S. 2781

At the request of Mr. GRASSLEY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2781, a bill to improve student and exchange visitor visa programs.

S. 2782

At the request of Mr. SANDERS, the names of the Senator from Kansas (Mr. MORAN), the Senator from Hawaii (Mr. SCHATZ), the Senator from New York (Mr. SCHUMER), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Oregon (Mr. WYDEN), the Senator from California (Mrs. FEINSTEIN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Nebraska (Mr. JOHANNS), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 2782, a bill to amend title 36, United States Code, to improve the Federal charter for the Veterans of Foreign Wars of the United States, and for other purposes.

S. 2789

At the request of Mr. HARKIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2789, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 2795

At the request of Ms. BALDWIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2795, a bill to amend the Higher Education Act of 1965 to expand the definition of eligible program.

S. 2796

At the request of Ms. BALDWIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2796, a bill to amend the Higher Education Act of 1965 to increase the income protection allowances.

S. 2811

At the request of Mr. SCHUMER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2811, a bill to prohibit the distribution in commerce of children's products and upholstered furniture containing certain flame retardants, and for other purposes.

S. 2814

At the request of Mr. ALEXANDER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2814, a bill to amend the National Labor Relations Act to reform the National Labor Relations Board, the Office of the General Counsel, and the process for appellate review, and for other purposes.

S. 2827

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2827, a bill to amend section 117 of the Internal Revenue Code of 1986 to exclude Federal student aid from taxable gross income.

S. 2833

At the request of Mr. THUNE, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2833, a bill to improve the establishment of any lower ground-level ozone standards, and for other purposes.

S. 2848

At the request of Mr. ENZI, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 2848, a bill to amend title 49, United States Code, with respect to apportionments under the Airport Improvement Program, and for other purposes.

S.J. RES. 44

At the request of Mr. KAINE, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S.J. Res. 44, a joint resolution to authorize the use of United States Armed Forces against the Islamic State in Iraq and the Levant.

S. RES. 372

At the request of Mr. MENENDEZ, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 372, a resolution supporting the goals and ideals of the Secondary School Student Athletes' Bill of Rights.

S. RES. 420

At the request of Ms. MIKULSKI, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. Res. 420, a resolution designating the week of October 6 through October 12, 2014, as ''Naturopathic Medicine Week'' to recognize the value of naturopathic medicine in providing safe, effective, and affordable health care.

S. RES. 540

At the request of Mr. CARDIN, the names of the Senator from Florida (Mr. RUBIO) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. Res. 540, a resolution recognizing September 15, 2014, as the International Day of Democracy, affirming the role of civil society as a cornerstone of democracy, and encouraging all governments to stand with civil society in the face of mounting restrictions on civil society organizations.

S. RES. 541

At the request of Mr. COONS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 541, a resolution recognizing the severe threat that the Ebola outbreak in West Africa poses to populations, governments, and economies across Africa and, if not properly contained, to regions across the globe, and expressing support for those affected by this epidemic.

AMENDMENT NO. 3733

At the request of Ms. COLLINS, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of amendment No. 3733 intended to be proposed to S. 2410, an original bill to authorize appropriations for fiscal year 2015 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. 3788

At the request of Mr. MORAN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of amendment No. 3788 intended to be proposed to S. 2410, an original bill to authorize appropriations for fiscal year 2015 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. 3819

At the request of Mr. HATCH, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of amendment No. 3819 intended to be proposed to S. 2410, an original bill to authorize appropriations for fiscal year 2015 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 Mr. KAINE (for himself, Ms. BALDWIN, and Mr. PORTMAN):

S. 2867. A bill to amend the Higher Education Act of 1965 to provide for the preparation of career and technical education teachers; to the Committee on Health, Education, Labor, and Pensions.

Mr. KAINE. Mr. President, school districts across the nation are facing serious shortages in high-quality career and technical education, CTE, teachers. When CTE teachers have real-world experience in a related industry before entering the classroom, students not only benefit from their hands-on knowledge, but also look to them as career role models. Through grant in the Higher Education and Opportunity Act of 2008, many teacher residency partnerships already exist between postsecondary institutions and local schools to train prospective educators, but none are CTE focused.

This is why I am pleased to introduce with my colleagues, Senator BALDWIN and Senator PORTMAN, the Creating Quality Technical Educators Act, which would create a CTE teacher-training grant partnership to give aspiring CTE teachers the preparation necessary to mirror their success in the business world with that in the classroom. The Creating Technical Education Act will foster CTE teacher training partnerships between high-needs secondary schools and postsecondary institutions to create a 1-year residency initiative for prospective teachers and includes teacher mentorship for a minimum of 2 years.

This bipartisan bill amends the Higher Education Act and would give aspiring CTE teachers the experience necessary to succeed in the classroom,

where students can benefit from their work experience and credibility. The Creating Quality Technical Educators Act would take a robust proactive approach to recruit and train high-quality CTE teachers. In addition to midcareer professionals in related technical fields, CTE teacher residencies would target candidates who are recent college graduates or veterans or currently licensed teachers with a desire to transition to a CTE focus.

I am pleased we are beginning to see a renaissance of interest in career and technical education, but we have to recruit and train talented teachers to meet this rising demand for CTE. The Creating Quality Technical Educators Act will take an important step to ensure students in communities of all sizes have access to high-quality CTE teachers and career-training programs.

By Mr. REED (for himself, Mr. LEVIN, Mr. MARKEY, Mrs. SHAHEEN, and Ms. WARREN):

S. 2868. A bill to establish a statute of limitations for certain actions of the Securities and Exchange Commission, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am introducing legislation that extends the time period the Securities and Exchange Commission, SEC, would have to seek civil monetary penalties for securities law violations.

This legislation is necessary in light of the Supreme Court's decision in Gabelli v. SEC in which the Court held that the 5 year clock to take action aginst wrongdoing starts when the fraud occurs, not when it is discovered. In effect, Gabelli has made the SEC's job of protecting investors even tougher by shortening the amount of time that the SEC has to investigate and pursue securities law violations.

Financial fraud has evolved significantly over the years and now involves multiple parties, complex financial products, and elaborate transactions that are executed in a variety of securities markets, both domestic and foreign. As a result, many of the critical facts necessary to initiate an action may go undetected for years. Securities law violators may simply run out the clock, now with greater ease in the aftermath of Gabelli.

Couple this with the fact that while we have given the SEC even greater responsibilities, Congress, despite my ongoing efforts to urge otherwise, has not provided the agency with all the resources necessary to carry out its duties. SEC Chair White recently testified before the Banking Committee that ''if the SEC does not receive sufficient additional resources, the agency will be unable to fully build out its technology and hire the industry experts and other staff needed to oversee and police our areas of responsibility, especially in light of the expanding size and complexity of our overall regulatory space.''

To give just one example of the impact of this resource shortfall, Chair White also testified that ''in 2004, the SEC had 19 examiners per trillion dollars in investment adviser assets under management. Today, we have only 8.''

This legislation would address these challenges by giving the SEC the breathing room it needs to better police our markets and protect investors. Specifically, this bill extends the time period the SEC has to seek civil monetary penalties from five years to ten years, thereby strengthening the integrity of our markets, better protecting public investors, and empowering the SEC to investigate and pursue more securities law violators, particularly those most sophisticated at evading detection.

In so doing, the bill would align the SEC's statute of limitations with the limitations period applicable to complex civil financial fraud actions initiated pursuant to the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, FIRREA. For over 2 decades, the Department of Justice has benefited from FIRREA, which allows the DOJ to seek civil penalties within a 10-year time period against persons who have committed fraud against financial institutions. The SEC, which pursues similarly complex financial fraud cases, should have the same time necessary to bring wrongdoers that violate the securities laws to justice.

I urge my colleagues to join me in supporting this legislation.

By Mr. ROCKEFELLER:

S. 2880. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive to individuals teaching in elementary and secondary schools located in rural or high unemployment areas and to individuals who achieve certification from the National Board for Professional Teaching Standards, and for other purposes; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, today, I rise to reintroduce the Incentives to Educate American Children, or I TEACH, Act of 2014. With teacher retention rates on a steady decline nationwide, it is my hope that this legislation will encourage our best and brightest teachers to remain in the classroom.

In the past two decades, the number of years of experience for the average teacher has decreased from 15 years to 5 years. Almost half of our education workforce today has less than ten years of experience. This is partly because teachers continue to be paid less than those employed in other fields, earning approximately 79 percent of the average wage of other workers with a bachelor's degree. In addition, their salaries have remained static since 2009, with the average starting salary for a new teacher estimated at just $36,141. At the same time, college debt levels continue to increase. The average student graduating in 2014 had $33,000 worth of student debt, making it difficult for young, eager graduates to pursue a career in teaching while paying down student loans and other living expenses.

No dedicated young person should have to decide that they simply cannot ''afford'' to be a teacher, but this happens. If passed, the I TEACH Act would invest in our most critical educators by providing a $1,000 refundable tax credit to teachers serving in rural or high poverty schools. It would also provide every teacher, regardless of school or district, the chance to earn a $1,000 refundable tax credit if they receive accreditation from the National Board for Professional Teaching Standards. This means that a National Board Teacher in a rural or high poverty school would be eligible to receive $2,000 in refundable tax credits.

In doing so, the I TEACH Act will provide meaningful incentives to teachers willing to serve in rural or high poverty schools, as well as rewarding quality teachers for staying in the classroom and continuing their professional development by earning National Board certification. Today, the majority of States see the value in this effort, providing some type of financial incentive to National Board certified teachers, and this refundable tax credit will work in tandem with those efforts. My home State of West Virginia, for example, offers a $3,500 bonus for National Board teachers. If I TEACH is enacted, a National Board teacher in my State would receive a nearly 12 percent bonus. That is a clear sign of appreciation for their hard work and a meaningful incentive to continue teaching.

Our teachers are among the most important members of our society. They inspire and educate our children, preparing the next generation for success. They deserve our respect and full support, and that is why I urge my colleagues to work with me to enact I TEACH and invest in our children's education.

By Mr. MCCONNELL:

S. 2882. A bill to amend the Internal Revenue Code of 1986 to allow certain individuals a credit against income tax for contributions to 529 plans, and for other purposes; to the Committee on Finance.

Mr. MCCONNELL. Mr. President, today I am proud to offer legislation that will make it easier for American families to pay for their child's higher education. This legislation is the Enhanced 529–Setting Aside for a Valuable Education, or Enhanced 529–SAVE, Act. This measure will make the 529 college savings plans more accessible to lower and middle-income families.

A 529 plan is a tax-advantaged savings plan that is designed to encourage Americans to save for future college costs. 529 plans can be sponsored by states, state agencies, or educational institutions and they are authorized by Section 529 of the Internal Revenue

Code. I championed efforts to ensure that 529 plans would be 100 percent tax-free at the Federal level. In 2001, I authored the Setting Aside for Valuable Education, or SAVE, Act, which was included in a tax package that became law. In 2006, I helped make the tax benefits under these accounts permanent.

The Enhanced 529–SAVE Act will make 529 plans more accessible by encouraging employers to contribute to an employee's 529 plan. My bill would exclude up to $600 of an employer's contribution from an employee's gross income. This will help families and individuals save more for higher education expenses.

The Enhanced 529–SAVE Act will also create an incentive for lower-income families and individuals to save money for college by allowing the individual that contributes to the 529 plan to qualify for the Saver's Credit, which is an income-based, non-refundable tax credit up to $4,000.

The Enhanced 529–SAVE Act is similar to H.R. 529, introduced in the House of Representatives by Congresswoman LYNN JENKINS of Kansas. I want to commend her for her leadership on this important issue. I urge my colleagues to consider and pass the Enhanced 529–SAVE Act, and I look forward to its eventual passage.

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. 2882

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 ''Enhanced 529 - Setting Aside for a Valuable Education Act'' or the ''Enhanced 529 - S.A.V.E. Act''.

SEC. 2. CREDIT FOR CONTRIBUTIONS TO 529 PLANS.

(a) IN GENERAL.—Paragraph (1) of section 25B(d) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of subparagraph (B)(ii), by striking the period at the end of subparagraph (C) and inserting '', and'', and by adding at the end the following new subparagraph:

''(D) the amount of the contributions to qualified tuition programs described in paragraph (2) made by the eligible individual.''.

(b) CONTRIBUTIONS TO QUALIFIED TUITION PROGRAMS.—Subsection (d) of section 25B of the Internal Revenue Code of 1986 is amended by redesignating paragraph (2) as paragraph (3) and by inserting after paragraph (1) the following new paragraph:

''(2) CONTRIBUTIONS TO QUALIFIED TUITION PROGRAMS.—

''(A) IN GENERAL.—The term 'contributions to qualified tuition programs' means any purchase or contribution described in paragraph (1)(A) of section 529(b) to a qualified tuition program (as defined in such section) if—

''(i) the eligible individual has the power to authorize distributions and otherwise administer the account, and

''(ii) the designated beneficiary of such purchase or contribution is the eligible individual, the eligible individual's spouse, or an individual with respect to whom the eligible individual is allowed a deduction under section 151.

''(B) LIMITATION BASED ON COMPENSATION.—The amount treated as a qualified savings contribution by reason of subparagraph (A) for any taxable year shall not exceed the sum of—

''(i) the compensation (as defined in section 219(f)(1)) includible in the eligible individual's gross income for the taxable year, and

''(ii) the amount excluded from the eligible individual's gross income under section 112 (relating to combat pay) for such year.

''(C) DETERMINATION OF ADJUSTED GROSS INCOME.—Solely for purposes of determining the applicable percentage under subsection (b) which applies with respect to the amount treated as contributions to qualified tuition programs, adjusted gross income (determined without regard to this subparagraph) shall be increased by the excess (if any) of—

''(i) the social security benefits received during the taxable year (within the meaning of section 86), over

''(ii) the amount included in gross income for such year under section 86.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 25B of the Internal Revenue Code of 1986 is amended by striking ''qualified retirement savings'' each place it appears and inserting ''qualified savings''.

(2) The heading of subsection (d) of section 25B of such Code is amended by striking ''RETIREMENT''.

(3) Subparagraph (A) of section 25B(d)(3) of such Code, as redesignated by subsection (a), is amended—

(A) by striking ''paragraph (1)'' the first place it appears and inserting ''paragraph (1) or (2)'', and

(B) by striking ''paragraph (1)'' the second place it appears and inserting ''paragraph (1), or (2), as the case may be,''.

(4) The heading for section 25B of such Code is amended by striking ''**AND IRA CONTRIBUTIONS**'' and inserting ''**, IRA CONTRIBUTIONS, AND QUALIFIED TUITION PROGRAM CONTRIBUTIONS**''.

(5) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by striking the item relating to section 25B and inserting the following new item:

''Sec. 25B. Elective deferrals, IRA contributions, and qualified tuition program contributions by certain individuals.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made after December 31, 2014, in taxable years ending after such date.

SEC. 3. EXCLUSION FROM GROSS INCOME FOR EMPLOYER CONTRIBUTIONS TO QUALIFIED TUITION PROGRAMS.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 127 the following new section:

''SEC. 127A. EMPLOYER CONTRIBUTIONS TO QUALIFIED TUITION PROGRAMS.

''(a) IN GENERAL.—Gross income of an employee does not include amounts paid by the employer as contributions to a qualified tuition program held by the employee or spouse of the employee if the contributions are made pursuant to a program which is described in subsection (c).

''(b) MAXIMUM EXCLUSION.—The amount excluded from the gross income of an employee under this section for the taxable year shall not exceed $600.

''(c) QUALIFIED TUITION ASSISTANCE PROGRAM.—For purposes of this section, a qualified tuition assistance program is a separate written plan of an employer for the benefit of such employer's employees—

''(1) under which the employer makes matching contributions to qualified tuition programs of—

''(A) such employees,

''(B) their spouses, or

''(C) any individual with respect to whom such an employee or spouse—

''(i) is allowed a deduction under section 151, and

''(ii) has the power to authorize distributions and otherwise administer such individual's account under the qualified tuition program, and

''(2) which meets requirements similar to the requirements of paragraphs (2), (3), (4), (5), and (6) of section 127(b).

''(d) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) QUALIFIED TUITION PROGRAM.—The term 'qualified tuition program' means a qualified tuition program as defined in section 529(b).

''(2) EMPLOYEE AND EMPLOYER.—The terms 'employee' and 'employer' shall have the meaning given such terms by paragraphs (2) and (3), respectively, of section 127(c).

''(3) APPLICABLE RULES.—Rules similar to the rules of paragraphs (4), (5), (6), and (7) of section 127(c) shall apply.

''(e) INFLATION ADJUSTMENT.—

''(1) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 2015, the $600 amount contained in subsection (b)(1) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2014' for 'calendar year 1992' in subparagraph (B) thereof.

Any increase determined under the preceding sentence shall be rounded to the nearest multiple of $50.

''(f) CROSS REFERENCE.—For reporting and recordkeeping requirements, see section 6039D.''.

(b) EXCLUSION FROM EMPLOYMENT TAXES.—

(1) Sections 3121(a)(18), 3306(b)(13), and 3401(a)(18) of such Code are each amended by inserting '', 127A'' after ''127'' each place it appears.

(2) Section 3231(e)(6) of such Code is amended by striking ''section 127'' and inserting ''section 127 or 127A''.

(c) REPORTING AND RECORDKEEPING REQUIREMENTS.—Section 6039D(d)(1) of such Code is amended by inserting '', 127A'' after ''127''.

(d) OTHER CONFORMING AMENDMENTS.—

(1) Sections 125(f), 414(n)(3)(C), and 414(t)(2) of such Code are each amended by inserting '', 127A'' after ''127'' each place it appears.

(2) Section 132(j)(8) of such Code is amended by striking ''section 127'' and inserting ''section 127 or 127A''.

(3) Section 1397(a)(2)(A) of such Code is amended by inserting at the end the following new clause:

''(iii) Any amount paid or incurred by an employer which is excludable from the gross income of an employee under section 127A, but only to the extent paid or incurred to a person not related to the employer.''.

(4) Section 209(a)(15) of the Social Security Act (42 U.S.C. 409(a)(15)) is amended by striking ''or 129'' and inserting '', 127A, or 129''.

(e) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting after the item relating to section 127 the following new item:

''Sec. 127A. Employer contributions to qualified tuition programs.''.

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

By Mr. HARKIN:

S. 2887. A bill to expand access to transportation services for individuals with disabilities; to the Committee on Finance.

Mr. HARKIN. Mr. President, 24 years ago, Congress passed the Americans with Disabilities Act. I will never forget the day, July 26, 1990, the ADA was signed into law. It was one of the proudest days of my legislative career.

The ADA set forth four great goals for individuals with disabilities—equality of opportunity, full participation, independent living, and economic self-sufficiency. In many ways, we have been successful in making progress toward these goals. We have increased the accessibility of our buildings, our streets, even our parks, beaches and recreation areas. We have made our books and TVs, phones, computers, and other technology more accessible. And for many Americans with disabilities, our workplaces have become increasingly more open and accessible.

America is far more inclusive, today, for individuals with disabilities. But our work is still far from complete.

According to new data released this week, almost 30 percent of people with disabilities are living in poverty, and fewer than one in three individuals with a disability participate in the workforce. This is further evidence that we are far from realizing the ADA's goal of economic self-sufficiency for all people with disabilities.

Today, the Health, Education, Labor, and Pensions Committee, which I chair, released a report titled ''Fulfilling the Promise: Overcoming Persistent Barriers to Economic Self-Sufficiency for People with Disabilities.'' In our report, we detail many of the barriers that adversely impact the economic well-being of individuals with disabilities—including the lack of accessible transportation and the lack of accessible housing. These barriers don't only affect individuals with disabilities who are living in poverty; they also impact individuals with disabilities who are striving to reach the American dream as members of the middle class.

That is why, today, I am introducing three bills that I believe will begin to address these barriers to individuals with disabilities, S. 2887, S. 2888, and S. 2889. The first bill, the Universal Home Design Act, will increase the availability of accessible housing for individuals with disabilities. The second, the Accessible Transportation for All Act, will increase the availability of accessible passenger cars and taxis. The third, the Exercise and Fitness for All Act, will increase the availability of exercise and fitness equipment that is accessible to individuals with disabilities, which will help individuals with disabilities maintain and improve their health through appropriate physical activity.

I am confident that these three bills, along with the Community Integration Act, and the recently passed Workforce Innovation and Opportunity Act, will help provide the framework for a future of continued opportunities, inclusion and advancement for individuals with disabilities in America. I urge my Senate colleagues to support these important bills.

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. 2887

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 ''Accessible Transportation for All Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ACCESSIBLE VEHICLE FOR HIRE.—The term ''accessible vehicle for hire'' means a vehicle used in a demand responsive system by private entities to provide non-fixed route transportation service, including taxi service and transportation network operator vehicles, which—

(A) is designed to enable persons who use wheelchairs or other mobility devices to be transported, and to remain in their wheelchairs or other mobility devices if they so choose; and

(B) affords independent access for people with disabilities to all in-vehicle functions generally available to other passengers in such vehicles, including credit card payment devices.

(2) ACCESSIBLE PASSENGER CAR.—The term ''accessible passenger car'' means a passenger car that is designed to enable persons who use wheelchairs or other mobility devices as a result of a significant mobility impairment—

(A) to independently enter and exit the car via a ramp, lift, or similar device that permits access to the driver's seat, while remaining in a manual wheelchair, power wheelchair, or other mobility device;

(B) to safely store a wheelchair or other mobility device in the car, if desired; and

(C) to independently operate the car, including through using hand controls or other optional modifications.

(3) ACCESSIBLE TAXI VEHICLE.—The term ''accessible taxi vehicle'' means an accessible vehicle for hire operated by a taxi company or other company that provides immediate service through on-street hailing or on-demand dispatch by telephone or electronic means.

(4) ADMINISTRATION.—The term ''Administration'' means the Federal Transit Administration.

(5) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Transit Administration.

(6) DISCRIMINATORY TERMS OR CONDITIONS.—The term ''discriminatory terms or conditions'' includes—

(A) denial of participation (as described in section 302(b)(1)(A)(i) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12182(b)(1)(A)(i)));

(B) participation in an unequal benefit (as described in section 302(b)(1)(A)(ii) of such Act);

(C) the imposition or application of eligibility criteria described in section 302(b)(2)(A)(i) of such Act;

(D) a failure to make reasonable accommodations in policies, practices, or procedures (as described in section 302(b)(2)(A)(ii) of such Act);

(E) imposing a surcharge for the use of an accessible taxi or an accessible for-hire vehicle by a person with a disability; and

(F) failing to permit an individual with a disability with his service animal.

(7) FOR HIRE TRANSPORTATION COMPANY.—The term ''for hire transportation company'' means a public or private entity operating a demand responsive system, including a taxi service, a transportation network company, or other public or private entity providing transportation or access to non-fixed route transportation services.

(8) PASSENGER CAR.—The term ''passenger car'' has the meaning given the term ''passenger automobile'' in section 32901(a) of title 49, United States Code.

(9) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(10) TRANSPORTATION NETWORK COMPANY.—The term ''transportation network company'' means a company that uses a digital network, a software application, or other means to connect a passenger to transportation network services provided by a transportation network operator.

(11) TRANSPORTATION NETWORK OPERATOR.—The term ''transportation network operator'' means an individual who operates a motor vehicle that is—

(A) owned or leased by the individual;

(B) not licensed as a taxi or other public vehicle for hire; and

(C) used to provide services through a transportation network or transportation network company.

SEC. 3. ACCESSIBILITY AND NONDISCRIMINATION.

(a) ADEQUATE PROVISION OF ACCESSIBLE VEHICLES.—Any person who owns, leases, operates, or arranges for the operation of transportation services to members of the public through a for hire transportation company, taxi service, or transportation network company shall provide, or arrange for, the adequate provision of accessible vehicles for hire to serve individuals with disabilities who require such services.

(b) RIGHTS OF DISABLED INDIVIDUALS.—An individual with a disability may not, as a result of such disability—

(1) be denied full and equal access to appropriate and useable transportation by a person providing transportation services, including services—

(A) through a transportation network company;

(B) through a for hire transportation company;

(C) through a taxi service; or

(D) by a driver, owner, or operator of a taxi vehicle; or

(2) be subject to discriminatory terms or conditions by any person who owns, leases, or operates a transportation vehicle, or arranges for such transportation services, to members of the public, including the services set forth in subparagraphs (A) through (D) of paragraph (1).

(c) APPLICABLE REMEDIES AND PROCEDURES.—The remedies and procedures set forth in sections 308(a) and 505 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12188(a) and 12205) shall be available to any person aggrieved by the failure of a person to comply with this section.

SEC. 4. MODEL ACCESSIBLE TAXI COMPETITION.

(a) IN GENERAL.—

(1) COMPETITION AUTHORIZED.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall organize a national competition to design 1 or more model accessible taxi vehicles.

(2) PURPOSE.—The purpose of the competition under this section shall be to develop 1 or more designs for an accessible taxi vehicle which, without additional modification, can

be manufactured for an amount not to exceed the sum of the average manufacturing cost of a minivan that is generally available for purchase by consumers in the United States.

(b) ELIGIBLE COMPETITORS.—Any automobile manufacturer that manufacturers vehicles for sale in the United States may submit a proposal for the competition authorized under this section, regardless of size.

(c) GUIDELINES.—

(1) IN GENERAL.—The Administration shall establish guidelines for the competition authorized under this section in accordance with paragraphs (2) through (5).

(2) COST.—A proposal may not be selected for a cash prize under subsection (d) unless the Administrator determines that the cost for manufacturing the proposed accessible taxi vehicle does not exceed the average manufacturing cost of a minivan that is generally available for purchase by consumers in the United States.

(3) COLLABORATION REQUIREMENT.—Each proposal submitted under this section shall represent designs collaboratively developed by—

(A) an eligible automobile manufacturer; and

(B) at least 1 national organization serving people with disabilities.

(4) ADOPTABILITY.—Proposals submitted under this section shall be judged on whether the design for an accessible taxi vehicle represents a design that a local taxi commission could realistically adopt. The Administrator shall encourage competitors to seek feedback on their designs from members of a local taxi commission before such submission.

(5) VEHICLE ATTRIBUTES.—Each proposal submitted under this section shall describe the specifications of the proposed accessible taxi vehicle, including—

(A) accessibility features and the extent to which such features allow for the full inclusion of individuals with various disabilities;

(B) estimated highway and city fuel economy;

(C) the cost of the vehicle;

(D) the extent to which the vehicle provides adequate space for passengers and any mobility devices, including wheelchairs;

(E) the relative comfort provided for passengers with disabilities and others; and

(F) available luggage or storage space.

(d) SELECTION.—The Administrator shall convene a selection panel to select the winning proposals for the competition that includes representatives from the taxi industry, the for-hire transportation industry, and the disability community.

(e) PAYMENT.—

(1) IN GENERAL.—The Administrator shall award automobile manufacturers that are selected pursuant to subsection (d) with cash prizes in an amount to be determined by the Administrator.

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

SEC. 5. MODEL ACCESSIBLE PASSENGER CAR COMPETITION.

(a) IN GENERAL.—

(1) COMPETITION AUTHORIZED.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall organize a national competition to design 1 or more model accessible passenger cars.

(2) PURPOSE.—The purpose of the competition under this section shall be to develop 1 or more designs for an accessible passenger car which, without additional modification—

(A) can be manufactured for an amount not to exceed 75 percent of the average manufacturing cost of a passenger car that is available for purchase by consumers in the United States; and

(B) can be sold to the public for an amount not to exceed 75 percent of the average sale price of a new passenger car that is available for purchase by consumers in the United States.

(b) ELIGIBLE COMPETITORS.—Any automobile manufacturer that manufacturers passenger cars for sale in the United States may submit a proposal for the competition authorized under this section, regardless of size.

(c) GUIDELINES.—

(1) IN GENERAL.—The Administrator shall establish guidelines for the competition authorized under this section in accordance with paragraphs (2) through (5).

(2) COST.—A proposal may not be selected for a cash prize under subsection (d) unless the Administrator determines that—

(A) the cost for manufacturing the proposed accessible passenger car does not exceed 75 percent of the average manufacturing cost of a passenger car that is generally available for purchase by consumers in the United States; and

(B) the sale price of the proposed accessible passenger car will not to exceed 75 percent of the average sale price of a new passenger car that is available for purchase by consumers in the United States.

(3) COLLABORATION REQUIREMENT.—Each proposal submitted under this section shall represent designs collaboratively developed by—

(A) an eligible automobile manufacturer;

(B) a postsecondary school of design; and

(C) at least 1 national organization serving people with disabilities.

(4) STANDARDS.—Proposals submitted under this section shall meet the general requirements set by the Department of Transportation for all passenger cars available for purchase in the United States.

(5) VEHICLE ATTRIBUTES.—Each proposal submitted under this section shall describe the specifications of the proposed accessible passenger car, including—

(A) the extent to which the car meets the requirements of an accessible passenger car set forth in subsection (a)(2);

(B) estimated highway and city fuel economy;

(C) the cost of the vehicle;

(D) the extent to which the vehicle provides adequate space for using and storing mobility devices, including wheelchairs;

(E) whether the car includes hand controls, either as standard equipment or as an option available from the manufacturer;

(F) the ease and comfort with which drivers with disabilities can enter and exit the car;

(G) the ease with which drivers with disabilities can reach and utilize car controls;

(H) the ease of making additional modifications to the car, if necessary; and

(I) available luggage or storage space.

(d) SELECTION.—The Administrator shall convene a selection panel to select the winning proposals for the competition that includes representatives from the automobile industry and the disability community.

(e) PAYMENT.—

(1) IN GENERAL.—The Administrator shall award cash prizes, in an amount to be determined by the Administrator, to the automobile manufacturers, post secondary schools of design, and disability organizations that collaborated on a design that was selected under subsection (d).

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

SEC. 6. ACCESSIBLE TAXI AND FOR-HIRE TRANSPORTATION BOARD.

(a) ESTABLISHMENT.—Chapter 1 of subtitle I of title 49, United States Code, is amended by adding at the end the following:

"§ 116. Accessible Taxi and For-Hire Transportation Board

''(a) IN GENERAL.—There is established in the Administration an Accessible Taxi and For-Hire Transportation Board (referred to in this section as the 'Board').

''(b) MEMBERSHIP.—The Board shall be composed of 9 members, who shall be appointed as follows:

''(1) PUBLIC MEMBERS.—

''(A) IN GENERAL.—The Secretary of Transportation shall appoint 5 people with disabilities to the Board, including—

''(i) at least 1 person who uses a wheelchair for mobility;

''(ii) at least 1 person who is deaf or hard of hearing;

''(iii) at least 1 person who is blind or visually impaired; and

''(iv) at least 1 person with an intellectual disability or a developmental disability.

''(B) TERM.—Each public member appointed under this paragraph shall be appointed for a 2-year term.

''(2) ADMINISTRATION REPRESENTATIVES.—The Administrator shall designate 2 officials of the Administration to represent the Administration on the Board.

''(3) TAXI INDUSTRY MEMBERS.—The Secretary shall appoint 2 members from the taxi and for-hire transportation industry to the Board.

''(c) CHAIRPERSON.—The Secretary shall designate a Chairperson of the Board from among the appointed public members of the Board.

''(d) MEETINGS.—The Board shall meet at the call of the Chairperson, but not less frequently than 4 times per year.

''(e) DUTIES.—The Board shall conduct activities to increase the availability of accessible taxis and other for-hire vehicles, including—

''(1) coordinating with the Federal Transit Administration to provide information and technical assistance to local municipalities, taxi commissions, and for hire transportation companies (as defined in section 2 of the Accessible Transportation for All Act)—

''(A) to increase the availability of accessible taxi vehicles and accessible vehicles for hire; and

''(B) to facilitate improvements to access to taxis and other accessible for-hire transportation options for people with disabilities; and

''(2) submitting an annual report to the Secretary that includes studies, findings, conclusions, and recommendations about the availability of accessible taxi vehicles and accessible vehicles for hire throughout the Nation, including—

''(A) the number of accessible taxi vehicles and accessible vehicles for hire in the various States and localities, including in the 25 most populated cities in the United States;

''(B) improvements, increases, or changes in the availability of accessible taxi vehicles and accessible vehicles for hire to access to taxis and other for-hire transportation in the States, localities, and cities referred to in subparagraph (A);

''(C) any State or local policies, ordinances, regulations, or statutes that led to the increases or changes referred to in subparagraph (B);

''(D) barriers to further increases in the availability of accessible taxi vehicles and accessible vehicles for hire; and

''(E) recommendations about how best to address the barriers described in subparagraph (D).

''(f) PERSONNEL MATTERS.—

''(1) TRAVEL EXPENSES.—The members of the Board may not receive compensation for the performance of services for the Board, but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Board. Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept the voluntary uncompensated services of members of the Board.

''(2) STAFF.—The Secretary may designate such personnel as may be necessary to enable the Board to perform its duties.

''(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee, with the approval of the head of the appropriate Federal agency, may be detailed to the Board without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

''(4) FACILITIES, EQUIPMENT, AND SERVICES.—The Secretary shall make available to the Board necessary office space and furnish the Board, under such arrangements respecting financing as may be appropriate, with necessary equipment, supplies, and services.''.

(b) CLERICAL AMENDMENT.—The table of sections in chapter 1 of title 49, United States Code, is amended by adding at the end the following:

''116. Accessible Taxi and For-Hire Transportation Board.''.

SEC. 7. STATE STRATEGIC PLANS FOR IMPROVING ACCESS TO TAXIS AND FOR-HIRE TRANSPORTATION.

(a) IN GENERAL.—Not later than the last day of the first calendar year beginning after the date of the enactment of this Act, each State shall develop a strategic plan that describes ways to increase the availability of accessible taxi vehicles, accessible vehicles for hire, and other accessible for-hire transportation options for people with disabilities in the State.

(b) BEST PRACTICES.—Each strategic plan developed under this section shall describe—

(1) current best practices, if any, for increasing the availability of accessible taxi vehicles, accessible vehicles for hire, and other accessible for hire transportation options for people with disabilities within local municipalities in the State; and

(2) any policies, ordinances, or regulations adopted by municipalities to achieve the highest possible standard for accessibility and lowest possible cost for accessible taxi vehicles and accessible vehicle for hire.

(c) GOALS AND OBJECTIVES.—Each strategic plan developed under this section—

(1) shall outline long-term goals and specific objectives for increasing the availability of accessible taxi vehicles, accessible vehicles for hire, and other accessible for hire transportation options for people with disabilities;

(2) shall consider options, including incentives, to help reduce the cost of implementing an increase in the availability of accessible taxi vehicles, accessible vehicles for hire, and other accessible for hire transportation options for people with disabilities in the State; and

(3) may examine how to reduce costs through the use of low-cost model taxis and other means.

(d) COLLABORATION.—Each strategic plan developed under this section—

(1) set yearly goals for the number and availability of accessible taxi vehicles and accessible vehicles for hire throughout the State;

(2) describe how the State will meet the goals referred to in paragraph (1);

(3) describe how the State will encourage interstate and intrastate collaboration to increase the availability of accessible taxi vehicles, accessible vehicles for hire, and other accessible for hire transportation options for people with disabilities through collaboration—

(A) among municipalities;

(B) between municipalities and the State; and

(C) between municipalities and private industry.

(e) DISTRIBUTION.—

(1) SUBMISSION.—Not later than April 1st of each year, each State shall submit the strategic plan developed under this section to the Secretary.

(2) REVIEW.—The Secretary shall review each State plan submitted under paragraph (1). Following each such review, the Secretary shall post the State strategic plan on a publicly available website to facilitate collaboration and to share information and best practices.

SEC. 8. ACCESSIBILITY AND SERVICE STANDARDS FOR ACCESSIBLE TAXIS VEHICLES AND ACCESSIBLE VEHICLES FOR HIRE.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Administrator, in collaboration and consultation with the Access Board established under section 502 of the Rehabilitation Act (29 U.S.C. 792), shall promulgate regulatory standards, in accordance with this section, including—

(1) accessibility standards for accessible taxi vehicles and accessible vehicles for hire; and

(2) service standards for vehicles referred to in paragraph (1).

(b) ACCESSIBILITY STANDARDS.—Accessibility standards for accessible taxi vehicles and accessible vehicles for hire promulgated under this section shall ensure that such vehicles are fully accessible to, and usable by, passengers with disabilities, including individuals that use wheelchairs or other mobility devices.

(c) SERVICE STANDARDS.—Service standards for accessible taxi vehicles and accessible vehicles for hire promulgated under this section shall, at a minimum, ensure that such vehicles—

(1) are readily available in a manner (including wait times) that is comparable to other, nonaccessible taxi vehicles or nonaccessible vehicles for hire in the area being served;

(2) can be requested using a variety of technological methods or systems; and

(3) are operated by individuals who are trained in properly loading, unloading, securing, and transporting individuals with disabilities.

SEC. 9. TAX CREDIT FOR EXPENDITURES FOR ACCESSIBLE TAXI VEHICLES.

(a) IN GENERAL.—Subsection (c) section 44 of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (1)—

(A) by striking ''paid or incurred by an eligible small business'' and inserting ''paid or incurred—

''(A) by an eligible small business'';

(B) by striking ''section).'' and inserting ''section), and''; and

(C) by inserting at the end the following:

''(B) by an eligible small business which is a qualified taxi company for the purpose of purchasing or adapting a vehicle for use as an accessible taxi vehicle that meets the guidelines established under section 8 of the Accessible Transportation for All Act.''; and

(2) by adding at the end the following:

''(6) DEFINITIONS.—

''(A) IN GENERAL.—Any term used in paragraph (1)(B), which is defined in section 2 of the Accessible Transportation for All Act shall have the meaning given such term in such section, as in effect on the date of the enactment of this paragraph.

''(B) QUALIFIED TAXI COMPANY.—The term 'qualified taxi company' means a person that provides passenger land transportation for a fixed fare by a taxicab and is licensed to engage in the trade or business of furnishing such transportation by a Federal, State, or local authority having jurisdiction over transportation furnished by such person.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to expenses paid or incurred in taxable years beginning after the date of the enactment of this Act.

By Mr. HARKIN:

S. 2888. A bill to promote the provision of exercise and fitness equipment that is accessible to individuals with disabilities; to the Committee on Finance.

Mr. HARKIN. 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. 2888

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 ''Exercise and Fitness For All Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Individuals with disabilities can maintain and improve their health through appropriate physical activity.

(2) In the 2008 Physical Activity Guidelines for Americans (referred to as the ''Guidelines''), the Department of Health and Human Services recommends that individuals with disabilities, who are able, participate in regular aerobic activity.

(3) The Guidelines also recommend that adults with disabilities, who are able, do muscle-strengthening activities of moderate or high intensity on 2 or more days a week, as these activities provide additional health benefits.

(4) The Guidelines recommend that when adults with disabilities are not able to meet the Guidelines, they should engage in regular physical activity according to their abilities and avoid inactivity.

(5) Unfortunately, many individuals with disabilities are unable to engage in the recommended exercise or fitness activities due to the inaccessibility of exercise or fitness equipment.

(6) Physical inactivity by adults with disabilities can lead to increased risk for functional limitations and secondary health conditions.

(b) PURPOSE.—The purposes of this Act are—

(1) to encourage exercise and fitness service providers to provide accessible exercise and fitness equipment for individuals with disabilities; and

(2) to provide guidance about the requirements necessary to ensure that such exercise and fitness equipment is accessible to, and usable by, individuals with disabilities.

SEC. 3. DEFINITIONS.

In this Act:

(1) ACCESS BOARD.—The term ''Access Board'' means the Architectural and Transportation Barriers Compliance Board established under section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792).

(2) ACCESSIBLE EXERCISE OR FITNESS EQUIPMENT.—The term ''accessible exercise or fitness equipment'' means exercise or fitness equipment that is accessible to, and can be independently used and operated by, individuals with disabilities.

(3) EXERCISE OR FITNESS EQUIPMENT.—The term ''exercise or fitness equipment'' means devices such as motorized treadmills, stair climbers or step machines, stationary bicycles, rowing machines, weight machines, circuit training equipment, cardiovascular equipment, strength equipment, or other exercise or fitness equipment.

(4) EXERCISE OR FITNESS SERVICE PROVIDER.—The term ''exercise or fitness service provider'' means a fitness facility, health spa, health club, college or university facility, gymnasium, or other similar place of exercise or fitness that—

(A) is considered a public accommodation under section 301 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181) or is considered a public entity under section 201 of such Act (42 U.S.C. 12131); and

(B) provides exercise or fitness equipment for the use of its patrons.

(5) INDIVIDUAL WITH A DISABILITY.—The term ''individual with a disability'' means any person with a disability as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

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

SEC. 4. EXERCISE AND FITNESS ACCESSIBILITY GUIDELINES.

(a) ESTABLISHMENT OF GUIDELINES.—Not later than 18 months after the date of enactment of this Act, the Access Board shall develop and publish guidelines for exercise or fitness service providers regarding the provision of accessible exercise or fitness equipment, including relevant personnel training.

(b) CONTENTS OF GUIDELINES.—The guidelines described in subsection (a) shall—

(1) be consistent with the Standard Specification for Universal Design of Fitness Equipment for Inclusive Use by Persons with Functional Limitations and Impairments of the American Society for Testing and Materials (ASTM F3021–13) (and any future revisions thereto);

(2) ensure that—

(A) exercise or fitness equipment is accessible to, and usable by, individuals with disabilities; and

(B) individuals with disabilities have independent entry to, use of, and exit from the exercise or fitness equipment, to the maximum extent possible; and

(3) take into consideration the following:

(A) Whether the exercise or fitness service provider is a new or existing facility.

(B) Whether the exercise or fitness service provider is staffed or not.

(C) Instruction and additional assistance on the use of the accessible exercise or fitness equipment (including specific accessibility features) for individuals with disabilities.

(D) The size and overall financial resources of the exercise or fitness service provider.

(E) The availability of closed captioning of video programing displayed on equipment and televisions provided by an exercise or fitness service provider.

(c) REVIEW AND AMENDMENT.—The Access Board shall periodically review and, as appropriate, amend the guidelines, and shall issue the resulting guidelines as revised guidelines.

SEC. 5. TAX CREDIT FOR EXPENDITURES TO PROVIDE ACCESSIBLE EXERCISE OR FITNESS EQUIPMENT.

(a) IN GENERAL.—Paragraph (1) of section 44(c) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''paid or incurred by an eligible small business'' and inserting ''paid or incurred—

''(A) by an eligible small business'',

(2) by striking ''section).'' and inserting ''section), and'', and

(3) by inserting at the end the following:

''(B) by an eligible small business which is an exercise or fitness service provider for the purpose of providing for use by individuals with disabilities accessible exercise or fitness equipment that meets the guidelines established by the Access Board under section 4 of the Exercise and Fitness for All Act.

Any term used in subparagraph (B) which is defined in section 3 of the Exercise and Fitness for All Act shall have the meaning given such term in such section, as in effect on the date of the enactment of such subparagraph.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to expenses paid or incurred in taxable years beginning after the date of the enactment of this Act.

By Mr. HARKIN:

S. 2889. A bill to require compliance with established universal home design guidelines, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. HARKIN. 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. 2889

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 ''Universal Home Design Act of 2014''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ACCESSIBLE.—The term ''accessible'' (except when used in the context of accessible format) means—

(A) consistent with—

(i) subpart D of part 36 of title 28, Code of Federal Regulations (or any corresponding similar regulation or ruling); and

(ii) appendices B and D to part 1191 of title 36, Code of Federal Regulations (or any corresponding similar regulation or ruling); and

(B) independently usable by individuals with disabilities, including those who use a mobility device such as a wheelchair.

(2) ACCESS BOARD.—The term ''Access Board'' means the Architectural and Transportation Barriers Compliance Board established under section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792).

(3) COVERED DWELLING UNIT.—The term ''covered dwelling unit'' means a dwelling unit that—

(A) is a detached single family house, a townhouse or multi-level dwelling unit (whether detached or attached to other units or structures), or a ground-floor unit in a building of not more than 3 dwelling units;

(B) is designed as, or intended for occupancy as, a residence;

(C)(i) was designed, constructed, or commissioned, contracted, or otherwise arranged for construction, by a person or entity who, at any time before the design or construction, received or was guaranteed Federal financial assistance for any program or activity;

(ii) is purchased by a person or entity using amounts that are provided or guaranteed under a program that provides Federal financial assistance for homeownership; or

(iii) is offered for purchase by a person or entity using amounts that are provided or guaranteed under a program that provides Federal financial assistance for homeownership; and

(D) is made available for first occupancy after the expiration of the 30-month period beginning on the date of the enactment of this Act.

(4) DEPARTMENT.—The term ''Department'' means the Department of Housing and Urban Development.

(5) FEDERAL FINANCIAL ASSISTANCE.—The term ''Federal financial assistance'' means—

(A) any assistance that is provided or otherwise made available by the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, any Federal Home Loan Bank, the Secretary of Housing and Urban Development, the Secretary of Veterans Affairs, or any program or activity of the Department of Housing and Urban Development or the Department of Veterans Affairs, through any grant, loan, insurance, guarantee, contract, or any other arrangement, after the expiration of the 1-year period beginning on the date of the enactment of this Act, including—

(i) a grant, subsidy, or any other funds;

(ii) real or personal property or any interest in or use of such property, including—

(I) transfers or leases of the property for less than the fair market value or for reduced consideration; and

(II) proceeds from a subsequent transfer or lease of the property if the Federal share of the fair market value is not returned to the Federal Government;

(iii) any tax credit, mortgage or loan guarantee, or insurance; and

(iv) community development funds in the form of obligations guaranteed under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308); and

(B) any assistance that is provided or otherwise made available by the Secretary of Agriculture under title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.).

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

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

(8) PERSON OR ENTITY.—The term ''person or entity'' includes 1 or more individuals, corporations (including not-for-profit corporations), partnerships, associations, labor organizations, legal representatives, mutual corporations, joint-stock companies, trusts, unincorporated associations, trustees, trustees in cases under title 11 of the United States Code, receivers, and fiduciaries.

(9) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(10) UNIVERSAL HOME DESIGN.—The term ''universal home design'' means the inclusion of architectural and other landscaping features that allow basic access to and within a residential dwelling by an individual with a disability who cannot climb stairs, including an individual who uses a mobility device such as a wheelchair.

SEC. 3. ESTABLISHMENT OF UNIVERSAL HOME DESIGN GUIDELINES.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Access Board, in consultation with the Secretary, shall develop and issue guidelines setting forth the minimum technical criteria and scoping requirements for a covered dwelling unit to be in compliance with universal home design under this Act.

(b) UNIVERSAL HOME DESIGN FEATURES COVERED.—The guidelines required to be developed and issued under subsection (a) shall include, at a minimum, basic access to a covered dwelling unit and to not less than 1 level within such covered dwelling unit, including—

(1) an accessible entrance located on an accessible path from the public street or driveway;

(2) accessible interior doors with sufficient clear width and accessible thresholds;

(3) accessible environmental controls on the wall;

(4) at least 1 accessible indoor room that has an area of not less than 70 square feet and contains no side or dimension narrower than 7 feet;

(5) an accessible bathroom with—

(A) an accessible sink and toilet; and

(B) reinforced walls that permit the installation of grab bars; and

(6) a kitchen space—

(A) with accessible food preparation, washing, and storage areas; and

(B) that can easily be further adapted to accommodate an individual with a disability.

(c) REGULATIONS.—Not later than 6 months after the date on which the guidelines are issued under subsection (a), the Secretary shall issue regulations, in an accessible format—

(1) to carry out the provisions of this Act; and

(2) that include accessibility standards that are consistent with the guidelines issued under subsection (a).

(d) REVIEW AND AMENDMENT.—

(1) ACCESS BOARD.—The Access Board, in consultation with the Secretary, shall—

(A) periodically review and, as appropriate, amend the guidelines issued under subsection (a); and

(B) issue such amended guidelines as revised guidelines.

(2) SECRETARY.—Not later than 6 months after the date on which revised guidelines are issued under paragraph (1)(B), the Secretary shall issue revised regulations that are consistent with such revised guidelines.

SEC. 4. USE OF UNIVERSAL HOME DESIGN GUIDELINES IN NEW CONSTRUCTION.

It shall be unlawful for any person described in clauses (i), (ii), and (ii) of section 2(3)(C), with respect to a covered dwelling unit, to fail to ensure that the covered dwelling unit complies with the universal home design guidelines established under section 3.

SEC. 5. ENFORCEMENT.

(a) REQUIREMENT FOR FEDERAL FINANCIAL ASSISTANCE.—Each applicant for Federal financial assistance that is to be used for a covered dwelling unit shall submit to the agency providing such Federal financial assistance an assurance, at such time and in such manner as the head of the agency may require, verifying that the applicant is in compliance with the universal home design guidelines established under section 3 with respect to the covered dwelling unit.

(b) CIVIL ACTION FOR PRIVATE PERSONS.—Any person aggrieved by an act or omission that is unlawful under section 3 or 4 may commence a civil action in an appropriate United States district court against any person or entity responsible for any part of the design, construction, or sale of a covered dwelling unit.

(c) ENFORCEMENT BY ATTORNEY GENERAL.—Whenever the Attorney General has reasonable cause to believe that any person or group of persons has violated section 3 or 4, the Attorney General may commence a civil action in any appropriate United States district court. The Attorney General may also, upon timely application, intervene in any civil action brought under subsection (b) by a private person if the Attorney General certifies that the case is of general public importance.

(d) RELIEF.—In any civil action brought under subsection (b) or (c), if the court finds that a violation of section 3 or 4 of this Act has occurred or is about to occur, it may award to the plaintiff actual and punitive damages, and may grant as relief, as the court finds appropriate, any permanent or temporary injunction, temporary restraining order, or other order (including an order enjoining the defendant from violating section 3 or 4 of this Act or ordering such affirmative action as may be appropriate).

(e) ATTORNEY'S FEES.—In any civil action brought under subsection (b) or (c), the court, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney's fee and costs.

(f) VIOLATIONS.—For purposes of this section, a violation involving a covered dwelling unit that is not designed or constructed in conformity with the universal home design guidelines established under section 3 shall not be considered to terminate until the violation is corrected.

SEC. 6. OFFICE OF ACCESSIBLE HOUSING AND DEVELOPMENT.

(a) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Secretary shall establish in the Department an Office of Accessible Housing and Development.

(b) DIRECTOR.—The Office of Accessible Housing and Development shall be headed by a Director of Accessible Housing and Development, who shall be—

(1) appointed by the Secretary;

(2) an individual with substantial knowledge of individuals with disabilities and universal design; and

(3) responsible for implementing the responsibilities described in subsection (c).

(c) RESPONSIBILITIES.—

(1) INFORMATION DISSEMINATION.—The Office of Accessible Housing and Development shall disseminate information to inform the public about the importance of universal home design by—

(A) sharing information and resources about the requirements under this Act, the Fair Housing Act (42 U.S.C. 3601 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and the Americans with Disabilities Act (42 U.S.C. 12101 et seq.); and

(B) creating a website in accordance with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d) to facilitate the dissemination of information and resources under subparagraph (A).

(2) SURVEYING THE AVAILABILITY OF AFFORDABLE AND ACCESSIBLE HOUSING.—Not later than 180 days after the date of enactment of this Act, the Office of Accessible Housing and Development shall conduct a study and submit to the Secretary a report on the number of covered dwelling units and other housing units that are accessible to individuals with disabilities in each State, disaggregated by type of housing, cost, and location.

(3) PROMOTING UNIVERSAL HOME DESIGN.—The Office of Accessible Housing and Development shall—

(A) help monitor progress and compliance with the universal home design guidelines established under section 3;

(B) submit to the Secretary an annual report detailing compliance with the universal home design guidelines established under section 3, including the number of covered dwelling units that were built in each State that were in compliance with such guidelines;

(C) coordinate with, and provide technical assistance to, the Department of Justice to assist in the enforcement of this Act; and

(D) perform any other duties as the Secretary may determine appropriate.

SEC. 7. SEVERABILITY.

If any provision of this Act of the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of the provision to other persons not similarly situated shall not be affected thereby.

By Mr. BOOKER (for himself, Mr. WICKER, Mr. BEGICH, Mr. COCHRAN, and Mr. CASEY):

S. 2891. A bill to amend title 23, United States Code, to direct the Secretary of Transportation to establish an innovation in surface transportation program, and for other purposes; to the Committee on Environment and Public Works.

Mr. BOOKER. Mr. President, I rise today to introduce with Senate colleagues the Innovation in Surface Transportation Act, which will spur economic development and include more local stakeholders in transportation projects. I am proud to join with Senators WICKER, BEGICH, COCHRAN, and CASEY to sponsor this important bipartisan legislation.

As a former Mayor, I understand local leaders are often in the best position to make sound, cost-effective investment decisions to boost the local economy. Today, our cities, towns and suburbs are not getting the transportation investments they need to remain competitive and attract the kind of investment needed to create jobs and put more people to work.

This legislation establishes a statewide program of competitive grants to local communities overseen by a diverse selection panel, including state Departments of Transportation, local jurisdictions, port authorities, and representatives from air quality and safety organizations. This innovative proposal would encourage communities to compete against their peers, and stretch to make the most of every project and every dollar. Recognizing each state and region has different transportation needs, the panel would create criteria specific to their State's needs, such as improving the movement of freight, or connecting low-income communities to jobs. The bill would also require a metric-based, objective, fully transparent process based off critical criteria, such as return on investment, job creation, and reducing environmental impacts.

The most cost-effective and economically important projects will rise to the top, which will help communities across the country meet the great challenge of maintaining aging infrastructure and preparing for future growth with constrained funding.

I look forward to working with my colleagues to build further support for this legislation and continue working to provide long-term transportation investment that strengthens communities across the nation.

By Ms. COLLINS (for herself and Mr. NELSON):

S. 2896. A bill to amend title 31, United States Code, to adjust for inflation the amount that is exempt from administrative offsets by the Department of Education for defaulted student loans; to the Committee on Finance.

Ms. COLLINS. Mr. President, today Senator NELSON and I are introducing legislation to limit the amount the Federal Government can garnish from Social Security benefits for unpaid student loan debt. Our bill would adjust the current $750 garnishment floor for inflation and index it going forward, to make sure that garnishments do not force seniors into poverty.

According to a recent study by the Government Accountability Office, GAO, the number of borrowers who have experienced garnishments to Social Security retirement, survivor, or disability benefits to repay student loans has increased over time. In 2001, about 31,000 Social Security beneficiaries had part of their benefits garnished to pay defaulted student loans. In 2013, this number had grown to approximately 155,000 beneficiaries, an increase of 400 percent.

The Debt Collection Improvement Act limits the amount the federal government can garnish from monthly Federal benefits. In 1998, this amount was set at $750 per month, and since then, it has not been raised or adjusted for inflation. This means that the federal government can garnish Social Security benefits so long as the beneficiary is not left with less than $750 per month. Fifteen years ago, this was above the poverty line, but as a result of inflation, the $750 limit now represents just 81 percent of the poverty threshold for a single adult 65 or older.

GAO found that if the garnishment limit had been indexed to match the rate of increase in the poverty threshold, in 2013, 68 percent of all borrowers whose Social Security benefits were garnished for Federal student loan debt would have kept their entire benefit. This means that in more than 2/3 of all cases involving the garnishment of Social Security benefits for unpaid student loan debt, the senior was forced into poverty. Indexing the floor to keep up with cost of living would keep this from happening.

I urge my colleagues to support this legislation to protect the financial security of seniors facing garnishment for unpaid student loan debt.

Mr. NELSON. Mr. President, today I announce my support of the Social Security Garnishment Modernization Act. I once again want to thank and commend Senator COLLINS, my cosponsor on this legislation and co-leader on the Senate Special Committee on Aging. This is the fifth bill I have cosponsored with Senator COLLINS as a direct result of a hearing we have held in the Aging Committee.

Earlier this month, our Committee examined the growing problem of seniors facing student loan debt in retirement. A senior with student loan debt who reaches the age of 65 has a one in four chance of being in default on that loan. If a senior still has student loan debt by the time he reaches 75, there's a better chance than not that the senior is in default on those loans.

The consequences for being in default on those loans in retirement can be devastating. The Department of Education can direct the Treasury Department to garnish a substantial portion of a senior's monthly Social Security payment. Seniors can be left with just $750 a month, well below the official monthly poverty threshold of $931. This figure has not been updated since the late 1990s. This bill would update the amount of money protected from garnishment and index it for inflation going forward so that a senior today would get to keep $1,072 a month even if he was in default on his student loans.

This bill could help people like 72-year-old Janet Lee Dupree of Citra, FL, whose Social Security check was garnished for a $3,000 loan she took out in the early 1970s. With interest and fees, that loan ballooned to $15,000, which means that she will likely be in debt the rest of her life. If this bill passed, she would get to keep more of her hard-earned Social Security benefits that she needs to get by and pay for health care costs associated with two chronic and debilitating diseases.

We need to fix this problem soon because the next wave of retirees is coming, and a substantial number of them are still carrying student loan debt. Nearly 18 million people ages 50 to 64 owe on their student loans, and one in five of those people are already in default, meaning they could face garnishment once they start taking Social Security benefits. We need to protect today's retirees and tomorrow's retirees so that they have enough money to live with dignity.

By Mr. REED (for himself, Mr. HARKIN, and Mr. WHITEHOUSE):

S. 2906. A bill to provide for the treatment and extension of temporary financing of short-time compensation programs; to the Committee on Finance.

Mr. REED. Mr. President, today I am joined by Senators HARKIN and WHITEHOUSE in introducing the Layoff Prevention Extension Act of 2014. This bill would extend the financing and grant provisions for the work sharing initiative I authored and worked to include as part of the Middle Class Tax Relief and Job Creation Act of 2012. Since becoming law, work sharing has helped save over 110,000 jobs, including 1,200 jobs in my State of Rhode Island, according to the Department of Labor. It has saved States $225 million by reimbursing them for work sharing benefits they paid out to workers—benefits that helped keep people on the job as employees and employers elected to reduce hours across the board instead of laying workers off.

Before my bill became law only a handful of States had work sharing programs. By tilting the incentives away from layoffs and toward work sharing a majority of states now have laws on their books. However, the 100 percent Federal financing of these work sharing benefits will expire in the summer of 2015 and the $100 million in implementation grants by the end of this year. My bill would extend both of these deadlines by one year so States with existing work sharing programs and those that are looking to enact a program can qualify for Federal support.

I urge my colleagues to join me in passing this bill to keep American workers on the job and encourage more States to enact work sharing programs that enjoy broad support in States that have adopted them and economists on both sides of the spectrum.

By Mrs. FEINSTEIN:

S. 2908. A bill to amend the Internal Revenue Code of 1986 to expand eligibility for the refundable credit for coverage under a qualified health plan, and for other purposes; to the Committee on Finance.

Mrs. FEINSTEIN. Mr. President, the Affordable Care Act made great strides in improving access to health insurance for millions of Americans. Unfortunately, especially in high-cost geographic areas, some in the middle class are facing high insurance premiums.

If you make a penny over $45,960 you lose all Federal assistance for purchasing health insurance through the new exchanges. This is especially hard for individuals between the ages of 50 and 64, who are facing higher premiums but do not yet qualify for Medicare.

I have received thousands of calls and emails about access to health insurance. The high costs are a real problem. For example, Dave, one of my constituents from Livermore, CA, wrote to me to share how this policy has affected him. Dave is 60 and self-employed, making $65,000 per year. He signed up for a plan through the new health insurance exchange to cover both himself and his wife. If they made just $3,000 less per year they would have qualified for a subsidy and paid $491 for the second lowest cost silver plan. Since they are just over the threshold, the full cost of this plan is $1552. They decided to go with less robust coverage and still pay $1147 for a bronze plan. Under this legislation, Dave and his wife could get a better plan for less than half of what they pay now.

Another constituent, Dan, lives in Riverside, CA, and is 62 years old. He wrote to me and explained that his pension is just barely too high to receive help with his health insurance premiums and that he just can't afford it. Currently, the second lowest cost silver plan for Dan and his wife would be $1141 per month. Under this legislation, they would be able to afford health insurance.

The way the law is currently designed, there is a steep subsidy cliff.

This should gradually reduce, in a way that provides some help for more middle-income Americans so they pay no more than 9.5 percent their income in health insurance premiums.

The Affordable Health Insurance for the Middle Class Act would do just that. This legislation extends the current subsidy up to 600 percent of the Federal poverty level, which is $68,940 for an individual. As an individual makes more, their subsidy goes down.

I am particularly concerned about older individuals who need medical care but face premiums they simply cannot afford. In California, it is estimated that approximately 360,600 individuals between the ages of 50–64 who do not qualify for Medicaid or have employer-based coverage would see premiums greater than 9.5 percent of their income. Nearly 98,000 of these are expected to remain uninsured due to the cost. This is a simple fix to improve the law that will further increase access to coverage.

The bill is paid for by a nominal increase in the federal cigarette tax, which amounts to five cents per pack.

I urge my colleagues to join me in supporting the Affordable Health Insurance for the Middle Class Act. It is commonsense to have a gradual decline in the federal assistance for health insurance and help those who are just out of reach of affording it on their own.

I look forward to working with my colleagues on this important issue.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 561—EXPRESSING THE SENSE OF THE SENATE THAT RECENTLY PROPOSED MEASURES THAT WILL REDUCE TRANSPARENCY AND PUBLIC PARTICIPATION AT THE INTERNATIONAL ASSOCIATION OF INSURANCE SUPERVISORS (IAIS) SHOULD BE DISAPPROVED BY UNITED STATES REPRESENTATIVES TO THE IAIS

Mr. HELLER (for himself and Mr. TESTER) submitted the following resolution; which was referred to the Committee on Banking, Housing, and Urban Affairs:

S. RES. 561

Whereas the International Association of Insurance Supervisors (IAIS) establishes global insurance standards that the United States and other countries are expected to implement and are graded on their compliance with;

Whereas heretofore, the procedures of the IAIS were relatively transparent for observers;

Whereas on August 4, 2014, the IAIS proposed eliminating public observers from its meetings starting on January 1, 2015, significantly reducing the transparency of its activities and only allowing certain parties to attend;

Whereas representatives of United States consumer advocacy organizations have just recently been admitted as observers;

Whereas the IAIS proposed procedures would provide far less transparency and participation than the procedure afforded to interested stakeholders in the United States by the National Association of Insurance Commissioners (NAIC);

Whereas maximum transparency produces the best regulation and the proposed procedures will reduce transparency; and

Whereas United States State insurance regulators who currently provide the largest portion of funding to the IAIS have already publically expressed opposition to the proposed reduction in IAIS transparency: Now, therefore, be it

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

(1) the International Association of Insurance Supervisors' (IAIS) proposed procedures will reduce transparency and access to IAIS supervisory standard development by United States stakeholders including those representing consumers;

(2) the proposed procedures specifically authorize the unfair and unequal treatment of interested parties by allowing the IAIS to selectively admit certain parties and exclude others at key meetings;

(3) all representatives of the United States at the International Association of Insurance Supervisors should oppose these new procedures and instead advocate more transparency and public inclusion by the IAIS;

(4) should the IAIS adopt the proposed procedures or any similar reductions in transparency, United States representatives to the IAIS should make all appropriate efforts to ensure that proper transparency is restored; and

(5) all United States representatives to the IAIS should work to ensure that their activities are transparent to Congress and United States stakeholders, and that United States representatives to the IAIS should regularly communicate with United States stakeholders through timely comprehensive reporting and in-person discussions.

SENATE RESOLUTION 562—EXPRESSING THE SENSE OF THE SENATE THAT PERFORMANCE-BASED CONTRACTS FOR ENERGY SAVINGS ARE A BUDGET-NEUTRAL MEANS TO SUPPORT THE FEDERAL GOVERNMENT IN REDUCING ITS ENERGY CONSUMPTION WITHOUT INCREASING SPENDING WHILE SIMULTANEOUSLY SUPPORTING UNITED STATES BASED JOBS AND ECONOMIC DEVELOPMENT

Mr. COONS (for himself, Mr. HOEVEN, Mrs. SHAHEEN, Mr. PORTMAN, Ms. LANDRIEU, Ms. COLLINS, Mr. FRANKEN, Mr. GRAHAM, Mr. WYDEN, Mr. CHAMBLISS, Mr. MENENDEZ, Mr. REED of Rhode Island, Mr. MERKLEY, Mr. KING, Mr. SCHATZ, Mr. MARKEY, Mr. BOOKER, Mr. BLUMENTHAL, Ms. WARREN, and Mr. DONNELLY) submitted the following resolution; which was referred to the Committee on the Budget:

S. RES. 562

Whereas Energy Savings Performance Contracts and Utility Energy Service Contracts were first authorized by Congress in 1986 and 1992 respectively and reduce energy costs and consumption at Federal buildings and facilities without relying on additional appropriations;

Whereas the contracts are financed by a third-party and realize sufficient energy savings to cover the cost of the financed improvements over the contract term;

Whereas the contractor provides a guarantee of energy savings for the Energy Savings Performance Contract and the utility provides energy savings performance assurances or guarantees of the savings for the Utility Energy Service Contract;

Whereas performance-based contracting is an opportunity for significant savings so much so that the Oak Ridge National Laboratory has determined that under an Energy Savings Performance Contract the total cost savings delivered to the Government is nearly twice the guaranteed amount;

Whereas the Energy Independence and Security Act of 2007 required a Government-wide audit of facilities and, although to date only half of those buildings have been surveyed, it has been established that at least $9,000,000,000 worth of energy savings that could be achieved within a decade;

Whereas the Office of Management and Budget first recognized savings from Energy Savings Performance Contracts and Utility Energy Service Contracts on an annual basis throughout the term of the contract as far back as 1998;

Whereas the Congressional Budget Office instead has determined that the full cost of the authority to enter into the long-term contracts for capital investments be scored upfront as new mandatory spending while the savings in energy costs that flow from these investments be realized over time as part of the annual appropriations process;

Whereas this has continued to hinder the ability of Congress to pass legislation ensuring additional energy and cost savings to the Federal Government through utilization of these contracts despite their proven savings; and

Whereas there is broad bipartisan and bicameral recognition in Congress of the value of these energy saving contracts: Now, therefore, be it

Resolved, That it is the sense of the Senate that legislation regarding Energy Savings Performance Contracts and Utility Energy Service Contracts, and legislation which may lead to their use by the Federal Government, should receive Congressional scoring treatment that allows future year guaranteed discretionary savings to be counted against the mandatory spending attributed to undertaking such contracts.

SENATE RESOLUTION 563—EXPRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD PURSUE EXTRADITION AUTHORITY FOR INTERNATIONAL CYBERCRIMINALS COMMITTING CREDIT CARD THEFT TARGETING UNITED STATES CITIZENS

Mr. KIRK (for himself, Mr. MCCONNELL, Mr. COATS, Mr. ISAKSON, Mr. CHAMBLISS, Mr. WICKER, Mr. THUNE, Mr. BLUNT, Mr. BOOZMAN, Mr. JOHNSON of Wisconsin, Mr. CORNYN, and Mr. GRASSLEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 563

Whereas the number of United States citizens who have had their identity and financial information compromised as a result of recent data breaches at major retailers exceeds 100,000,000;

Whereas the financial security of middle class Americans has been put at risk by these criminal attacks;

Whereas cybercrimes targeting the financial information of United States citizens are often transnational crimes; and

Whereas the United States does not currently have established extradition agreements with many countries acting as safe