserve a better effort.

I suggest that in the real world, when budgets get tight, leaders have to make very tough decisions. Programs are scrutinized with a fine-toothed comb to find out where savings can be found. If savings are identified, that money is used to shore up the programming shortfalls and to try to keep the current program viable. Medicare recipients are hoping we do that because the clock is ticking on their program. We don't see new programs created as existing programs fall deeper and deeper into the red. People and programs, they have to work together, rolling up their sleeves, prioritizing, scrutinizing every dollar in every program in order to fulfill current obligations, in order to meet the promise to those who are receiving the benefits today.

I have laid down a resolution. That is why this resolution I am submitting today is necessary, to restore some semblance of sanity to the process. Simply put, this resolution says that if we find savings within the Medicare