

Act to continue to encourage the expansion, maintenance, and establishment of approved graduate medical residency programs at qualified teaching health centers, and for other purposes.

S. 1200

At the request of Mr. MERKLEY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1200, a bill to create protections for depository institutions that provide financial services to cannabis-related legitimate businesses and service providers for such businesses, and for other purposes.

S. 1223

At the request of Mr. CASEY, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 1223, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 1235

At the request of Mrs. BLACKBURN, the names of the Senator from South Carolina (Mr. SCOTT), the Senator from Delaware (Mr. CARPER), the Senator from Oklahoma (Mr. LANKFORD), the Senator from Delaware (Mr. COONS), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 1235, a bill to require the Secretary of the Treasury to mint coins in commemoration of ratification of the 19th Amendment to the Constitution of the United States, giving women in the United States the right to vote.

S. 1263

At the request of Ms. CORTEZ MASTO, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1263, a bill to require the Secretary of Veterans Affairs to establish an interagency task force on the use of public lands to provide medical treatment and therapy to veterans through outdoor recreation.

S. 1279

At the request of Mr. JONES, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 1279, a bill to reauthorize mandatory funding programs for historically Black colleges and universities and other minority-serving institutions.

S. 1298

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1298, a bill to amend the Financial Stability Act of 2010 to include the State insurance commissioner as a voting member of the Financial Stability Oversight Council, and for other purposes.

S. 1370

At the request of Mr. CASSIDY, the names of the Senator from New Jersey

(Mr. BOOKER), the Senator from Washington (Ms. CANTWELL), the Senator from Massachusetts (Ms. WARREN) and the Senator from Virginia (Mr. Kaine) were added as cosponsors of S. 1370, a bill to amend the Internal Revenue Code of 1986 to treat certain military survivor benefits as earned income for purposes of the kiddie tax.

S. 1414

At the request of Mr. DURBIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1414, a bill to provide bankruptcy relief for student borrowers.

S. 1418

At the request of Mr. MURPHY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1418, a bill to establish the Strength in Diversity Program, and for other purposes.

S. 1469

At the request of Mrs. FEINSTEIN, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 1469, a bill to amend title 18, United States Code, to prohibit interfering in elections with agents of a foreign government.

S. 1482

At the request of Mr. WHITEHOUSE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1482, a bill to establish an integrated national approach to respond to ongoing and expected effects of extreme weather and climate change by protecting, managing, and conserving the fish, wildlife, and plants of the United States, and to maximize Government efficiency and reduce costs, in cooperation with State, local, and Tribal governments and other entities, and for other purposes.

S. 1508

At the request of Mr. TOOMEY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1508, a bill to amend title 18, United States Code, to provide enhanced penalties for convicted murderers who kill or target America's public safety officers.

S. 1528

At the request of Mr. MURPHY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1528, a bill to amend title 31, United States Code, to provide for the issuance of Green Bonds and to establish the United States Green Bank, and for other purposes.

S. 1531

At the request of Mr. CASSIDY, the names of the Senator from Iowa (Ms. ERNST), the Senator from Indiana (Mr. BRAUN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1531, a bill to amend the Public Health Service Act to provide protections for health insurance consumers from surprise billing.

S. 1537

At the request of Mr. TOOMEY, the name of the Senator from Missouri

(Mr. BLUNT) was added as a cosponsor of S. 1537, a bill to ensure America's law enforcement officers have access to lifesaving equipment needed to defend themselves and civilians from attacks by terrorists and violent criminals.

S. RES. 80

At the request of Mr. COONS, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. Res. 80, a resolution establishing the John S. McCain III Human Rights Commission.

S. RES. 135

At the request of Mr. BOOZMAN, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from North Dakota (Mr. CRAMER), the Senator from Utah (Mr. ROMNEY), the Senator from Idaho (Mr. CRAPO), the Senator from Texas (Mr. CORNYN) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. Res. 135, a resolution expressing the gratitude and appreciation of the Senate for the acts of heroism and valor by the members of the United States Armed Forces who participated in the June 6, 1944, amphibious landing at Normandy, France, and commending those individuals for leadership and bravery in an operation that helped bring an end to World War II.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL (for himself and Mr. KAINE):

S. 1541. A bill to increase the minimum age for sale of tobacco products to 21; to the Committee on Health, Education, Labor, and Pensions.

Mr. MCCONNELL. Mr. President, today, I am introducing Federal legislation to make 21 the new minimum age for purchasing any tobacco product anywhere in the United States. Let me say that again—a new age nationwide for purchasing anything classified as a tobacco product—cigarettes, e-cigarettes, vapor products, and everything else. It shouldn't be 18 any longer; it should be 21, and this legislation will make that happen.

I recognize I might seem like an unusual candidate to lead this charge. I am the senior Senator from Kentucky. I have consistently stood up for our Kentucky farmers, including our tobacco farmers. I championed the tobacco buyout back in 2004. But actually my long experience with this subject and my commitment to farm families are part of what has convinced me that now is the right time to do this. I would like to say a few words about why.

Tobacco has been deeply intertwined in our Nation's history from the very beginning. Native Americans grew it and used it before European explorers ever arrived. John Rolfe—the famous settler who later married Pocahontas—kick-started Virginia's export economy using foreign tobacco seeds in 1612.

By the eve of the Revolution, tobacco was a major export and a huge part of

our colony's prosperity. Many tobacco farmers were energetic early backers of independence. George Washington grew tobacco at Mount Vernon, at first as his primary crop. In Benjamin Franklin's newspapers, some of the earliest ads for American tobacco ran alongside the essays urging Americans to stand up for freedom. Several million pounds of tobacco were actually used as collateral to help secure the loans they needed from France. Years later, Lewis and Clark used it as a peace offering to the Native Tribes they met while they were headed west. And, like too many other parts of early American history, tobacco's development was closely linked with the sin of slavery.

So tobacco has been a part of this country right from the start—so much so, in fact, that right here in the U.S. Capitol, artisans replaced the traditional designs in many of the Roman-style columns and chiseled American tobacco leaves in their place. Right here in this Chamber, we still have some old spittoons. We used to have Senate snuff boxes filled on the taxpayers' dime. The residue on the floors used to be so considerable that Charles Dickens warned fellow visitors not to pick up anything they dropped unless they had a pair of gloves on. One of the Senators Dickens actually admired most from that visit was Henry Clay. And, befitting the Commonwealth of Kentucky and our own rich history with the crop, that legendary Kentuckian was also a legendary tobacco enthusiast.

When the first settlers came over the Appalachians into what is now Kentucky, tobacco offered the perfect opportunity to jump-start their new lives. A pocketful of seeds was enough for a downpayment on a new, economically secure future for your family. Kentucky had fertile soil. We had favorable summers. We had inland waterways and access to the Mississippi for shipping.

Before long, burley tobacco was a staple crop for literally tens of thousands of Kentucky farms. For a time, we led even Virginia and North Carolina as the No. 1 tobacco State. Generations of farmers, even if they weren't primarily tobacco growers, would plant a little corner of it to help float the rest of the operation. Farming tobacco put shoes on kids' feet. It put dinner on the table. For many in Kentucky, tobacco made the American dream possible. It is a central pillar of our State's history.

In fact, back in the early 1900s, there was literally an armed conflict called the Black Patch War that revolved around tobacco prices. Farmers were against farmers. We are talking about beatings and horse whippings. Barns were burned. Eventually, martial law was declared in part of Kentucky. We are talking about neighbor-on-neighbor violence that was reminiscent of the Civil War—all over tobacco prices. The conflict was actually memorialized in the book "Night Rider," the first novel

by Robert Penn Warren, the famous Kentucky-born writer who won multiple Pulitzers and served as U.S. Poet Laureate.

A few decades later, in the late 1930s, Senator Alben Barkley—the only other Kentuckian to serve as majority leader—set up a top-down quota system that got Washington heavily involved in the tobacco market to try to provide price special assurance for farmers.

So when I first arrived here in the Senate in 1985, more than two-thirds of Kentucky's farmers grew some tobacco, and it accounted for almost half of the value of all the agricultural production in my State. But, of course, demand for U.S. tobacco has gone down as, among other factors, our knowledge of the health consequences has gone up.

Even as early as the late 1800s, when the transition began from all the varied forms of tobacco toward the modern, mass-marketed, mass-produced cigarette industry, there was concern. Those concerns went mainstream with the Surgeon General's report on smoking in the 1960s, and of course our understanding has only grown with more research. By 2004, these concerns, plus foreign competition, were making that quota system less of a helpful backstop and more of a stranglehold. So there was interest on all sides in unwinding this archaic system without pulling the rug out from under our growers.

I secured the Fair and Equitable Tobacco Reform Act, known as the tobacco buyout, which President Bush 43 signed into law. It wound down the special treatment for tobacco, while also providing the farmers who had invested heavily in these quotas 10 years of buyout payments to ease their transition.

What has happened since then has been a very exciting story. Just as Kentucky farmers once led the Nation in cultivating tobacco and helped write that important chapter in American history, they are now helping to write the next chapter of innovation.

We aren't interested in banning tobacco. We aren't interested in turning our backs on adults who choose to use these products or pretending we aren't proud of the Kentuckians who still grow it. But as the market has settled, many of our farmers have seized the opportunity to try new things.

Just a few years before the buyout, almost 30,000 Kentucky farms were still growing tobacco. It still made up about one-quarter of all of our farmers' cash receipts statewide. But the 10-year buyout program ended in 2014. These days, instead of 30,000 farms growing tobacco in the Commonwealth, it is more like 2,600. It still brings in hundreds of millions of dollars, but now it is only 6 percent of our total receipts from agriculture. Freed from the sunk costs of a quota system, our farmers have been able to participate in a more free market and reap the benefits. In fact, overall cash receipts from agriculture actually set a new record in

2014—the very same year the buyout ended. I am proud the 2004 policy I achieved has been a success. Kentucky farmers have taken the ball, however, and they have run with it.

I mentioned that George Washington initially planted a whole lot of tobacco at Mount Vernon before a variety of factors led him to scale it back and experiment with other things. One of those new crops was hemp. That was all the way back in the 1770s. As usual, George Washington knew what he was doing.

Industrial hemp is making a comeback today, and Kentucky farmers asked for help to change the outdated Federal laws that confused the plant with cannabis and prevented them from exploring the crop.

In 2014, I fought and won for farmers the right to explore hemp through State pilot projects. In last year's farm bill, my provision finished the job and made hemp a fully legal commodity nationwide. Now we are seeing the future take shape right before our eyes. Farmers in 99 of 120 counties are growing hemp. Processors are reporting more than \$50 million in gross sales. And this is just one of the new crops our farmers are using to chart new directions and connect Kentucky's past with its future.

I realize this has been quite a history lesson, but Kentuckians are used to hearing sweeping statements about our tobacco industry from folks outside the State who know none of this history and yet have no problem forming strong opinions. We are proud of our past. We are proud of who we are. But Kentucky farmers don't want their children to get hooked on tobacco products while they are in middle school or high school any more than any parents anywhere want that to happen. Kentucky is proud of what we make, but we also take pride in the health and development of our children.

The sad reality is that Kentucky has been the home to the highest rates of cancer in the country. We lead the entire Nation in the percentage of cancer cases tied directly to smoking. Our State once grew tobacco like none other, and now we are being hit by the health consequences of tobacco use like none other.

Nationwide, we are in the middle of a completely new public health epidemic that is really threatening our progress in youth tobacco use—the use of e-cigarettes and vaping. This spike has been concentrated in teenagers—and not just 18-year-olds. Moms and dads across the country are seeing their middle and high schoolers take up this new habit and start down a deadly path that our society has previously spent decades working hard to close down.

From 2017 to 2018, high school students' use of what are classified as tobacco products shot up by nearly 40 percent. That is a staggering figure, especially in a single year. That increase is driven almost entirely by vaping.

The brain is still developing at this young age. When teenagers use tobacco, they are quite literally altering their brain's chemistry and making it more susceptible to addiction. Many young vape users aren't buying the products themselves but sharing them with a friend. And remember, 90 percent of adult daily smokers say they used their first tobacco product before age 19.

Youth vaping is a public health crisis. It is our responsibility, as parents and public servants, to do everything we can to keep these harmful products out of high schools and out of youth culture. We need to put the national age of purchase at 21.

That is why I am introducing this legislation in recognition of tobacco's storied past in Kentucky and aware of the threat that all tobacco products pose now and for future generations. I am proud to partner on this effort with Senator TIM KAINE, who represents another Commonwealth with a long history of growing tobacco. I know there is interest from Members on both sides of the aisle, including Senators YOUNG, ROMNEY, SCHATZ, and others. This is not a zero-sum choice between farmers and public health. We can support both. We need to support both, but the health of our children is literally at stake.

That is why I will make enacting this legislation one of my highest priorities, and I look forward to working with all of our colleagues to make that happen.

Mr. KAINE. Mr. President, I rise to support the words of my colleague, Leader MCCONNELL, and to thank him for working on this important piece of legislation, the Tobacco-Free Youth Act. I will offer some thoughts about why I have been happy to work with Leader MCCONNELL and with other Senators who share the goal of raising the national tobacco age to 21.

Like Senator MCCONNELL, I come from a tobacco State. The Jamestown-based Virginia Company was chartered by King James, landing at Jamestown in 1607, and beginning the English colonization of the United States. They almost didn't make it. They could easily have failed like other English settlements in the Outer Banks of North Carolina or others, but two things saved them.

The first was the magnanimity of the Powhatan Indians, who, in those early years, when times were tough, helped them to survive and helped them to get over times of drought and hunger. The second thing was the discovery of, as Leader MCCONNELL mentioned, the tobacco seeds in Virginia that, through the efforts of John Roth and others, became such a powerful driver of the Virginia agricultural economy. Had it not been for tobacco and had it not been for the Powhatan Indians, the Jamestown colony would likely have disappeared.

Tobacco has such a place in our history that in the ceiling of both of the

legislative chambers in the Virginia Capitol, designed by Thomas Jefferson, the ceiling is circled by gold-embossed tobacco leaves. We restored the capitol in 2000 and restored the gold embossing because we understand that it was tobacco that helped create modern Virginia.

In the city of Richmond, where I live and where I served as mayor, one of the largest cigarette-producing manufacturers in the world is the Philip Morris plant in South Richmond, which over decades has been a fantastic employer of local Virginians and local residents.

As Governor, I was proud to work on tobacco initiatives because, as the leader indicated, as we become more aware of public health consequences, there has been more need to try to stem the challenges that these health consequences create.

When I was Governor, I worked in tandem with my Republican speaker of the house to ban smoking in restaurants and bars, which was a tough, tough sell at that time back in 2009, but we made it happen. Probably my happiest day as a Governor, vis-a-vis tobacco, was the day where I went to Chesterfield County in suburban Richmond, and, together with bipartisan legislators, we celebrated the results that had just come out that showed that for the first time in recorded history the youth smoking rate in Virginia was below the national average. Much like Kentucky, we have been above the national average because in a State where it is a product that you are proud of, everyone is encouraged to use it. But by about 2009, we were below the national average, and we felt very good about that.

I am here with Senator MCCONNELL, partly because of our history, but really I am here, as he indicated, because of the current challenge. We are backsliding. We are backsliding. The recent increases in youth tobacco use demonstrate that we need to do more.

Current youth tobacco product use has increased dramatically from 2017 to 2018, completely erasing the decline in tobacco product use among youth that had been happening for many years. From the CDC, this increase is driven largely by e-cigarettes. More than 1 in 4 high schoolers in 2018 and 1 in 14 middle schoolers in 2018 had used a tobacco product in the last 30 days—a dramatic increase from 2017—and 1.5 million more young people used e-cigarettes in 2018 than in 2017.

E-cigarettes are the most commonly used product among the young, and they are frequently used in combination with other tobacco products. The recent increase in the use of tobacco products is heavily, heavily driven by the popularity of e-cigarettes, shaped like a flash drive, able to be shared with friends, and sold in kid-friendly flavors with a high nicotine content.

Disturbingly, it is not only e-cigarettes. The use of any tobacco product grew by more than 38 percent among high schoolers from 2017 to 2018, and in

Virginia, where we had celebrated in our State that it was below the national average, we are seeing dramatic increases. And 16.3 percent of high school youth are reporting using any tobacco product, and 6.5 percent of those—one-third of those—smoke cigarettes.

According to the CDC, any use of tobacco products by the young is considered unsafe. The leader laid out how the use of these e-cigarettes alter the chemistry of the brain and actually make a young person more prone for the rest of their life to becoming addicted. And it is not just addiction. It is also learning, memory, attention, impulse control, and cognition. The use of tobacco also increases among the young the likelihood of developing mood disorders like anxiety and depression.

So there is a strong rationale for this bill, and I was honored when the majority leader asked about a month ago if I would work together with him on a bipartisan bill as two Senators from tobacco States, joining others to find a way to raise the age from 18 to 21.

Now, 95 percent of adult smokers begin smoking before the age of 21. The Institute of Medicine, now the National Academy of Medicine, did research recently showing that increasing the tobacco age to 21 will, over time, significantly reduce the number of young and young adult smoking, as well as smoking-caused deaths, and improve public health and save lives.

What does our bill do? Our bill raises the Federal minimum age to purchase any tobacco products from 18 to 21. We direct the FDA to update their current regulations and enforcement structure for the current 18 age minimum and apply to it to the new 21 age minimum. We encourage States to pass their own laws raising the age to 21 and require the States to enforce those laws and meet other requirements, as they currently do, pursuant to the Synar Amendment. Our legislation would apply to all populations and to all types of tobacco products, including e-cigarettes.

As a father of a marine and as a member of the Senate Armed Services Committee, I strongly feel that we should extend the same public health protections to members of the military as we do to their civilian counterparts. I look forward to working with the majority leader and so many others on both sides of the aisle to do a good thing for public health, to do a good thing for our young people, and raise the tobacco age to 21.

As the leader mentioned, there are other Senators—Senators ROMNEY and YOUNG, Senators SCHATZ and DURBIN, and Senator MURRAY—who have invested their energies in this effort. We pledge to work together with all of them. We can come together to do this on behalf of our young people.

Mr. MCCONNELL. 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. 1541

*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 “Tobacco-Free Youth Act”.

#### SEC. 2. MINIMUM AGE OF SALE OF TOBACCO PRODUCTS.

(a) ESTABLISHING MINIMUM AGE OF 21 FOR SALE OF TOBACCO PRODUCTS.—Section 1926 of the Public Health Service Act (42 U.S.C. 300x-26) is amended—

(1) in the section heading, by striking “AGE OF 18” and inserting “AGE OF 21”;

(2) by striking “age of 18” each place such phrase appears and inserting “age of 21”;

(3) in subsection (a)—

(A) in paragraph (1), by striking “fiscal year 1994” and inserting “fiscal year 2021”;

(B) in paragraph (2)—

(i) by striking “fiscal year 1993” and inserting “fiscal year 2020”;

(ii) by striking “fiscal year 1994” and inserting “fiscal year 2021”;

(iii) by striking “fiscal year 1995” and inserting “fiscal year 2022”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “1995” and inserting “2022”;

(B) in paragraph (2)—

(i) by striking “1994” and inserting “2021”;

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

(C) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and adjusting the margins accordingly;

(D) by striking “this section, the term” and inserting “this section—

“(1) the term”; and

(E) by adding at the end the following:

“(2) the term ‘tobacco product’ has the meaning given such term in section 201(rr) of the Federal Food, Drug, and Cosmetic Act.”.

(b) FDA.—

(1) IN GENERAL.—Section 906(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387f(d)) is amended—

(A) in paragraph (3)(A)(ii), by striking “18 years” and inserting “21 years”;

(B) by adding at the end the following:

“(5) MINIMUM AGE OF SALE.—It shall be unlawful for any retailer to sell a tobacco product to any person younger than 21 years of age, consistent with section 1140.14 of title 21, Code of Federal Regulations (or any successor regulations).”.

(2) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services shall update regulations issued under chapter IX of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387 et seq.) as appropriate to carry out the amendments made by paragraph (1).

(c) NON-PREEMPTION.—Nothing in the amendments made by subsection (a) or (b) shall be construed to prevent a State or local governmental entity from establishing, enforcing, or maintaining a law with respect to sales of tobacco products to individuals below a minimum age, provided that such State or local law is in addition to, or more stringent than, Federal law.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 1550. A bill to amend the Internal Revenue Code of 1986 to modify the work opportunity credit for certain youth employees, and to extend em-

powerment zones; to the Committee on Finance.

Mr. DURBIN. 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. 1550

*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 “Helping to Encourage Real Opportunities (HERO) for At-Risk Youth Act of 2019”.

#### SEC. 2. MODIFICATION AND EXTENSION OF WORK OPPORTUNITY CREDIT FOR CERTAIN YOUTH EMPLOYEES.

(a) EXPANSION OF CREDIT FOR SUMMER YOUTH.—

(1) CREDIT ALLOWED FOR YEAR-ROUND EMPLOYMENT.—Section 51(d)(7)(A) of the Internal Revenue Code of 1986 is amended—

(A) by striking clauses (i) and (iii) and redesignating clauses (ii) and (iv) as clauses (i) and (ii), respectively,

(B) in clause (i) (as so redesignated), by striking “(or if later, on May 1 of the calendar year involved),”

(C) by striking the period at the end of clause (ii) (as so redesignated) and inserting “, and”, and

(D) adding at the end the following new clause:

“(iii) who will be employed for not more than 20 hours per week during any period between September 16 and April 30 in which such individual is regularly attending any secondary school.”.

(2) INCREASE IN CREDIT AMOUNT.—Section 51(d)(7) of the Internal Revenue Code of 1986 is amended by striking subparagraph (B) and by redesignating subparagraph (C) as subparagraph (B).

(3) CONFORMING AMENDMENTS.—

(A) Subparagraph (F) of section 51(d)(1) of the Internal Revenue Code of 1986 is amended by striking “summer”.

(B) Paragraph (7) of section 51(d) of such Code is amended—

(i) by striking “summer” each place it appears in subparagraphs (A);

(ii) in subparagraph (B), as redesignated by paragraph (2), by striking “subparagraph (A)(iv)” and inserting “subparagraph (A)(ii)”; and

(iii) by striking “SUMMER” in the heading thereof.

(b) CREDIT FOR AT-RISK YOUTH.—

(1) IN GENERAL.—Paragraph (1) of section 51(d) of the Internal Revenue Code of 1986 is amended by striking “or” at the end of subparagraph (I), by striking the period at the end of subparagraph (J) and inserting “, or”, and by adding at the end the following new subparagraph:

“(K) an at-risk youth.”.

(2) AT-RISK YOUTH.—Paragraph (14) of section 51(d) of such Code is amended to read as follows:

“(14) AT-RISK YOUTH.—The term ‘at-risk youth’ means any individual who is certified by the designated local agency—

“(A) as—

“(i) having attained age 16 but not age 25 on the hiring date,

“(ii) as not regularly attending any secondary, technical, or post-secondary school during the 6-month period preceding the hiring date,

“(iii) as not regularly employed during such 6-month period, and

“(iv) as not readily employable by reason of lacking a sufficient number of basic skills, or

“(B) as—

“(i) having attained age 16 but not age 21 on the hiring date, and

“(ii) an eligible foster child (as defined in section 152(f)(1)(C)) who was in foster care during the 12-month period ending on the hiring date.”.

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

#### SEC. 3. EXTENSION OF EMPOWERMENT ZONES.

(a) IN GENERAL.—Section 1391(d)(1)(A)(i) of the Internal Revenue Code of 1986 is amended by striking “December 31, 2017” and inserting “December 31, 2020”.

(b) TREATMENT OF CERTAIN TERMINATION DATES SPECIFIED IN NOMINATIONS.—In the case of a designation of an empowerment zone the nomination for which included a termination date which is contemporaneous with the date specified in subparagraph (A)(i) of section 1391(d)(1) of the Internal Revenue Code of 1986 (as in effect before the enactment of this Act), subparagraph (B) of such section shall not apply with respect to such designation if, after the date of the enactment of this section, the entity which made such nomination amends the nomination to provide for a new termination date in such manner as the Secretary of the Treasury (or the Secretary’s designee) may provide.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 1551. A bill to amend the Workforce Innovation and Opportunity Act to provide funding, on a competitive basis, for summer and year-round employment opportunities for youth ages 14 through 24; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. 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. 1551

*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 “Creating Pathways for Youth Employment Act”.

#### SEC. 2. YOUTH EMPLOYMENT OPPORTUNITIES.

Title I of the Workforce Innovation and Opportunity Act is amended—

(1) by redesignating subtitle E as subtitle F; and

(2) by inserting after subtitle D the following:

#### “Subtitle E—Youth Employment Opportunities

#### “SEC. 176. DEFINITIONS.

“In this subtitle:

“(1) ELIGIBLE YOUTH.—The term ‘eligible youth’ means an individual who—

“(A) is not younger than age 14 or older than age 24; and

“(B) is—

“(i) an in-school youth;

“(ii) an out-of-school youth; or

“(iii) an unemployed individual.

“(2) HARDEST-TO-EMPLOY, MOST-AT-RISK.—The term ‘hardest-to-employ, most-at-risk’, used with respect to an individual, includes individuals who are homeless, in foster care, involved in the juvenile or criminal justice system, or are not enrolled in or at risk of dropping out of an educational institution and who live in an underserved community

that has faced trauma through acute or long-term exposure to substantial discrimination, historical or cultural oppression, intergenerational poverty, civil unrest, a high rate of violence, or a high rate of drug overdose mortality.

“(3) INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms ‘Indian tribe’ and ‘tribal organization’ have the meanings given the terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(4) IN-SCHOOL YOUTH; OUT-OF-SCHOOL YOUTH.—The terms ‘in-school youth’ and ‘out-of-school youth’ have the meanings given the terms in section 129(a)(1).

“(5) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

“(6) SUBSIDIZED EMPLOYMENT.—The term ‘subsidized employment’ means employment for which the employer receives a total or partial subsidy to offset costs of employing an eligible youth under this subtitle.

“(7) TRIBAL AREA.—The term ‘tribal area’ means—

“(A) an area on or adjacent to an Indian reservation;

“(B) land held in trust by the United States for Indians;

“(C) a public domain Indian allotment;

“(D) a former Indian reservation in Oklahoma; and

“(E) land held by an incorporated Native group, Regional Corporation, or Village Corporation under the provisions of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

“(8) TRIBAL COLLEGE OR UNIVERSITY.—The term ‘tribal college or university’ has the meaning given the term ‘Tribal College or University’ in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

“(9) TRIBALLY DESIGNATED HOUSING ENTITY.—The term ‘tribally designated housing entity’, used with respect to an Indian tribe (as defined in this section), has the meaning given in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

#### “SEC. 176A. ALLOCATION OF FUNDS.

“(a) ALLOCATION.—Of the funds appropriated under section 176E that remain available after any reservation under subsection (b), the Secretary may make available—

“(1) not more than \$1,500,000,000 in accordance with section 176B to provide eligible youth with subsidized summer employment opportunities; and

“(2) not more than \$2,000,000,000 in accordance with section 176C to provide eligible youth with subsidized year-round employment opportunities.

“(b) RESERVATION.—The Secretary may reserve not more than 10 percent of the funds appropriated under section 176E to provide technical assistance and oversight, in order to assist eligible entities in applying for and administering grants awarded under this subtitle.

#### “SEC. 176B. SUMMER EMPLOYMENT COMPETITIVE GRANT PROGRAM.

“(a) IN GENERAL.—

“(1) GRANTS.—Using the amounts made available under 176A(a)(1), the Secretary shall award, on a competitive basis, planning and implementation grants.

“(2) GENERAL USE OF FUNDS.—The Secretary shall award the grants to assist eligible entities by paying for the program share of the cost of—

“(A) in the case of a planning grant, planning a summer youth employment program to provide subsidized summer employment opportunities; and

“(B) in the case of an implementation grant, implementation of such a program, to provide such opportunities.

“(b) PERIODS AND AMOUNTS OF GRANTS.—

“(1) PLANNING GRANTS.—The Secretary may award a planning grant under this section for a 1-year period, in an amount of not more than \$200,000.

“(2) IMPLEMENTATION GRANTS.—The Secretary may award an implementation grant under this section for a 3-year period, in an amount of not more than \$5,000,000.

“(c) ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—To be eligible to receive a planning or implementation grant under this section, an entity shall—

“(A) be a—

“(i) State, local government, or Indian tribe or tribal organization, that meets the requirements of paragraph (2); or

“(ii) community-based organization that meets the requirements of paragraph (3); and

“(B) meet the requirements for a planning or implementation grant, respectively, specified in paragraph (4).

“(2) GOVERNMENT PARTNERSHIPS.—An entity that is a State, local government, or Indian tribe or tribal organization referred to in paragraph (1) shall demonstrate that the entity has entered into a partnership with State, local, or tribal entities—

“(A) that shall include—

“(i) a local educational agency or tribal educational agency (as defined in section 6132 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7452));

“(ii) a local board or tribal workforce development agency;

“(iii) a State, local, or tribal agency serving youth under the jurisdiction of the juvenile justice system or criminal justice system;

“(iv) a State, local, or tribal child welfare agency;

“(v) a State, local, or tribal agency or community-based organization, with—

“(I) expertise in providing counseling services, and trauma-informed and gender-responsive trauma prevention, identification, referral, and support (including treatment) services; and

“(II) a proven track record of serving low-income vulnerable youth and out-of-school youth; and

“(vi) if the State, local government, or Indian tribe or tribal organization is seeking an implementation grant, and has not established a summer youth employment program, an entity that is carrying out a State, local, or tribal summer youth employment program; and

“(vii) an employer or employer association; and

“(B) that may include—

“(i) an institution of higher education or tribal college or university;

“(ii) a representative of a labor or labor-management organization;

“(iii) an entity that carries out a program that receives funding under the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) or section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532);

“(iv) a collaborative applicant as defined in section 401 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360) or a private nonprofit organization that serves homeless individuals and households (including such an applicant or organization that serves individuals or households that are at risk of homelessness in tribal areas) or serves foster youth;

“(v) an entity that carries out a program funded under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), including Native American programs funded under section 116 of that Act

(20 U.S.C. 2326) and tribally controlled post-secondary career and technical institution programs funded under section 117 of that Act (20 U.S.C. 2327);

“(vi) a local or tribal youth committee;

“(vii) a State or local public housing agency or a tribally designated housing entity; and

“(viii) another appropriate State, local, or tribal agency.

“(3) COMMUNITY-BASED ORGANIZATION PARTNERSHIPS.—A community-based organization referred to in paragraph (1) shall demonstrate that the organization has entered into a partnership with State, local, or tribal entities—

“(A) that shall include—

“(i) a unit of general local government or tribal government;

“(ii) an agency described in paragraph (2)(A)(i);

“(iii) a local board or tribal workforce development agency;

“(iv) a State, local, or tribal agency serving youth under the jurisdiction of the juvenile justice system or criminal justice system;

“(v) a State, local, or tribal child welfare agency;

“(vi) if the organization is seeking an implementation grant, and has not established a summer youth employment program, an entity that is carrying out a State, local, or tribal summer youth employment program; and

“(vii) an employer or employer association; and

“(B) that may include one or more entities described in paragraph (2)(B).

“(4) ENTITIES ELIGIBLE FOR PARTICULAR GRANTS.—

“(A) ENTITIES ELIGIBLE FOR PLANNING GRANTS.—The Secretary may award a planning grant under this section to an eligible entity that—

“(i) is preparing to establish or expand a summer youth employment program that meets the minimum requirements specified in subsection (d); and

“(ii) has not received a grant under this section.

“(B) ENTITIES ELIGIBLE FOR IMPLEMENTATION GRANTS.—

“(i) IN GENERAL.—The Secretary may award an implementation grant under this section to an eligible entity that—

“(I) has received a planning grant under this section; or

“(II) has established a summer youth employment program and demonstrates a minimum level of capacity to enhance or expand the summer youth employment program described in the application submitted under subsection (d).

“(ii) CAPACITY.—In determining whether an entity has the level of capacity referred to in clause (i)(II), the Secretary may include as capacity—

“(I) the entity’s staff capacity and staff training to deliver youth employment services; and

“(II) the entity’s existing youth employment services (as of the date of submission of the application submitted under subsection (d)) that are consistent with the application.

“(d) APPLICATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), an eligible entity desiring to receive a grant under this section for a summer youth employment program shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including, at a minimum, each of the following:

“(A) With respect to an application for a planning or implementation grant—

“(i) a description of the eligible youth for whom summer employment services will be provided;

“(ii) a description of the eligible entity, and a description of the expected participation and responsibilities of each of the partners in the partnership described in subsection (c);

“(iii) information demonstrating sufficient need for the grant in the State, local, or tribal population, which may include information showing—

“(I) a high level of unemployment among youth (including young adults) ages 14 through 24;

“(II) a high rate of out-of-school youth;

“(III) a high rate of homelessness;

“(IV) a high rate of poverty;

“(V) a high rate of adult unemployment;

“(VI) a high rate of community or neighborhood crime;

“(VII) a high rate of violence; or

“(VIII) a high level or rate on another indicator of need;

“(iv) a description of the strategic objectives the eligible entity seeks to achieve through the program to provide eligible youth with core work readiness skills, which may include—

“(I) financial literacy skills, including providing the support described in section 129(b)(2)(D);

“(II) sector-based technical skills aligned with employer needs;

“(III) skills that—

“(aa) are soft employment skills, early work skills, or work readiness skills; and

“(bb) include social skills, communications skills, higher-order thinking skills, self-control, and positive self-concept; and

“(IV) (for the hardest-to-employ, most-at-risk eligible youth) basic skills like communication, math, and problem solving in the context of training for advancement to better jobs and postsecondary training; and

“(v) information demonstrating that the eligible entity has obtained commitments to provide the non-program share described in paragraph (2) of subsection (h).

“(B) With respect to an application for a planning grant—

“(i) a description of the intermediate and long-term goals for planning activities for the duration of the planning grant;

“(ii) a description of how grant funds will be used to develop a plan to provide summer employment services for eligible youth;

“(iii) a description of how the eligible entity will carry out an analysis of best practices for identifying, recruiting, and engaging program participants, in particular the hardest-to-employ, most-at-risk eligible youth;

“(iv) a description of how the eligible entity will carry out an analysis of best practices for placing youth participants—

“(I) in opportunities that—

“(aa) are appropriate subsidized employment opportunities with employers based on factors including age, skill, experience, career aspirations, work-based readiness, and barriers to employment; and

“(bb) may include additional services for participants, including core work readiness skill development and mentorship services;

“(II) in summer employment that—

“(aa) is not less than 6 weeks;

“(bb) follows a schedule of not more than 20 hours per week; and

“(cc) pays not less than the applicable Federal, State, or local minimum wage; and

“(v) a description of how the eligible entity plans to develop a mentorship program or connect youth with positive, supportive mentorships, consistent with paragraph (3).

“(C) With respect to an application for an implementation grant—

“(i) a description of how the eligible entity plans to identify, recruit, and engage program participants, in particular the hardest-to-employ, most-at-risk eligible youth;

“(ii) a description of the manner in which the eligible entity plans to place eligible youth participants in subsidized employment opportunities, and in summer employment, described in subparagraph (B)(iv);

“(iii) (for a program serving the hardest-to-employ, most-at-risk eligible youth), a description of workplaces for the subsidized employment involved, which may include workplaces in the public, private, and nonprofit sectors;

“(iv) a description of how the eligible entity plans to provide or connect eligible youth participants with positive, supportive mentorships, consistent with paragraph (3);

“(v) a description of services that will be available to employers participating in the youth employment program, to provide supervisors involved in the program with coaching and mentoring on—

“(I) how to support youth development;

“(II) how to structure learning and reflection; and

“(III) how to deal with youth challenges in the workplace;

“(vi) a description of how the eligible entity plans to offer structured pathways back into employment and a youth employment program under this section for eligible youth who have been terminated from employment or removed from the program;

“(vii) a description of how the eligible entity plans to engage eligible youth beyond the duration of the summer employment opportunity, which may include—

“(I) developing or partnering with a year-round youth employment program;

“(II) referring eligible youth to other year-round programs, which may include—

“(aa) programs funded under section 176C or the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);

“(bb) after school programs;

“(cc) secondary or postsecondary education programs;

“(dd) training programs;

“(ee) cognitive behavior therapy programs;

“(ff) apprenticeship programs; and

“(gg) national service programs;

“(III) employing a full-time, permanent staff person who is responsible for youth outreach, followup, and recruitment; or

“(IV) connecting eligible youth with job development services, including career counseling, resume and job application assistance, interview preparation, and connections to job leads;

“(viii) evidence of the eligible entity's capacity to provide the services described in this subsection; and

“(ix) a description of the quality of the summer youth employment program, including a program that leads to a recognized postsecondary credential.

“(2) INDIAN TRIBE; TRIBAL ORGANIZATIONS.—An eligible entity that is an Indian tribe or tribal organization and desires to receive a grant under this section for a summer youth employment program may, in lieu of submitting the application described in paragraph (1), submit an application to the Secretary that meets such requirements as the Secretary develops after consultation with the tribe or organization.

“(3) MENTOR.—For purposes of subparagraphs (B)(iv), (B)(v), and (C)(iv) of paragraph (1), a mentor—

“(A) shall be an individual who has been matched with an eligible youth based on the youth's needs;

“(B) shall make contact with the eligible youth at least once each week;

“(C) shall be a trusted member of the local community; and

“(D) may include—

“(i) a mentor trained in trauma-informed care (including provision of trauma-informed trauma prevention, identification, referral, or support services to youth that have experienced or are at risk of experiencing trauma), conflict resolution, and positive youth development;

“(ii) a job coach trained to provide youth with guidance on how to navigate the workplace and troubleshoot problems;

“(iii) a supervisor trained to provide at least two performance assessments and serve as a reference; or

“(iv) a peer mentor who is a former or current participant in the youth employment program involved.

“(e) AWARDS FOR POPULATIONS AND AREAS.—

“(1) POPULATIONS.—The Secretary shall reserve, from the amounts made available under section 176A(a)(1)—

“(A) 50 percent to award grants under this section for planning or provision of subsidized summer employment opportunities for in-school youth; and

“(B) 50 percent to award such grants to plan for planning or provision of such opportunities for out-of-school youth.

“(2) AREAS.—

“(A) IN GENERAL.—In awarding the grants, the Secretary shall consider the regional diversity of the areas to be served, to ensure that urban, suburban, rural, and tribal areas are receiving grant funds.

“(B) RURAL AND TRIBAL AREA INCLUSION.—

“(i) RURAL AREAS.—Not less than 20 percent of the amounts made available under section 176A(a)(1) for each fiscal year shall be made available for activities to be carried out in rural areas.

“(ii) TRIBAL AREAS.—Not less than 5 percent of the amounts made available under section 176A(a)(1) for each fiscal year shall be made available for activities to be carried out in tribal areas.

“(f) PROGRAM PRIORITIES.—In allocating funds under this section, the Secretary shall give priority to eligible entities—

“(1) who propose to coordinate their activities—

“(A) with local or tribal employers; and

“(B) with agencies described in subsection (c)(2)(A)(i) to ensure the summer youth employment programs provide clear linkages to remedial, academic, and occupational programs carried out by the agencies;

“(2) who propose a plan to increase private sector engagement in, and job placement through, summer youth employment; and

“(3) who have, in their counties, States, or tribal areas (as compared to other counties in their State, other States, or other tribal areas, respectively), a high level or rate described in subsection (d)(1)(A)(iii).

“(g) USE OF FUNDS.—

“(1) IN GENERAL.—An eligible entity that receives a grant under this section may use the grant funds for services described in subsection (d).

“(2) DISCRETIONARY USES.—The eligible entity may also use the funds—

“(A) to provide wages to eligible youth in subsidized summer employment programs;

“(B) to provide eligible youth with support services, including case management, child care assistance, child support services, and transportation assistance; and

“(C) to develop data management systems to assist with programming, evaluation, and records management.

“(3) ADMINISTRATION.—An eligible entity may reserve not more than 10 percent of the grant funds for the administration of activities under this section.

“(4) CARRY-OVER AUTHORITY.—Any amounts provided to an eligible entity under this section for a fiscal year may, at the discretion



of the Secretary, remain available to that entity for expenditure during the succeeding fiscal year to carry out programs under this section.

“(h) PROGRAM SHARE.—

“(1) PLANNING GRANTS.—The program share for a planning grant awarded under this section shall be 100 percent of the cost described in subsection (a)(2)(A).

“(2) IMPLEMENTATION GRANTS.—

“(A) IN GENERAL.—The program share for an implementation grant awarded under this section shall be 50 percent of the cost described in subsection (a)(2)(B).

“(B) EXCEPTION.—Notwithstanding subparagraph (A), the Secretary—

“(i) may increase the program share for an eligible entity; and

“(ii) shall increase the program share for an Indian tribe or tribal organization to not less than 95 percent of the cost described in subsection (a)(2)(B).

“(C) NON-PROGRAM SHARE.—The eligible entity may provide the non-program share of the cost—

“(i) in cash or in-kind, fairly evaluated, including plant, equipment, or services; and

“(ii) from State, local, tribal or private (including philanthropic) sources and, in the case of an Indian tribe or tribal organization, from Federal sources.

**“SEC. 176C. YEAR-ROUND EMPLOYMENT COMPETITIVE GRANT PROGRAM.**

“(a) IN GENERAL.—

“(1) GRANTS.—Using the amounts made available under 176A(a)(2), the Secretary shall award, on a competitive basis, planning and implementation grants.

“(2) GENERAL USE OF FUNDS.—The Secretary shall award the grants to assist eligible entities by paying for the program share of the cost of—

“(A) in the case of a planning grant, planning a year-round youth employment program to provide subsidized year-round employment opportunities; and

“(B) in the case of an implementation grant, implementation of such a program to provide such opportunities.

“(b) PERIODS AND AMOUNTS OF GRANTS.—The planning grants shall have the periods and amounts described in section 176B(b)(1). The implementation grants shall have the periods and grants described in section 176B(b)(2).

“(c) ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—To be eligible to receive a planning or implementation grant under this section, an entity shall, except as provided in paragraph (2)—

“(A) be a—

“(i) State, local government, or Indian tribe or tribal organization, that meets the requirements of section 176B(c)(2); or

“(ii) community-based organization that meets the requirements of section 176B(c)(3); and

“(B) meet the requirements for a planning or implementation grant, respectively, specified in section 176B(c)(4).

“(2) YEAR-ROUND YOUTH EMPLOYMENT PROGRAMS.—For purposes of paragraph (1), any reference in section 176B(c)—

“(A) to a summer youth employment program shall be considered to refer to a year-round youth employment program; and

“(B) to a provision of section 176B shall be considered to refer to the corresponding provision of this section.

“(d) APPLICATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), an eligible entity desiring to receive a grant under this section for a year-round youth employment program shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require,

including, at a minimum, each of the following:

“(A) With respect to an application for a planning or implementation grant, the information and descriptions specified in section 176B(d)(1)(A).

“(B) With respect to an application for a planning grant, the descriptions specified in section 176B(d)(1)(B), except that the description of an analysis for placing youth in employment described in clause (iv)(II)(bb) of that section shall cover employment that follows a schedule—

“(i) that consists of—

“(I) not more than 15 hours per week for in-school youth; and

“(II) not less than 20 and not more than 40 hours per week for out-of-school youth; and

“(ii) that depends on the needs and work-readiness level of the population being served.

“(C) With respect to an application for an implementation grant, the descriptions and evidence specified in section 176B(d)(1)(C)—

“(i) except that the reference in section 176B(d)(1)(C)(ii) to employment described in section 176B(d)(1)(B) shall cover employment that follows the schedule described in subparagraph (B); and

“(ii) except that the reference to programs in clause (vii)(II)(aa) of that section shall be considered to refer only to programs funded under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

“(2) INDIAN TRIBE; TRIBAL ORGANIZATIONS.—An eligible entity that is an Indian tribe or tribal organization and desires to receive a grant under this section for a year-round youth employment program may, in lieu of submitting the application described in paragraph (1), submit an application to the Secretary that meets such requirements as the Secretary develops after consultation with the tribe or organization.

“(3) MENTOR.—For purposes of paragraph (1), any reference in subparagraphs (B)(iv), (B)(v), and (C)(iv) of section 176B(d)(1) to a mentor shall be considered to refer to a mentor who—

“(A) shall be an individual described in subparagraphs (A) and (C) of section 176B(d)(3);

“(B) shall make contact with the eligible youth at least twice each week; and

“(C) may be an individual described in section 176B(d)(3)(D).

“(4) YEAR-ROUND EMPLOYMENT.—For purposes of this subsection, any reference in section 176B(d)—

“(A) to summer employment shall be considered to refer to year-round employment; and

“(B) to a provision of section 176B shall be considered to refer to the corresponding provision of this section.

“(e) AWARDS FOR POPULATIONS AND AREAS; PRIORITIES.—

“(1) POPULATIONS.—The Secretary shall reserve, from the amounts made available under section 176A(a)(2)—

“(A) 50 percent to award grants under this section for planning or provision of subsidized year-round employment opportunities for in-school youth; and

“(B) 50 percent to award such grants to plan for planning or provision of such opportunities for out-of-school youth.

“(2) AREAS; PRIORITIES.—In awarding the grants, the Secretary shall—

“(A) carry out section 176B(e)(2); and

“(B) give priority to eligible entities—

“(i) who—

“(I) propose the coordination and plan described in paragraphs (1) and (2) of section 176B(f), with respect to year-round youth employment; and

“(II) meet the requirements of section 176B(f)(3); or

“(ii) who—

“(I) propose a plan to coordinate activities with entities carrying out State, local, or tribal summer youth employment programs, to provide pathways to year-round employment for eligible youth who are ending summer employment; and

“(II) meet the requirements of section 176B(f)(3).

“(f) USE OF FUNDS.—An eligible entity that receives a grant under this section may use the grant funds—

“(1) for services described in subsection (d);

“(2) as described in section 176B(g)(2), with respect to year-round employment programs;

“(3) as described in section 176B(g)(3), with respect to activities under this section; and

“(4) at the discretion of the Secretary, as described in section 176B(g)(4), with respect to activities under this section.

“(g) PROGRAM SHARE.—

“(1) PLANNING GRANTS.—The provisions of section 176B(h)(1) shall apply to planning grants awarded under this section, with respect to the cost described in subsection (a)(2)(A).

“(2) IMPLEMENTATION GRANTS.—The provisions of section 176B(h)(2) shall apply to implementation grants awarded under this section, with respect to the cost described in subsection (a)(2)(B).

**“SEC. 176D. EVALUATION AND ADMINISTRATION.**

“(a) PERFORMANCE MEASURES.—

“(1) ESTABLISHMENT.—The Secretary shall establish performance measures for purposes of annual reviews under subsection (b).

“(2) COMPONENTS.—The performance measures for the eligible entities shall consist of—

“(A) the indicators of performance described in paragraph (3); and

“(B) an adjusted level of performance for each indicator described in subparagraph (A).

“(3) INDICATORS OF PERFORMANCE.—

“(A) IN GENERAL.—The indicators of performance shall consist of—

“(i) the percentage of youth employment program participants who are in education or training activities, or in employment, during the second quarter after exit from the program;

“(ii) the percentage of youth employment program participants who are in education or training activities, or in employment, during the fourth quarter after exit from the program;

“(iii) the percentage of youth employment program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent (subject to subparagraph (B)), during participation in or within 1 year after exit from the program; and

“(iv) the percentage of youth employment program participants who, during a program year, are in a youth employment program that includes an education or training program that leads to an outcome specified by the Secretary, which may include—

“(I) obtaining a recognized postsecondary credential or employment; or

“(II) achieving measurable skill gains toward such a credential or employment.

“(B) INDICATOR RELATING TO CREDENTIAL.—For purposes of subparagraph (A)(iii), youth employment program participants who obtain a secondary school diploma or its recognized equivalent shall be included in the percentage counted as meeting the criterion under such subparagraph only if such participants, in addition to obtaining such diploma or its recognized equivalent, have obtained or retained employment or are in a youth employment program that includes an education or training program leading to a

recognized postsecondary credential within 1 year after exit from the program.

“(4) LEVELS OF PERFORMANCE.—

“(A) IN GENERAL.—For each eligible entity, there shall be established, in accordance with this paragraph, levels of performance for each of the corresponding indicators of performance described in paragraph (3).

“(B) IDENTIFICATION IN APPLICATION.—Each eligible entity shall identify, in the application submitted under subsection (d) of section 176B or 176C, expected levels of performance for each of those indicators of performance for each program year covered by the application.

“(C) AGREEMENT ON ADJUSTED LEVELS OF PERFORMANCE.—The eligible entity shall reach agreement with the Secretary on levels of performance for each of those indicators of performance for each such program year. The levels agreed to shall be considered to be the adjusted levels of performance for the eligible entity for such program years and shall be incorporated into the application prior to the approval of such application.

“(b) ANNUAL REVIEW.—The Secretary shall carry out an annual review of each eligible entity receiving a grant under this subtitle. In conducting the review, the Secretary shall review the performance of the entity on the performance measures under this section and determine if the entity has used any practices that shall be considered best practices for purposes of this subtitle.

“(c) REPORT TO CONGRESS.—

“(1) PREPARATION.—The Secretary shall prepare a report on the grant programs established by this subtitle, which report shall include a description of—

“(A) the eligible entities receiving funding under this subtitle;

“(B) the activities carried out by the eligible entities;

“(C) how the eligible entities were selected to receive funding under this subtitle; and

“(D) an assessment of the results achieved by the grant programs including findings from the annual reviews conducted under subsection (b).

“(2) SUBMISSION.—Not later than 3 years after the date of enactment of the Creating Pathways for Youth Employment Act, and annually thereafter, the Secretary shall submit a report described in paragraph (1) to the appropriate committees of Congress.

“(d) APPLICATION TO INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—The Secretary may issue regulations that clarify the application of all the provisions of this subtitle to Indian tribes and tribal organizations.

“SEC. 176E. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated—

“(1) to carry out section 176B, \$300,000,000 for each of fiscal years 2020 through 2024; and

“(2) to carry out section 176C, \$400,000,000 for each of fiscal years 2020 through 2024.”.

SEC. 3. CONFORMING AMENDMENTS.

(a) REFERENCES.—

(1) Section 121(b)(1)(C)(ii)(II) of the Workforce Investment and Opportunity Act (29 U.S.C. 3152(b)(1)(C)(ii)(II)) is amended by striking “subtitles C through E” and inserting “subtitles C through F”.

(2) Section 503(b) of such Act (29 U.S.C. 3343(b)) is amended by inserting before the period the following: “(as such subtitles were in effect on the day before the date of enactment of this Act)”.

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of such Act is amended by striking the item relating to the subtitle heading for subtitle E of title I and inserting the following:

“Subtitle E—Youth Employment Opportunities

“Sec. 176. Definitions.

“Sec. 176A. Allocation of funds.

“Sec. 176B. Summer employment competitive grant program.

“Sec. 176C. Year-round employment competitive grant program.

“Sec. 176D. Evaluation and administration.

“Sec. 176E. Authorization of appropriations.”.

By Mr. SCHUMER (for himself, Ms. DUCKWORTH, Mr. MERKLEY, Mr. SANDERS, Ms. WARREN, Mr. WYDEN, Mrs. GILLIBRAND, and Mr. Kaine):

S. 1552. A bill to decriminalize marijuana, and for other purposes; to the Committee on the Judiciary.

Mr. SCHUMER. 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. 1552

*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 “Marijuana Freedom and Opportunity Act”.

SEC. 2. DECRIMINALIZATION OF MARIJUANA.

(a) MARIJUANA REMOVED FROM SCHEDULE OF CONTROLLED SUBSTANCES.—Subsection (c) of schedule I of section 202(c) of the Controlled Substances Act (21 U.S.C. 812) is amended—

(1) by striking “marihuana”; and

(2) by striking “tetrahydrocannabinols”.

(b) REMOVAL OF PROHIBITION ON IMPORT AND EXPORT.—Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960) is amended—

(1) in paragraph (1)—

(A) in subparagraph (F), by inserting “or” after the semicolon;

(B) by striking subparagraph (G); and

(C) by redesignating subparagraph (H) as subparagraph (G);

(2) in paragraph (2)—

(A) in subparagraph (F), by inserting “or” after the semicolon;

(B) by striking subparagraph (G); and

(C) by redesignating subparagraph (H) as subparagraph (G);

(3) in paragraph (3), by striking “paragraphs (1), (2), and (4)” and inserting “paragraphs (1) and (2)”;

(4) by striking paragraph (4); and

(5) by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively.

(c) CONFORMING AMENDMENTS TO CONTROLLED SUBSTANCES ACT.—The Controlled Substances Act (21 U.S.C. 801 et seq.) is amended—

(1) in section 102(44) (21 U.S.C. 802(44)), by striking “marihuana,”;

(2) in section 401(b) (21 U.S.C. 841(b))—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in clause (vi), by inserting “or” after the semicolon;

(II) by striking (vii); and

(III) by redesignating clause (viii) as clause (vii);

(ii) in subparagraph (B)—

(I) by striking clause (vii); and

(II) by redesignating clause (viii) as clause (vii);

(iii) in subparagraph (C), in the first sentence, by striking “subparagraphs (A), (B), and (D)” and inserting “subparagraphs (A) and (B)”;

(iv) by striking subparagraph (D);

(v) by redesignating subparagraph (E) as subparagraph (D); and

(vi) in subparagraph (D)(i), as so redesignated, by striking “subparagraphs (C) and (D)” and inserting “subparagraph (C)”;

(B) by striking paragraph (4); and

(C) by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively;

(3) in section 402(c)(2)(B) (21 U.S.C. 842(c)(2)(B)), by striking “, marihuana,”;

(4) in section 403(d)(1) (21 U.S.C. 843(d)(1)), by striking “, marihuana,”;

(5) in section 418(a) (21 U.S.C. 859(a)), by striking the last sentence;

(6) in section 419(a) (21 U.S.C. 860(a)), by striking the last sentence;

(7) in section 422(d) (21 U.S.C. 863(d))—

(A) in the matter preceding paragraph (1), by striking “marihuana,”; and

(B) in paragraph (5), by striking “, such as a marihuana cigarette,”; and

(8) in section 516(d) (21 U.S.C. 886(d)), by striking “section 401(b)(6)” each place the term appears and inserting “section 401(b)(5)”.

(d) OTHER CONFORMING AMENDMENTS.—

(1) NATIONAL FOREST SYSTEM DRUG CONTROL ACT OF 1986.—The National Forest System Drug Control Act of 1986 (16 U.S.C. 559b et seq.) is amended—

(A) in section 15002(a) (16 U.S.C. 559b(a)) by striking “marijuana and other”;

(B) in section 15003(2) (16 U.S.C. 559c(2)) by striking “marijuana and other”; and

(C) in section 15004(2) (16 U.S.C. 559d(2)) by striking “marijuana and other”.

(2) INTERCEPTION OF COMMUNICATIONS.—Section 2516 of title 18, United States Code, is amended—

(A) in subsection (1)(e), by striking “marihuana,”; and

(B) in subsection (2) by striking “marihuana,”.

SEC. 3. LEVEL THE ECONOMIC PLAYING FIELD.

(a) ESTIMATE.—On an annual basis, the Secretary of the Treasury shall make a reasonable estimate of total tax revenue generated by the marijuana industry for the previous 12-month period.

(b) TRANSFER.—The Secretary of the Treasury shall transfer from the general fund of the Treasury to the trust fund established under subsection (c) the greater of—

(1) an amount equal to 10 percent of the amount estimated under subsection (a); and

(2) \$10,000,000.

(c) TRUST FUND.—

(1) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the Marijuana Opportunity Trust Fund, which shall consist of amounts transferred under subsection (b).

(2) USE OF AMOUNTS.—Amounts in the trust fund established under paragraph (1) shall be made available to the Administrator of the Small Business Administration to provide loans under section 7(m) of the Small Business Act (15 U.S.C. 636(m)) to assist—

(A) small business concerns owned and controlled by women, as defined in section 3 of that Act (15 U.S.C. 632), that operate in the marijuana industry; and

(B) small business concerns owned and controlled by socially and economically disadvantaged individuals, as defined in section 8(d)(3)(C) of that Act (15 U.S.C. 637(d)(3)(C)), that operate in the marijuana industry.

SEC. 4. HIGHWAY SAFETY RESEARCH.

(a) STUDY; DEVELOPMENT.—The Administrator of the National Highway Traffic Safety Administration (referred to in this section as the “Administrator”) shall—

(1) carry out a study of the impact of driving under the influence of tetrahydrocannabinol on highway safety; and

(2) develop enhanced strategies and procedures to reliably determine the impairment



of a driver under the influence of tetrahydrocannabinol.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Administrator to carry out this section \$50,000,000 for each of fiscal years 2019 through 2023.

#### SEC. 5. PUBLIC HEALTH RESEARCH.

(a) **IN GENERAL.**—The Secretary of Health and Human Services, in consultation with the Director of the National Institutes of Health and the Commissioner of Food and Drugs, shall conduct research on the impacts of marijuana, including—

(1) effects of tetrahydrocannabinol on the human brain;

(2) efficacy of medicinal marijuana as a treatment for specific diseases and conditions; and

(3) identification of additional medical benefits and uses of cannabis.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary of Health and Human Services, \$100,000,000 for each of fiscal years 2019 through 2023, for purposes of carrying out the activities described in subsection (a).

#### SEC. 6. PROTECT KIDS.

The Alcohol and Tobacco Tax and Trade Bureau of the Department of the Treasury shall promulgate regulations that—

(1) require restrictions on the advertising and promotion of products related to marijuana, if the Secretary determines that such regulation would be appropriate for the protection of the public health, taking into account—

(A) the risks and benefits to the population of individuals age 18 and under, including users and nonusers of marijuana products;

(B) the increased or decreased likelihood that existing users of marijuana products who are age 18 and under will stop using such products; and

(C) the increased or decreased likelihood that those age 18 and under who do not use marijuana products will start using such products; and

(2) impose restrictions on the advertising and promotion of products related to marijuana consistent with and to the full extent permitted by the First Amendment to the Constitution of the United States.

#### SEC. 7. GRANTS FOR EXPUNGEMENT OF MARIJUANA CONVICTIONS.

There is authorized to be appropriated to the Attorney General to award grants to States and units of local government for the purpose of administering, expanding, or developing expungement or sealing programs for convictions of possession of marijuana \$20,000,000 for each of fiscal years 2019 through 2023 with not less than 50 percent of those funds being directed to cover the cost of public defenders or legal aid providers.

#### SEC. 8. RULE OF CONSTRUCTION.

Nothing in this Act, or an amendment made by this Act, may be construed to modify the authority of the Federal Government to prevent marijuana trafficking from States that have legalized marijuana to those that have not.

### AUTHORITY FOR COMMITTEES TO MEET

Mr. ROUNDS. Mr. President, I have 4 requests for committees to meet during today's session of the Senate. They

have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

#### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Monday, May 20, 2019, at 5 p.m., to conduct a hearing

#### SUBCOMMITTEE ON AIRLAND

The Subcommittee on Airland of the Committee on Armed Services is authorized to meet during the session of the Senate on Monday, May 20, 2019, at 5 p.m., to conduct a hearing.

#### SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

The Subcommittee on Readiness and Management Support of the Committee on Armed Services is authorized to meet during the session of the Senate on Monday, May 20, 2019, at 4 p.m., to conduct a hearing.

#### SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services is authorized to meet during the session of the Senate on Monday, May 20, 2019, at 5:30 p.m., to conduct a hearing.

### FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2019

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Boozman:									
Germany	Euro		550.72						550.72
Kosovo	Euro		336.55						336.55
Israel	Shekel		1,040.00						1,040.00
Ethiopia	Birr		800.00						800.00
Rwanda	Franc		289.00						289.00
Algeria	Dinar		319.00						319.00
Spain	Euro		241.00						241.00
Rosie Heiss:									
Germany	Euro		523.64						523.64
Kosovo	Euro		336.55						336.55
Israel	Shekel		1,040.00						1,040.00
Ethiopia	Birr		800.00						800.00
Rwanda	Franc		289.00						289.00
Algeria	Dinar		287.00						287.00
Spain	Euro		200.00						200.00
Senator Chris Van Hollen:									
Germany	Euro		1,095.08						1,095.08
France	Franc		839.00						839.00
Austria	Euro		1,834.38						1,834.38
Cyprus	Pound		648.89						648.89
Senator Richard Shelby:									
United Kingdom	Pound		3,965.35						3,965.35
United States	Dollar				9,007.33				9,007.33
Senator James Lankford:									
Israel	Shekel		811.25						811.25
United Kingdom	Pound		716.98						716.98
United States	Dollar				11,913.63				11,913.63
Adam Farris:									
Israel	Shekel		781.75						781.75
United Kingdom	Pound		687.50						687.50
United States	Dollar				13,217.73				13,217.73
Paul Grove:									
Jordan	Dinar		704.60						704.60
Iraq	Dinar		76.00						76.00
United States	Dollar				10,366.53				10,366.53
Adam Yezerski:									
Jordan	Dinar		704.60						704.60
Iraq	Dinar		76.00						76.00
United States	Dollar				7,492.63				7,492.63