bill S. 1845, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2603. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. BARRASSO, Mr. PORTMAN, Mr. HOEVEN, Mr. MORAN, Ms. COLLINS, Mr. JOHNSON of Wisconsin, Mr. ISAKSON, Mr. INHOFE, and Mr. GRAHAM) submitted an amendment intended to be proposed by her to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPEAL OF REDUCTIONS MADE BY BIPARTISAN BUDGET ACT OF 2013.

(a) REPEAL.—Section 403 of the Bipartisan Budget Act of 2013 is repealed as of the date of the enactment of such Act.

(b) SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.—

(1) IN GENERAL.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer's Social Security number on the return of tax for such taxable year.

''(B) JOINT RETURNS.—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the Social Security number of either spouse is included on such return.

''(C) LIMITATION.—Subparagraph (A) shall not apply to the extent the tentative minimum tax (as defined in section 55(b)(1)(A)) exceeds the credit allowed under section 32.''.

(2) OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.—Subparagraph (I) of section 6213(g)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(I) an omission of a correct Social Security number required under section 24(d)(5) (relating to refundable portion of child tax credit), or a correct TIN under section 24(e) (relating to child tax credit), to be included on a return,''.

(3) CONFORMING AMENDMENT.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by inserting ''WITH RESPECT TO QUALIFYING CHILDREN'' after ''IDENTIFICATION REQUIREMENT'' in the heading thereof.

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

SA 2604. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. TRANSPARENCY OF COVERAGE DETERMINATION.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Chief Administrative Officer of the House of Representatives and the Financial Clerk of the Senate shall make publically available the determinations of each member of the House of Representatives and each Senator, as the case may be, regarding the designation of their respective congressional staff (including leadership and committee staff) as ''official'' for purposes of requiring such staff to enroll in health insurance coverage provided through an Exchange as required under section 1312(d)(1)(D) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(1)(D)), and the regulations relating to such section.

(b) FAILURE TO SUBMIT.—The failure by any member of the House of Representatives or Senator to designate any of their respective staff, whether committee or leadership staff, as ''official'' (as described in subsection (a)), shall be noted in the determination made publically available under subsection (a) along with a statement that such failure permits the staff involved to remain in the Federal Employee Health Benefits Program.

(c) PRIVACY.—Nothing in this Act shall be construed to permit the release of any individually identifiable information concerning any individual, including any health plan selected by an individual.

SA 2605. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, after line 11, add the following:

SEC. 7. STATE CONTROL OF ENERGY DEVELOPMENT AND PRODUCTION ON ALL AVAILABLE FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) AVAILABLE FEDERAL LAND.—The term ''available Federal land'' means any Federal land that, as of May 31, 2013—

(A) is located within the boundaries of a State;

(B) is not held by the United States in trust for the benefit of a federally recognized Indian tribe;

(C) is not a unit of the National Park System;

(D) is not a unit of the National Wildlife Refuge System; and

(E) is not a Congressionally designated wilderness area.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) STATE.—The term ''State'' means—

(A) a State; and

(B) the District of Columbia.

(b) STATE PROGRAMS.—

(1) IN GENERAL.—A State—

(A) may establish a program covering the leasing and permitting processes, regulatory requirements, and any other provisions by which the State would exercise its rights to develop all forms of energy resources on available Federal land in the State; and

(B) as a condition of certification under subsection (c)(2) shall submit a declaration to the Departments of the Interior, Agriculture, and Energy that a program under subparagraph (A) has been established or amended.

(2) AMENDMENT OF PROGRAMS.—A State may amend a program developed and certified under this section at any time.

(3) CERTIFICATION OF AMENDED PROGRAMS.—Any program amended under paragraph (2) shall be certified under subsection (c)(2).

(c) LEASING, PERMITTING, AND REGULATORY PROGRAMS.—

(1) SATISFACTION OF FEDERAL REQUIREMENTS.—Each program certified under this section shall be considered to satisfy all applicable requirements of Federal law (including regulations), including—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(C) the National Historic Preservation Act (16 U.S.C. 470 et seq.).

(2) FEDERAL CERTIFICATION AND TRANSFER OF DEVELOPMENT RIGHTS.—Upon submission of a declaration by a State under subsection (b)(1)(B)(i)—

(A) the program under subsection (b)(1)(A) shall be certified; and

(B) the State shall receive all rights from the Federal Government to develop all forms of energy resources covered by the program.

(3) ISSUANCE OF PERMITS AND LEASES.—If a State elects to issue a permit or lease for the development of any form of energy resource on any available Federal land within the borders of the State in accordance with a program certified under paragraph (2), the permit or lease shall be considered to meet all applicable requirements of Federal law (including regulations).

(d) JUDICIAL REVIEW.—Activities carried out in accordance with this section shall not be subject to judicial review.

(e) ADMINISTRATIVE PROCEDURE ACT.—Activities carried out in accordance with this section shall not be subject to subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'').

SA 2606. Mr. COBURN (for himself, Mr. TESTER, Mr. UDALL of Colorado, Mr. KING, Mr. MCCAIN, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 7. ENDING UNEMPLOYMENT PAYMENTS TO JOBLESS MILLIONAIRES AND BILLIONAIRES.

(a) PROHIBITION.—Notwithstanding any other provision of law, no Federal funds may be used to make payments of unemployment compensation (including such compensation under the Federal-State Extended Compensation Act of 1970 and the emergency unemployment compensation program under title IV of the Supplemental Appropriations Act, 2008) to an individual whose adjusted gross income in the preceding year was equal to or greater than $1,000,000.

(b) COMPLIANCE.—Unemployment Insurance applications shall include a form or procedure for an individual applicant to certify the individual's adjusted gross income was not equal to or greater than $1,000,000 in the preceding year.

(c) AUDITS.—The certifications required by subsection (b) shall be auditable by the U.S. Department of Labor or the U.S. Government Accountability Office.

(d) STATUS OF APPLICANTS.—It is the duty of the states to verify the residency, employment, legal, and income status of applicants for Unemployment Insurance and no Federal funds may be expended for purposes of determining an individual's eligibility under this Act.

(e) EFFECTIVE DATE.—The prohibition under subsection (a) shall apply to weeks of unemployment beginning on or after the date of the enactment of this Act.

SA 2607. Mr. COBURN (for himself, Mr. MANCHIN, Mr. KING, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 7. PROHIBITION ON PAYMENT OF BENEFITS BASED ON RECEIPT OF UNEMPLOYMENT COMPENSATION.

(a) IN GENERAL.—Title II of the Social Security Act (42 U.S.C. 401 et seq.) is amended by inserting after section 224 the following new section:

''PROHIBITION ON PAYMENT OF BENEFITS BASED ON RECEIPT OF UNEMPLOYMENT COMPENSATION

''SEC. 224A. (a) If for any month prior to the month in which an individual attains retirement age (as defined in section 216(l)(1))—

''(1) such individual is entitled to benefits under section 223, and

''(2) such individual is entitled for such month to unemployment compensation,

the total of the individual's benefits under section 223 for such month and of any benefits under subsections (b) through (h) of section 202 for such month based on the individual's wages and self-employment income shall be reduced to zero.

''(b)(1) Notwithstanding any other provision of law, the head of any Federal agency shall provide such information within its possession as the Commissioner may require for purposes of making a timely determination under this section for reduction of benefits payable under this title, or verifying other information necessary in carrying out the provisions of this section.

''(2) The Commissioner is authorized to enter into agreements with States, political subdivisions, and other organizations that administer unemployment compensation, in order to obtain such information as the Commissioner may require to carry out the provisions of this section.

''(3) Any determination by the Commissioner pursuant to this section shall be subject to the requirements described in section 205(b)(1), including provision of reasonable notice and opportunity for a hearing.

''(c) For purposes of this section, the term 'unemployment compensation' has the meaning given that term in section 85(b) of the Internal Revenue Code of 1986.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to benefits payable for months beginning after 180 days after the date of enactment of this Act.

SA 2608. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE II—PATHWAYS BACK TO WORK

SEC. 201. SHORT TITLE.

This title may be cited as the ''Pathways Back to Work Act of 2013''.

SEC. 202. ESTABLISHMENT OF PATHWAYS BACK TO WORK FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States an account, which shall be known as the Pathways Back to Work Fund (referred to in this title as ''the Fund''), consisting of such amounts as are paid to the Fund under subsection (b).

(b) PAYMENT INTO THE FUND.—Out of any amounts in the general fund of the Treasury not otherwise appropriated, there is appropriated $12,500,000,000, which shall be paid to the Fund, to be used by the Secretary of Labor to carry out this title.

(c) PERIOD OF AVAILABILITY.—The amounts appropriated under this title shall be available for obligation by the Secretary of Labor through December 31, 2014, and shall be available for expenditure by recipients of grants and subgrants under this title through September 30, 2015.

SEC. 203. AVAILABILITY OF FUNDS.

(a) IN GENERAL.—Using the amounts available through the Fund under section 202(b), the Secretary of Labor shall, subject to subsection (b)—

(1) allot $8,000,000,000 in accordance with section 204 to provide subsidized employment to unemployed, low-income adults;

(2) allot $2,500,000,000 in accordance with section 205 to provide summer employment and year-round employment opportunities to low-income youth; and

(3) use $2,000,000,000 in accordance with section 206 to award grants on a competitive basis to local entities to carry out work-based training and other work-related and educational strategies and activities of demonstrated effectiveness to unemployed, low-income adults and low-income youth to provide the skills and assistance needed to obtain employment.

(b) RESERVATION.—The Secretary of Labor may reserve not more than 1 percent of the amounts available through the Fund under each of paragraphs (1) through (3) of subsection (a) to pay for the costs of technical assistance, evaluations, and Federal administration of this title.

SEC. 204. SUBSIDIZED EMPLOYMENT FOR UNEMPLOYED, LOW-INCOME ADULTS.

(a) IN GENERAL.—

(1) ALLOTMENTS.—From the funds available under section 203(a)(1), the Secretary of Labor shall make an allotment or provide assistance under subsection (b) to each State that has a State plan approved under subsection (c) and to each outlying area and recipient under section 166(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2911(c)) that meets the requirements of this section, for the purpose of providing subsidized employment opportunities to unemployed, low-income adults.

(2) GUIDANCE.—Not later than 30 days after the date of enactment of this title, the Secretary of Labor, in coordination with the Secretary of Health and Human Services, shall issue guidance regarding the implementation of this section. Such guidance shall, consistent with this section, include procedures for the submission and approval of State and local plans and the allotment and allocation of funds, including reallotment and reallocation of such funds, that promote the expeditious and effective implementation of the activities authorized under this section.

(b) STATE ALLOTMENTS.—

(1) RESERVATIONS FOR OUTLYING AREAS AND TRIBES.—Of the funds described in subsection (a)(1), the Secretary of Labor shall reserve—

(A) not more than ¼ of 1 percent to provide assistance to outlying areas to provide subsidized employment to unemployed, low-income adults; and

(B) 1.5 percent to provide assistance to recipients under section 166(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2911(c)) to provide subsidized employment to unemployed, low-income adults.

(2) STATES.—After determining the amounts to be reserved under section 203(b) and paragraph (1), the Secretary of Labor shall allot the remainder of the funds described in subsection (a)(1) among the States by allotting—

(A) one-third on the basis of the relative number of unemployed individuals in areas of substantial unemployment in each State, compared to the total number of unemployed individuals in areas of substantial unemployment in all States;

(B) one-third on the basis of the relative excess number of unemployed individuals in each State, compared to the total excess number of unemployed individuals in all States; and

(C) one-third on the basis of the relative number of disadvantaged adults and youth in each State, compared to the total number of disadvantaged adults and youth in all States.

(3) DEFINITIONS.—For purposes of the formula described in paragraph (2)—

(A) AREA OF SUBSTANTIAL UNEMPLOYMENT.—The term ''area of substantial unemployment'' means any contiguous area that has a population of at least 10,000, and that has an average rate of unemployment of at least 6.5 percent for the most recent 12 months, as determined by the Secretary of Labor.

(B) DISADVANTAGED ADULT OR YOUTH.—The term ''disadvantaged adult or youth'' means an individual who is age 16 or older who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of—

(i) the poverty line; or

(ii) 70 percent of the lower living standard income level.

(C) EXCESS NUMBER.—The term ''excess number'' means, used with respect to unemployed individuals in a State, the higher of—

(i) the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in the State; or

(ii) the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in areas of substantial unemployment in such State.

(4) REALLOTMENT.—If the Governor of a State does not submit a State plan by the date specified in subsection (c)(2)(B), or a State does not receive approval of a State plan, the amount the State would have been eligible to receive pursuant to the formula under paragraph (2) shall be transferred within the Fund and added to the amounts available for competitive grants under section 203(a)(3).

(c) STATE PLAN.—

(1) IN GENERAL.—For a State to be eligible to receive an allotment of funds under subsection (b), the Governor of the State shall submit to the Secretary of Labor a State plan in such form and containing such information as the Secretary may require. At a minimum, such plan shall include—

(A) a description of the strategies and activities to be carried out by the State, in coordination with employers in the State, to provide subsidized employment opportunities to unemployed, low-income adults, including strategies relating to the level and duration of subsidies consistent with subsection (e)(2);

(B) a description of the requirements the State will apply relating to the eligibility of unemployed, low-income adults, consistent with section 208, for subsidized employment opportunities, which requirements may include criteria to target assistance to particular categories of such adults, such as individuals with disabilities or individuals who have exhausted all rights to unemployment compensation;

(C) a description of how the funds allotted to provide subsidized employment opportunities will be administered in the State and (if administered by entities described in subsection (d)(1)(A)) in local workforce investment areas, in accordance with subsection (d);

(D) a description of the performance outcomes to be achieved by the State through the activities carried out under this section and the processes the State will use to track the performance, consistent with guidance provided by the Secretary of Labor regarding

such outcomes and processes and with section 207(b);

(E) a description of the coordination of activities to be carried out with the funds provided under this section, with activities under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.), the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (referred to in this title as the ''TANF program''; 42 U.S.C. 601 et seq.), and other appropriate Federal and State programs that may assist unemployed, low-income adults in obtaining and retaining employment;

(F) a description of the timelines for implementation of the activities described in subparagraph (A), and the number of unemployed, low-income adults expected to be placed in subsidized employment by calendar quarter;

(G) assurances that the State will report such information relating to fiscal, performance, and other matters as the Secretary of Labor may require and as the Secretary determines is necessary to effectively monitor the activities carried out under this section; and

(H) assurances that the State will ensure compliance with the requirements, restrictions, labor standards, and other provisions described in section 207(a).

(2) SUBMISSION AND APPROVAL OF STATE PLAN.—

(A) SUBMISSION WITH OTHER PLANS.—The State plan described in paragraph (1) may be submitted in conjunction with the State plan modification or other request for funds by the State required under section 205, and may be submitted as a modification to a State plan that has been approved under section 112 of the Workforce Investment Act of 1998 (29 U.S.C. 2822).

(B) SUBMISSION AND APPROVAL.—

(i) SUBMISSION.—The Governor shall submit the State plan described in paragraph (1) to the Secretary of Labor not later than 75 days after the date of enactment of this title and the Secretary shall make a determination regarding the approval or disapproval of such plan not later than 45 days after the submission of such plan. If the plan is disapproved, the Secretary may provide a reasonable period of time in which the plan may be amended and resubmitted for approval.

(ii) APPROVAL.—The Secretary of Labor shall approve a State plan that the Secretary determines is consistent with the requirements of this section and reasonably appropriate and adequate to carry out the objectives of this section. If the plan is approved, the Secretary shall allot funds to the State under subsection (b) within 30 days after such approval.

(3) MODIFICATIONS TO STATE PLAN.—The Governor may submit a modification to a State plan under this subsection, consistent with the requirements of this section.

(d) ADMINISTRATION WITHIN THE STATE.—

(1) OPTION.—The State may administer the funds for activities under this section through—

(A) the State and local entities responsible for the administration of the formula program of workforce investment activities for adults under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.);

(B) the State agency or agencies responsible for the administration of the TANF program; or

(C) a combination of the entities and agency or agencies described in subparagraphs (A) and (B).

(2) WITHIN-STATE ALLOCATIONS.—

(A) ALLOCATION OF FUNDS.—The Governor may reserve not more than 5 percent of the funds made available through the allotment under subsection (b)(2), for administration and technical assistance, and shall allocate the remainder, in accordance with the option elected under paragraph (1)—

(i) among local workforce investment areas within the State in accordance with subparagraphs (A), (B), and (C) of subsection (b)(2), except that for purposes of such allocation references in paragraph (2) or (3) of subsection (b) to a State shall be deemed to be references to a local workforce investment area and references to all States shall be deemed to be references to all local workforce investment areas in the State involved; or

(ii) through entities responsible for the administration of the TANF program in local areas, in such manner as the State agency or agencies responsible for the administration of the TANF program may determine to be appropriate.

(B) LOCAL PLANS.—

(i) IN GENERAL.—In a case in which the responsibility for the administration of the activities described in subsection (e) is to be carried out by the entities described in paragraph (1)(A), in order to receive an allocation for a local workforce investment area under subparagraph (A)(i), a local workforce investment board, in partnership with the chief elected official for the local workforce investment area, shall submit to the Governor, not later than 30 days after the submission of the State plan, a local plan for the use of such funds under this section. Such local plan may be submitted as a modification to a local plan approved under section 118 of the Workforce Investment Act of 1998 (29 U.S.C. 2833).

(ii) CONTENTS.—The local plan described in clause (i) shall contain the information described in subparagraphs (A) through (H) of subsection (c)(1), as applied to the local workforce investment area.

(iii) APPROVAL.—The Governor shall approve or disapprove the local plan submitted under clause (i) not later than a date (referred to in this clause as the ''final determination date'') that is the later of the 30th day after the submission of the local plan or the 30th day after the approval of the State plan. The Governor shall approve the local plan unless the Governor determines that the plan is inconsistent with the requirements of this section or is not reasonably appropriate and adequate to carry out the objectives of this section. If the Governor has not made a determination by the final determination date, the plan shall be considered to be approved. If the plan is disapproved, the Governor may provide a reasonable period of time in which the plan may be amended and resubmitted for approval. If the plan is approved, the Governor shall allocate funds to the local workforce investment area involved under subparagraph (A)(i) within 30 days after such approval.

(C) REALLOCATION OF FUNDS TO LOCAL WORKFORCE INVESTMENT AREAS.—In a case described in subparagraph (B)(i), if a local workforce investment board and chief elected official do not submit a local plan by the date specified in subparagraph (B)(i), or the Governor disapproves a local plan, the amount the local workforce investment area would have been eligible to receive pursuant to the formula under subparagraph (A)(i) shall be allocated to local workforce investment areas that receive approval of their local plans under subparagraph (B). Each such local workforce investment area shall receive a share of the total amount available for reallocation under this subparagraph, in accordance with the area's share of the total amount allocated under subparagraph (A)(i) to such local workforce investment areas.

(e) USE OF FUNDS.—

(1) IN GENERAL.—The funds made available under this section shall be used to provide subsidized employment for unemployed, low-income adults. The entities or agencies described in subsection (d)(1) may use a variety of strategies in recruiting employers and identifying appropriate employment opportunities, but shall give priority to providing employment opportunities likely to lead to unsubsidized employment in emerging or in-demand occupations in the area served through the grant involved. Funds made available under this section may be used to provide support services, such as transportation and child care, that are necessary to enable such adults to participate in subsidized employment opportunities.

(2) LEVEL OF SUBSIDY AND DURATION.—The entities or agencies described in subsection (d)(1) may determine the percentage of the wages and costs of employing a participant for which an employer may receive a subsidy with the funds made available under this section, and the duration of such subsidy, in accordance with guidance issued by the Secretary of Labor in coordination with the Secretary of Health and Human Services. The entities or agencies may establish criteria for determining such percentage or duration, using appropriate factors such as the size of the employer and type of employment.

(3) LIMITATION.—Not more than 10 percent of the funds allocated to a local workforce investment area under subsection (d)(2)(A)(i) may be used for the costs of administration of this section.

(f) COORDINATION OF FEDERAL ADMINISTRATION.—The Secretary of Labor shall administer this section in coordination with the Secretary of Health and Human Services to ensure the effective implementation of this section.

SEC. 205. SUMMER EMPLOYMENT AND YEAR-ROUND EMPLOYMENT OPPORTUNITIES FOR LOW-INCOME AND DISCONNECTED YOUTH.

(a) IN GENERAL.—From the funds available under section 203(a)(2), the Secretary of Labor shall make an allotment or provide assistance under subsection (c) to each State that has a modification to a State plan approved under section 112 of the Workforce Investment Act of 1998 (29 U.S.C. 2822) (referred to in this section as a ''State plan modification'') (or other State request for funds specified in guidance under subsection (b)) approved under subsection (d) and to each outlying area and recipient under section 166(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2911(c)) (referred to in this section as a ''Native American grantee'') that meets the requirements of this section, for the purpose of providing summer employment and year-round employment opportunities to low-income youth.

(b) GUIDANCE AND APPLICATION OF REQUIREMENTS.—

(1) GUIDANCE.—Not later than 20 days after the date of enactment of this title, the Secretary of Labor shall issue guidance regarding the implementation of this section.

(2) PROCEDURES.—Such guidance shall, consistent with this section, include procedures for—

(A) submission and approval for State plan modifications, for such other forms of requests for funds by the State as may be identified in such guidance, for modifications to local plans approved under section 118 of the Workforce Investment Act of 1998 (29 U.S.C. 2833) (referred to individually in this section as a ''local plan modification''), or for such other forms of requests for funds by local workforce investment areas as may be identified in such guidance, that promote the expeditious and effective implementation of the activities authorized under this section; and

(B) the allotment and allocation of funds, including reallotment and reallocation of such funds, that promote such implementation.

(3) REQUIREMENTS.—Except as otherwise provided in the guidance described in paragraph (1) and in this section and other provisions of this title, the funds provided for activities under this section shall be administered in accordance with the provisions of subtitles B and E of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq., 2931 et seq.) relating to youth activities.

(c) STATE ALLOTMENTS.—

(1) RESERVATIONS FOR OUTLYING AREAS AND TRIBES.—Of the funds described in subsection (a), the Secretary of Labor shall reserve—

(A) not more than ¼ of 1 percent to provide assistance to outlying areas to provide summer employment and year-round employment opportunities to low-income youth; and

(B) 1.5 percent to provide assistance to Native American grantees to provide summer employment and year-round employment opportunities to low-income youth.

(2) STATES.—After determining the amounts to be reserved under section 203(b) and paragraph (1), the Secretary of Labor shall allot the remainder of the funds described in subsection (a) among the States in accordance with the subparagraphs (A), (B), and (C) of section 204(b)(2).

(3) REALLOTMENT.—If the Governor of a State does not submit a State plan modification or other State request for funds specified in guidance under subsection (b) by the date specified in subsection (d)(2)(B), or a State does not receive approval of such State plan modification or request, the amount the State would have been eligible to receive pursuant to the formula under paragraph (2) shall be transferred within the Fund and added to the amounts available for competitive grants under section 203(a)(3).

(d) STATE PLAN MODIFICATION OR REQUEST.—

(1) IN GENERAL.—For a State to be eligible to receive an allotment of funds under subsection (c), the Governor of the State shall submit to the Secretary of Labor a State plan modification, or other State request for funds specified in guidance under subsection (b), in such form and containing such information as the Secretary may require. At a minimum, such State plan modification or request shall include—

(A) a description of the strategies and activities to be carried out to provide summer employment opportunities and year-round employment opportunities, including linkages to training and educational activities, consistent with subsection (f);

(B) a description of the requirements the States will apply relating to the eligibility of low-income youth, consistent with section 208, for summer employment opportunities and year-round employment opportunities, which requirements may include criteria to target assistance to particular categories of such low-income youth, such as youth with disabilities, consistent with subsection (f);

(C) a description of the performance outcomes to be achieved by the State through the activities carried out under this section and the processes the State will use to track the performance, consistent with guidance provided by the Secretary of Labor regarding such outcomes and processes and with section 207(b);

(D) a description of the timelines for implementation of the activities described in subparagraph (A), and the number of low-income youth expected to be placed in summer employment opportunities, and year-round employment opportunities, respectively, by calendar quarter;

(E) assurances that the State will report such information relating to fiscal, performance, and other matters as the Secretary of Labor may require and as the Secretary determines is necessary to effectively monitor the activities carried out under this section;

(F) assurances that the State will ensure compliance with the requirements, restrictions, labor standards, and other provisions described in section 207(a); and

(G) for any employment opportunity that will provide participants with an industry-recognized credential, a description of the credential.

(2) SUBMISSION AND APPROVAL OF STATE PLAN MODIFICATION OR REQUEST.—

(A) SUBMISSION.—The Governor shall submit the State plan modification or other State request for funds specified in guidance under subsection (b) to the Secretary of Labor not later than 30 days after the issuance of such guidance. The State plan modification or other State request for funds may be submitted in conjunction with the State plan required under section 204(c).

(B) APPROVAL.—The Secretary of Labor shall approve or disapprove the State plan modification or request submitted under subparagraph (A) within 30 days after submission. The Secretary of Labor shall approve the modification or request unless the Secretary determines that the modification or request is inconsistent with the requirements of this section. If the Secretary has not made a determination within that 30-day period, the modification or request shall be considered to be approved. If the modification or request is disapproved, the Secretary may provide a reasonable period of time in which the modification or request may be amended and resubmitted for approval. If the modification or request is approved, the Secretary shall allot funds to the State under subsection (c) within 30 days after such approval.

(3) MODIFICATIONS TO STATE PLAN MODIFICATION OR REQUEST.—The Governor may submit further modifications to a State plan modification or other State request for funds specified under subsection (b), consistent with the requirements of this section.

(e) WITHIN-STATE ALLOCATION AND ADMINISTRATION.—

(1) IN GENERAL.—Of the funds allotted to the State under subsection (c), the Governor—

(A) may reserve not more than 5 percent of the funds for administration and technical assistance; and

(B) shall allocate the remainder of the funds among local workforce investment areas within the State in accordance with subparagraphs (A), (B), and (C) of section 204(b)(2), except that for purposes of such allocation references in paragraph (2) or (3) of section 204(b) to a State shall be deemed to be references to a local workforce investment area and references to all States shall be deemed to be references to all local workforce investment areas in the State involved.

(2) LOCAL PLAN MODIFICATION OR REQUEST.—

(A) SUBMISSION.—In order to receive an allocation for a local workforce investment area under paragraph (1)(B), the local workforce investment board, in partnership with the chief elected official for the local workforce investment area, shall submit to the Governor, not later than 30 days after the submission by the State of the State plan modification or other State request for funds specified in guidance under subsection (b), a local plan modification, or such other request for funds by local workforce investment areas as may be specified in guidance under subsection (b), describing the strategies and activities to be carried out under this section.

(B) APPROVAL.—The Governor shall approve or disapprove the local plan modification or other local request for funds submitted under subparagraph (A) within 30 days after submission. The Governor shall approve the modification or request unless the Governor determines that the modification or request is inconsistent with the requirements of this section. If the Governor has not made a determination within that 30-day period, the modification or request shall be considered to be approved. If the modification or request is disapproved, the Governor may provide a reasonable period of time in which the modification or request may be amended and resubmitted for approval. If the modification or request is approved, the Governor shall allocate funds to the local workforce investment area within 30 days after such approval.

(3) REALLOCATION.—If a local workforce investment board and chief elected official do not submit a local plan modification, or other local request for funds specified in guidance under subsection (b), by the date specified in paragraph (2)(A), or the Governor disapproves such a modification or request, the amount the local workforce investment area would have been eligible to receive pursuant to the formula under paragraph (1)(B) shall be allocated to local workforce investment areas that receive approval of their local plan modifications or local requests for funds under paragraph (2). Each such local workforce investment area shall receive a share of the total amount available for reallocation under this subparagraph, in accordance with the area's share of the total amount allocated under paragraph (1)(B) to such local workforce investment areas.

(f) USE OF FUNDS.—

(1) IN GENERAL.—The funds made available under this section shall be used—

(A) to provide summer employment opportunities for low-income youth, with direct linkages to academic and occupational learning, and may be used to provide supportive services, such as transportation or child care, that are necessary to enable the youth to participate in the opportunities; and

(B) to provide year-round employment opportunities, which may be combined with other activities authorized under section 129 of the Workforce Investment Act of 1998 (29 U.S.C. 2854), to low-income youth, giving priority to out-of-school youth who are—

(i) high school dropouts; or

(ii) recipients of a secondary school diploma or its recognized equivalent but who are basic skills deficient, unemployed, or underemployed.

(2) PROGRAM PRIORITIES.—In administering the funds under this section, the local board and chief elected official shall give priority to—

(A) identifying employment opportunities that are—

(i) in emerging or in-demand occupations in the local workforce investment area; or

(ii) in the public or nonprofit sector and meet community needs; and

(B) linking participants in year-round employment opportunities to training and educational activities that will provide such participants with an industry-recognized credential.

(3) PERFORMANCE ACCOUNTABILITY.—For activities funded under this section, in lieu of meeting the requirements described in section 136 of the Workforce Investment Act of 1998 (29 U.S.C. 2871), States and local workforce investment areas shall provide such reports as the Secretary of Labor may require regarding the performance outcomes described in section 207(b)(5).

(4) LIMITATION.—Not more than 10 percent of the funds allocated to a local workforce

investment area under subsection (e)(1)(B) may be used for the costs of administration of this section.

SEC. 206. WORK-RELATED AND EDUCATIONAL STRATEGIES AND ACTIVITIES OF DEMONSTRATED EFFECTIVENESS.

(a) IN GENERAL.—From the funds available under section 203(a)(3), the Secretary of Labor shall award grants on a competitive basis to eligible entities to carry out work-related and educational strategies and activities of demonstrated effectiveness.

(b) ELIGIBLE ENTITY.—To be eligible to receive a grant under this section, an entity—

(1) shall include—

(A) a partnership involving a chief elected official, and the local workforce investment board, for the local workforce investment area involved (which may include a partnership with elected officials and workforce investment boards in the region and in the State); or

(B) an entity eligible to apply for a grant, contract, or agreement under section 166 of the Workforce Investment Act of 1998 (29 U.S.C. 2911); and

(2) may include, in combination with a partnership or entity described in paragraph (1)—

(A) employers or employer associations;

(B) adult education providers or postsecondary educational institutions, including community colleges;

(C) community-based organizations;

(D) joint labor-management committees;

(E) work-related intermediaries; or

(F) other appropriate organizations.

(c) APPLICATION.—To be eligible to receive a grant under this section, an entity shall submit to the Secretary of Labor an application at such time, in such manner, and containing such information as the Secretary may require. At a minimum, the application shall—

(1) describe the strategies and activities of demonstrated effectiveness that the eligible entity will carry out to provide unemployed, low-income adults and low-income youth with skills that will lead to employment upon completion of participation related to such strategies and activities;

(2) describe the requirements that will apply relating to the eligibility of unemployed, low-income adults or low-income youth, consistent with section 208, for strategies and activities carried out under this section, which requirements may include criteria to target assistance to particular categories of such adults and youth, such as individuals with disabilities or individuals who have exhausted all rights to unemployment compensation;

(3) describe how the strategies and activities will address the needs of the target populations identified under paragraph (2) and the needs of employers in the local workforce investment area;

(4) describe the expected outcomes to be achieved by implementing the strategies and activities;

(5) provide evidence that the funds provided through the grant will be expended expeditiously and efficiently to implement the strategies and activities;

(6) describe how the strategies and activities will be coordinated with other Federal, State, and local programs providing employment, education, and supportive activities;

(7) provide evidence of employer commitment to participate with respect to the strategies and activities funded under this section, including identification of anticipated occupational and skill needs;

(8) provide assurances that the eligible entity will report such information relating to fiscal, performance, and other matters as the Secretary of Labor may require and as the Secretary determines is necessary to effectively monitor the strategies and activities carried out under this section;

(9) provide assurances that the eligible entity will ensure compliance with the requirements, restrictions, labor standards, and other provisions described in section 207(a); and

(10) for any activity leading to the acquisition of an industry-recognized credential, a description of the credential.

(d) PRIORITY IN AWARDS.—In awarding grants under this section, the Secretary of Labor shall give priority to applications submitted by eligible entities from areas of high poverty and high unemployment, as defined by the Secretary, such as Public Use Microdata Areas designated by the Bureau of the Census.

(e) USE OF FUNDS.—An entity that receives a grant under this section shall use the funds made available through the grant to support strategies and activities of demonstrated effectiveness that are designed to provide unemployed, low-income adults or low-income youth with skills that will lead to employment as part of or upon completion of participation with respect to such strategies and activities. Such strategies and activities may include—

(1) on-the-job training, registered apprenticeship programs, or other programs that combine work with skills development;

(2) sector-based training programs that have been designed to meet the specific requirements of an employer or group of employers in that sector and for which employers are committed to hiring individuals upon successful completion of the training;

(3) training that supports an industry sector or an employer-based or labor-management committee industry partnership and that includes a significant work experience component;

(4) strategies and activities that lead to the acquisition of industry-recognized credentials in a field identified by the State or local workforce investment area as a growth sector or in-demand industry in which there are likely to be significant job opportunities in the short term;

(5) strategies and activities that provide connections to immediate work opportunities, including subsidized employment opportunities, or summer employment opportunities for youth, that include concurrent skills training and other supports;

(6) strategies and activities offered through career academies that provide students with the academic preparation and training, such as paid internships and concurrent enrollment in community colleges or other postsecondary institutions, needed to pursue a career pathway that leads to postsecondary credentials and in-demand jobs; and

(7) adult basic education and integrated basic education and training, for low-skilled adults, that are tied to employer workforce needs, hosted at community colleges or at other sites, to prepare individuals for jobs that are in demand in a local workforce investment area.

(f) COORDINATION OF FEDERAL ADMINISTRATION.—The Secretary of Labor shall administer this section in coordination with the Secretary of Education, the Secretary of Health and Human Services, and other appropriate agency heads, to ensure the effective implementation of this section.

SEC. 207. GENERAL REQUIREMENTS.

(a) LABOR STANDARDS AND PROTECTIONS.—Activities provided with funds made available under this title shall be subject to the requirements and restrictions, including the labor standards, described in section 181 of the Workforce Investment Act of 1998 (29 U.S.C. 2931) and the nondiscrimination provisions of section 188 of such Act (29 U.S.C. 2938), in addition to other applicable Federal laws.

(b) REPORTING.—The Secretary of Labor shall require the reporting of information relating to fiscal, performance, and other matters that the Secretary determines is necessary to effectively monitor the activities carried out with funds provided under this title. At a minimum, recipients of grants or subgrants under this title shall provide information relating to—

(1) the number of individuals participating in activities with funds provided under this title and the number of such individuals who have completed such participation;

(2) the expenditures of funds provided under this title;

(3) the number of jobs created pursuant to the activities carried out under this title;

(4) the demographic characteristics of individuals participating in activities under this title; and

(5) the performance outcomes for individuals participating in activities under this title, including—

(A) for adults participating in activities funded under section 204, performance on indicators consisting of—

(i) entry into unsubsidized employment;

(ii) retention in unsubsidized employment; and

(iii) earnings in unsubsidized employment;

(B) for low-income youth participating in summer employment activities under sections 205 and 206, performance on indicators consisting of—

(i) work readiness skill attainment, using an employer-validated checklist; and

(ii) placement in or return to secondary or postsecondary education or training, or entry into unsubsidized employment;

(C) for low-income youth participating in year-round employment activities under section 205 or in activities under section 206, performance on indicators consisting of—

(i) placement in or return to postsecondary education;

(ii) attainment of a secondary school diploma or its recognized equivalent;

(iii) attainment of an industry-recognized credential; and

(iv) entry into unsubsidized employment, retention, and earnings as described in subparagraph (A); and

(D) for unemployed, low-income adults participating in activities under section 206—

(i) entry into unsubsidized employment, retention, and earnings as described in subparagraph (A); and

(ii) attainment of an industry-recognized credential.

(c) ACTIVITIES REQUIRED TO BE ADDITIONAL.—Funds provided under this title shall only be used for activities that are in addition to activities that would otherwise be available in the State or local workforce investment area in the absence of such funds.

(d) ADDITIONAL REQUIREMENTS.—The Secretary of Labor may establish such additional requirements as the Secretary determines may be necessary to ensure fiscal integrity, effective monitoring, and appropriate and prompt implementation of the activities under this title.

(e) REPORT OF INFORMATION AND EVALUATIONS TO CONGRESS AND THE PUBLIC.—The Secretary of Labor shall provide to the appropriate committees of Congress and make available to the public the information reported pursuant to subsection (b) and the evaluations of activities carried out with the funds reserved under section 203(b).

SEC. 208. DEFINITIONS.

In this title:

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

elected executive officer of a unit of general local government in a local workforce investment area or, in the case in which such an area includes more than one unit of general local government, the individuals designated under an agreement described in section 117(c)(1)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2832(c)(1)(B)).

(2) INDUSTRY-RECOGNIZED CREDENTIAL.—The term ''industry-recognized credential'' means such a credential within the meaning of section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

(3) LOCAL WORKFORCE INVESTMENT AREA.—The term ''local workforce investment area'' means such area designated under section 116 of the Workforce Investment Act of 1998 (29 U.S.C. 2831).

(4) LOCAL WORKFORCE INVESTMENT BOARD.—The term ''local workforce investment board'' means such board established under section 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2832).

(5) LOW-INCOME YOUTH.—

(A) IN GENERAL.—The term ''low-income youth'' means an individual who is not younger than age 16 and not older than age 24 and is an individual described in subparagraph (B) or (C).

(B) ELIGIBLE YOUTH.—For purposes of this paragraph, an individual described in this subparagraph—

(i) meets the definition of a low-income individual provided in section 101(25) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(25)), except that—

(I) States and local workforce investment areas, subject to approval in the applicable State and local plan modifications and requests for funds, may increase the income level specified in subparagraph (B)(i) of such section to an amount not in excess of 200 percent of the poverty line for purposes of determining eligibility for participation in activities under section 205; and

(II) eligible entities described in section 206(b), subject to approval in the applicable applications for funds, may make such an increase for purposes of determining eligibility for participation in activities under section 206; and

(ii) is in one or more of the categories specified in section 101(13)(C) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(13)(C)).

(C) YOUTH ELIGIBLE FOR SCHOOL LUNCHES.—For purposes of this paragraph, an individual described in this subparagraph receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(6) OUTLYING AREA.—The term ''outlying area'' means the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau (except during any period for which the Secretary of Labor determines that a Compact of Free Association is in effect and provides for Federal assistance for education or training).

(7) POVERTY LINE.—The term ''poverty line'' means a poverty line as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), applicable to a family of the size involved.

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

(9) UNEMPLOYED, LOW-INCOME ADULT.—The term ''unemployed, low-income adult'' means an individual who—

(A) is age 18 or older;

(B) is without employment and is seeking assistance under this title to obtain employment; and

(C) meets the definition of a low-income individual specified in section 101(25) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(25)), except that—

(i) States and local entities described in section 204(d)(1)(A), subject to approval in the applicable State plans and local plans described in subsection (c) or (d) of section 204, or a State agency or agencies described in section 204(d)(1)(B), subject to approval in the State plan described in section 204, may increase the income level specified in subparagraph (B)(i) of such section 101(25) to an amount not in excess of 200 percent of the poverty line for purposes of determining eligibility for participation in activities under section 204; and

(ii) eligible entities described in section 206(b), subject to approval in the applicable applications for funds, may make such an increase for purposes of determining eligibility for participation in activities under section 206.

SA 2609. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.

(a) IN GENERAL.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer's Social Security number on the return of tax for such taxable year.

''(B) JOINT RETURNS.—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the Social Security number of either spouse is included on such return.

''(C) LIMITATION.—Subparagraph (A) shall not apply to the extent the tentative minimum tax (as defined in section 55(b)(1)(A)) exceeds the credit allowed under section 32.''.

(b) OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.—Subparagraph (I) of section 6213(g)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(I) an omission of a correct Social Security number required under section 24(d)(5) (relating to refundable portion of child tax credit), or a correct TIN under section 24(e) (relating to child tax credit), to be included on a return,''.

(c) CONFORMING AMENDMENT.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by inserting ''WITH RESPECT TO QUALIFYING CHILDREN'' after ''IDENTIFICATION REQUIREMENT'' in the heading thereof.

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

SA 2610. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 7. DISQUALIFICATION ON RECEIPT OF DISABILITY INSURANCE BENEFITS IN A MONTH FOR WHICH UNEMPLOYMENT COMPENSATION IS RECEIVED.

(a) IN GENERAL.—Section 223(d)(4) of the Social Security Act (42 U.S.C. 423(d)(4)) is amended by adding at the end the following:

''(C)(i) If for any month an individual is entitled to unemployment compensation, such individual shall be deemed to have engaged in substantial gainful activity for such month.

''(ii) For purposes of clause (i), the term 'unemployment compensation' means—

''(I) 'regular compensation', 'extended compensation', and 'additional compensation' (as such terms are defined by section 205 of the Federal-State Extended Unemployment Compensation Act (26 U.S.C. 3304 note)); and

''(II) trade adjustment assistance under title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.).''.

(b) TRIAL WORK PERIOD.—Section 222(c) of the Social Security Act (42 U.S.C. 422(c)) is amended by adding at the end the following:

''(6)(A) For purposes of this subsection, an individual shall be deemed to have rendered services in a month if the individual is entitled to unemployment compensation for such month.

''(B) For purposes of subparagraph (A), the term 'unemployment compensation' means—

''(i) 'regular compensation', 'extended compensation', and 'additional compensation' (as such terms are defined by section 205 of the Federal-State Extended Unemployment Compensation Act (26 U.S.C. 3304 note)); and

''(ii) trade adjustment assistance under title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.).''.

(c) DATA MATCHING.—The Commissioner of Social Security shall implement the amendments made by this section using appropriate electronic data.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to months after March 2014.

SA 2611. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. DELAY IN APPLICATION OF INDIVIDUAL HEALTH INSURANCE MANDATE.

(a) IN GENERAL.—Section 5000A(a) of the Internal Revenue Code of 1986 is amended by striking ''2013'' and inserting ''2014''.

(b) CONFORMING AMENDMENTS.—

(1) Section 5000A(c)(2)(B) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''2014'' in clause (i) and inserting ''2015'', and

(B) by striking ''2015'' in clauses (ii) and (iii) and inserting ''2016''.

(2) Section 5000A(c)(3)(B) of such Code is amended—

(A) by striking ''2014'' and inserting ''2015'', and

(B) by striking ''2015'' (prior to amendment by subparagraph (A)) and inserting ''2016''.

(3) Section 5000A(c)(3)(D) of such Code is amended—

(A) by striking ''2016'' and inserting ''2017'', and

(B) by striking ''2015'' and inserting ''2016''.

(4) Section 5000A(e)(1)(D) of such Code is amended—

(A) by striking ''2014'' and inserting ''2015'', and

(B) by striking ''2013'' and inserting ''2014''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in section 1501 of the Patient Protection and Affordable Care Act.

SEC. ___. DELAY IN APPLICATION OF EMPLOYER HEALTH INSURANCE MANDATE.

(a) IN GENERAL.—Section 1513(d) of the Patient Protection and Affordable Care Act is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) REPORTING REQUIREMENTS.—

(1) REPORTING BY EMPLOYERS.—Section 1514(d) of the Patient Protection and Affordable Care Act is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(2) REPORTING BY INSURANCE PROVIDERS.—Section 1502(e) of the Patient Protection and Affordable Care Act is amended by striking ''2013'' and inserting ''2014''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provision of the Patient Protection and Affordable Care Act to which they relate.

SA 2612. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 7. SUPPORTING NEW BUSINESSES.

(a) SHORT TITLE.—This section may be cited as the ''Startup Act 3.0''.

(b) FINDINGS.—Congress makes the following findings:

(1) Achieving economic recovery will require the formation and growth of new companies.

(2) Between 1980 and 2005, companies less than 5 years old accounted for nearly all net job creation in the United States.

(3) New firms in the United States create an average of 3,000,000 jobs per year.

(4) To get Americans back to work, entrepreneurs must be free to innovate, create new companies, and hire employees.

(c) CONDITIONAL PERMANENT RESIDENT STATUS FOR IMMIGRANTS WITH AN ADVANCED DEGREE IN A STEM FIELD.—

(1) IN GENERAL.—Chapter 2 of title II of the Immigration and Nationality Act (8 U.S.C. 1181 et seq.) is amended by inserting after section 216A the following:

''SEC. 216B. CONDITIONAL PERMANENT RESIDENT STATUS FOR ALIENS WITH AN ADVANCED DEGREE IN A STEM FIELD.

''(a) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary of Homeland Security may adjust the status of not more than 50,000 aliens who have earned a master's degree or a doctorate degree at an institution of higher education in a STEM field to that of an alien conditionally admitted for permanent residence and authorize each alien granted such adjustment of status to remain in the United States—

''(1) for up to 1 year after the expiration of the alien's student visa under section 101(a)(15)(F)(i) if the alien is diligently searching for an opportunity to become actively engaged in a STEM field; and

''(2) indefinitely if the alien remains actively engaged in a STEM field.

''(b) APPLICATION FOR CONDITIONAL PERMANENT RESIDENT STATUS.—Every alien applying for a conditional permanent resident status under this section shall submit an application to the Secretary of Homeland Security before the expiration of the alien's student visa in such form and manner as the Secretary shall prescribe by regulation.

''(c) INELIGIBILITY FOR FEDERAL GOVERNMENT ASSISTANCE.—An alien granted conditional permanent resident status under this section shall not be eligible, while in such status, for—

''(1) any unemployment compensation (as defined in section 85(b) of the Internal Revenue Code of 1986); or

''(2) any Federal means-tested public benefit (as that term is used in section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613)).

''(d) EFFECT ON NATURALIZATION RESIDENCY REQUIREMENT.—An alien granted conditional permanent resident status under this section shall be deemed to have been lawfully admitted for permanent residence for purposes of meeting the 5-year residency requirement set forth in section 316(a)(1).

''(e) REMOVAL OF CONDITION.—The Secretary of Homeland Security shall remove the conditional basis of an alien's conditional permanent resident status under this section on the date that is 5 years after the date such status was granted if the alien maintained his or her eligibility for such status during the entire 5-year period.

''(f) DEFINITIONS.—In this section:

''(1) ACTIVELY ENGAGED IN A STEM FIELD.—The term 'actively engaged in a STEM field'—

''(A) means—

''(i) gainfully employed in a for-profit business or nonprofit organization in the United States in a STEM field;

''(ii) teaching 1 or more STEM field courses at an institution of higher education; or

''(iii) employed by a Federal, State, or local government entity; and

''(B) includes any period of up to 6 months during which the alien does not meet the requirement under subparagraph (A) if such period was immediately preceded by a 1-year period during which the alien met the requirement under subparagraph (A).

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

''(3) STEM FIELD.—The term 'STEM field' means any field of study or occupation included on the most recent STEM-Designated Degree Program List published in the Federal Register by the Department of Homeland Security (as described in section 214.2(f)(11)(i)(C)(2) of title 8, Code of Federal Regulations).''.

(2) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 216A the following:

''Sec. 216B. Conditional permanent resident status for aliens with an advanced degree in a STEM field.''.

(d) GOVERNMENT ACCOUNTABILITY OFFICE STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress on the alien college graduates granted immigrant status under section 216B of the Immigration and Nationality Act, as added by subsection (c).

(2) CONTENTS.—The report described in paragraph (1) shall include—

(A) the number of aliens described in paragraph (1) who have earned a master's degree, broken down by the number of such degrees in science, technology, engineering, and mathematics;

(B) the number of aliens described in paragraph (1) who have earned a doctorate degree, broken down by the number of such degrees in science, technology, engineering, and mathematics;

(C) the number of aliens described in paragraph (1) who have founded a business in the United States in a STEM field;

(D) the number of aliens described in paragraph (1) who are employed in the United States in a STEM field, broken down by employment sector (for profit, nonprofit, or government); and

(E) the number of aliens described in paragraph (1) who are employed by an institution of higher education.

(3) DEFINITIONS.—In this subsection, the terms ''institution of higher education'' and ''STEM field'' have the meaning given such terms in section 216B(f) of the Immigration and Nationality Act, as added by subsection (c).

(e) IMMIGRANT ENTREPRENEURS.—

(1) QUALIFIED ALIEN ENTREPRENEURS.—

(A) ADMISSION AS IMMIGRANTS.—Chapter 1 of title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.) is amended by adding at the end the following:

''SEC. 210A. QUALIFIED ALIEN ENTREPRENEURS.

''(a) ADMISSION AS IMMIGRANTS.—The Secretary of Homeland Security, in accordance with the provisions of this section and section 216A, may issue a conditional immigrant visa to not more than 75,000 qualified alien entrepreneurs.

''(b) APPLICATION FOR CONDITIONAL PERMANENT RESIDENT STATUS.—Every alien applying for a conditional immigrant visa under this section shall submit an application to the Secretary of Homeland Security in such form and manner as the Secretary shall prescribe by regulation.

''(c) REVOCATION.—If, during the 4-year period beginning on the date that an alien is granted a visa under this section, the Secretary of Homeland Security determines that such alien is no longer a qualified alien entrepreneur, the Secretary shall—

''(1) revoke such visa; and

''(2) notify the alien that the alien—

''(A) may voluntarily depart from the United States in accordance to section 240B; or

''(B) will be subject to removal proceedings under section 240 if the alien does not depart from the United States not later than 6 months after receiving such notification.

''(d) REMOVAL OF CONDITIONAL BASIS.—The Secretary of Homeland Security shall remove the conditional basis of the status of an alien issued an immigrant visa under this section on that date that is 4 years after the date on which such visa was issued if such visa was not revoked pursuant to subsection (c).

''(e) DEFINITIONS.—In this section:

''(1) FULL-TIME EMPLOYEE.—The term 'full-time employee' means a United States citizen or legal permanent resident who is paid by the new business entity registered by a qualified alien entrepreneur at a rate that is comparable to the median income of employees in the region.

''(2) QUALIFIED ALIEN ENTREPRENEUR.—The term 'qualified alien entrepreneur' means an alien who—

''(A) at the time the alien applies for an immigrant visa under this section—

''(i) is lawfully present in the United States; and

''(ii)(I) holds a nonimmigrant visa pursuant to section 101(a)(15)(H)(i)(b); or

''(II) holds a nonimmigrant visa pursuant to section 101(a)(15)(F)(i);

''(B) during the 1-year period beginning on the date the alien is granted a visa under this section—

''(i) registers at least 1 new business entity in a State;

''(ii) employs, at such business entity in the United States, at least 2 full-time employees who are not relatives of the alien; and

''(iii) invests, or raises capital investment of, not less than $100,000 in such business entity; and

''(C) during the 3-year period beginning on the last day of the 1-year period described in paragraph (2), employs, at such business entity in the United States, an average of at least 5 full-time employees who are not relatives of the alien.''.

(B) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by adding after the item relating to section 210 the following:

''Sec. 210A. Qualified alien entrepreneurs.''.

(2) CONDITIONAL PERMANENT RESIDENT STATUS.—Section 216A of the Immigration and Nationality Act (8 U.S.C. 1186b) is amended—

(A) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(B) in subsection (b)(1)(C), by striking ''203(b)(5),'' and inserting ''203(b)(5) or 210A, as appropriate,'';

(C) in subsection (c)(1), by striking ''alien entrepreneur must'' each place such term appears and inserting ''alien entrepreneur shall'';

(D) in subsection (d)(1)(B), by striking the period at the end and inserting ''or 210A, as appropriate.''; and

(E) in subsection (f)(1), by striking the period at the end and inserting ''or 210A.''.

(f) GOVERNMENT ACCOUNTABILITY OFFICE STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress on the qualified alien entrepreneurs granted immigrant status under section 210A of the Immigration and Nationality Act, as added by subsection (e).

(2) CONTENTS.—The report described in paragraph (1) shall include information regarding—

(A) the number of qualified alien entrepreneurs who have received immigrant status under section 210A of the Immigration and Nationality Act, listed by country of origin;

(B) the localities in which such qualified alien entrepreneurs have initially settled;

(C) whether such qualified alien entrepreneurs generally remain in the localities in which they initially settle;

(D) the types of commercial enterprises that such qualified alien entrepreneurs have established; and

(E) the types and number of jobs created by such qualified alien entrepreneurs.

(g) ELIMINATION OF THE PER-COUNTRY NUMERICAL LIMITATION FOR EMPLOYMENT-BASED VISAS.—

(1) IN GENERAL.—Section 202(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1152(a)(2)) is amended—

(A) in the paragraph heading, by striking ''AND EMPLOYMENT-BASED'';

(B) by striking ''(3), (4), and (5),'' and inserting ''(3) and (4),'';

(C) by striking ''subsections (a) and (b) of section 203'' and inserting ''section 203(a)'';

(D) by striking ''7'' and inserting ''15''; and

(E) by striking ''such subsections'' and inserting ''such section''.

(2) CONFORMING AMENDMENTS.—Section 202 of the Immigration and Nationality Act (8 U.S.C. 1152) is amended—

(A) in subsection (a)(3), by striking ''both subsections (a) and (b) of section 203'' and inserting ''section 203(a)'';

(B) by striking subsection (a)(5); and

(C) by amending subsection (e) to read as follows:

''(e) SPECIAL RULES FOR COUNTRIES AT CEILING.—If it is determined that the total number of immigrant visas made available under section 203(a) to natives of any single foreign state or dependent area will exceed the numerical limitation specified in subsection (a)(2) in any fiscal year, in determining the allotment of immigrant visa numbers to natives under section 203(a), visa numbers with respect to natives of that state or area shall be allocated (to the extent practicable and otherwise consistent with this section and section 203) in a manner so that, except as provided in subsection (a)(4), the proportion of the visa numbers made available under each of paragraphs (1) through (4) of section 203(a) is equal to the ratio of the total number of visas made available under the respective paragraph to the total number of visas made available under section 203(a).''.

(3) COUNTRY-SPECIFIC OFFSET.—Section 2 of the Chinese Student Protection Act of 1992 (8 U.S.C. 1255 note) is amended—

(A) in subsection (a), by striking ''subsection (e))'' and inserting ''subsection (d))''; and

(B) by striking subsection (d) and redesignating subsection (e) as subsection (d).

(4) EFFECTIVE DATE.—The amendments made by this subsection—

(A) shall take effect as if enacted on September 30, 2012; and

(B) shall apply to fiscal years beginning with fiscal year 2013.

(h) TRANSITION RULES FOR EMPLOYMENT-BASED IMMIGRANTS.—

(1) IN GENERAL.—Subject to the succeeding paragraphs of this subsection and notwithstanding title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.), the following rules shall apply:

(A) For fiscal year 2013, 15 percent of the immigrant visas made available under each of paragraphs (2) and (3) of section 203(b) of such Act (8 U.S.C. 1153(b)) shall be allotted to immigrants who are natives of a foreign state or dependent area that was not one of the two states with the largest aggregate numbers of natives obtaining immigrant visas during fiscal year 2011 under such paragraphs.

(B) For fiscal year 2014, 10 percent of the immigrant visas made available under each of such paragraphs shall be allotted to immigrants who are natives of a foreign state or dependent area that was not one of the two states with the largest aggregate numbers of natives obtaining immigrant visas during fiscal year 2012 under such paragraphs.

(C) For fiscal year 2015, 10 percent of the immigrant visas made available under each of such paragraphs shall be allotted to immigrants who are natives of a foreign state or dependent area that was not one of the two states with the largest aggregate numbers of natives obtaining immigrant visas during fiscal year 2013 under such paragraphs.

(2) PER-COUNTRY LEVELS.—

(A) RESERVED VISAS.—With respect to the visas reserved under each of subparagraphs (A) through (C) of paragraph (1), the number of such visas made available to natives of any single foreign state or dependent area in the appropriate fiscal year may not exceed 25 percent (in the case of a single foreign state) or 2 percent (in the case of a dependent area) of the total number of such visas.

(B) UNRESERVED VISAS.—With respect to the immigrant visas made available under each of paragraphs (2) and (3) of section 203(b) of such Act (8 U.S.C. 1153(b)) and not reserved under paragraph (1), for each of fiscal years 2013, 2014, and 2015, not more than 85 percent shall be allotted to immigrants who are natives of any single foreign state.

(3) SPECIAL RULE TO PREVENT UNUSED VISAS.—If, with respect to fiscal year 2013, 2014, or 2015, the operation of paragraphs (1) and (2) of this subsection would prevent the total number of immigrant visas made available under paragraph (2) or (3) of section 203(b) of such Act (8 U.S.C. 1153(b)) from being issued, such visas may be issued during the remainder of such fiscal year without regard to paragraphs (1) and (2) of this subsection.

(4) RULES FOR CHARGEABILITY.—Section 202(b) of the Immigration and Nationality Act (8 U.S.C. 1152(b)) shall apply in determining the foreign state to which an alien is chargeable for purposes of this subsection.

(i) CAPITAL GAINS TAX EXEMPTION FOR STARTUP COMPANIES.—

(1) PERMANENT FULL EXCLUSION.—

(A) IN GENERAL.—Subsection (a) of section 1202 of the Internal Revenue Code of 1986 is amended to read as follows:

''(a) EXCLUSION.—In the case of a taxpayer other than a corporation, gross income shall not include 100 percent of any gain from the sale or exchange of qualified small business stock held for more than 5 years.''.

(B) CONFORMING AMENDMENTS.—

(i) The heading for section 1202 of such Code is amended by striking ''**PARTIAL**''.

(ii) The item relating to section 1202 in the table of sections for part I of subchapter P of chapter 1 of such Code is amended by striking ''Partial exclusion'' and inserting ''Exclusion''.

(iii) Section 1223(13) of such Code is amended by striking ''1202(a)(2),''.

(2) REPEAL OF MINIMUM TAX PREFERENCE.—

(A) IN GENERAL.—Subsection (a) of section 57 of the Internal Revenue Code of 1986 is amended by striking paragraph (7).

(B) TECHNICAL AMENDMENT.—Subclause (II) of section 53(d)(1)(B)(ii) of such Code is amended by striking '', (5), and (7)'' and inserting ''and (5)''.

(3) REPEAL OF 28 PERCENT CAPITAL GAINS RATE ON QUALIFIED SMALL BUSINESS STOCK.—

(A) IN GENERAL.—Subparagraph (A) of section 1(h)(4) of the Internal Revenue Code of 1986 is amended to read as follows:

''(A) collectibles gain, over''.

(B) CONFORMING AMENDMENTS.—

(i) Section 1(h) of such Code is amended by striking paragraph (7).

(ii)(I) Section 1(h) of such Code is amended by redesignating paragraphs (8), (9), (10), (11), (12), and (13) as paragraphs (7), (8), (9), (10), (11), and (12), respectively.

(II) Sections 163(d)(4)(B), 854(b)(5), 857(c)(2)(D) of such Code are each amended by striking ''section 1(h)(11)(B)'' and inserting ''section 1(h)(10)(B)''.

(III) The following sections of such Code are each amended by striking ''section 1(h)(11)'' and inserting ''section 1(h)(10)'':

(aa) Section 301(f)(4).

(bb) Section 306(a)(1)(D).

(cc) Section 584(c).

(dd) Section 702(a)(5).

(ee) Section 854(a).

(ff) Section 854(b)(2).

(IV) The heading of section 857(c)(2) is amended by striking ''1(h)(11)'' and inserting ''1(h)(10)''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to stock acquired after December 31, 2013.

(j) RESEARCH CREDIT FOR STARTUP COMPANIES.—

(1) IN GENERAL.—

(A) IN GENERAL.—Section 41 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(i) TREATMENT OF CREDIT TO QUALIFIED SMALL BUSINESSES.—

''(1) IN GENERAL.—At the election of a qualified small business, the payroll tax credit portion of the credit determined under

subsection (a) shall be treated as a credit allowed under section 3111(f) (and not under this section).

''(2) PAYROLL TAX CREDIT PORTION.—For purposes of this subsection, the payroll tax credit portion of the credit determined under subsection (a) for any taxable year is so much of such credit as does not exceed $250,000.

''(3) QUALIFIED SMALL BUSINESS.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified small business' means, with respect to any taxable year—

''(i) a corporation, partnership, or S corporation if—

''(I) the gross receipts (as determined under subsection (c)(7)) of such entity for the taxable year is less than $5,000,000, and

''(II) such entity did not have gross receipts (as so determined) for any period preceding the 5-taxable-year period ending with such taxable year, and

''(ii) any person not described in subparagraph (A) if clauses (i) and (ii) of subparagraph (A) applied to such person, determined—

''(I) by substituting 'person' for 'entity' each place it appears, and

''(II) in the case of an individual, by only taking into account the aggregate gross receipts received by such individual in carrying on trades or businesses of such individual.

''(B) LIMITATION.—Such term shall not include an organization which is exempt from taxation under section 501.

''(4) ELECTION.—

''(A) IN GENERAL.—In the case of a partnership or S corporation, an election under this subsection shall be made at the entity level.

''(B) REVOCATION.—An election under this subsection may not be revoked without the consent of the Secretary.

''(C) LIMITATION.—A taxpayer may not make an election under this subsection if such taxpayer has made an election under this subsection for 5 or more preceding taxable years.

''(5) AGGREGATION RULES.—For purposes of determining the $250,000 limitation under paragraph (2) and determining gross receipts under paragraph (3), all members of the same controlled group of corporations (within the meaning of section 267(f)) and all persons under common control (within the meaning of section 52(b) but determined by treating an interest of more than 50 percent as a controlling interest) shall be treated as 1 person.

''(6) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this subsection, including—

''(A) regulations to prevent the avoidance of the purposes of paragraph (3) through the use of successor companies or other means,

''(B) regulations to minimize compliance and recordkeeping burdens under this subsection for start-up companies, and

''(C) regulations for recapturing the benefit of credits determined under section 3111(f) in cases where there is a subsequent adjustment to the payroll tax credit portion of the credit determined under subsection (a), including requiring amended returns in the cases where there is such an adjustment.''.

(B) CONFORMING AMENDMENT.—Section 280C(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) TREATMENT OF QUALIFIED SMALL BUSINESS CREDIT.—For purposes of determining the amount of any credit under section 41(a) under this subsection, any election under section 41(i) shall be disregarded.''.

(2) CREDIT ALLOWED AGAINST FICA TAXES.—

(A) IN GENERAL.—Section 3111 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) CREDIT FOR RESEARCH EXPENDITURES OF QUALIFIED SMALL BUSINESSES.—

''(1) IN GENERAL.—In the case of a qualified small business which has made an election under section 41(i), there shall be allowed as a credit against the tax imposed by subsection (a) on wages paid with respect to the employment of all employees of the qualified small business for days in an applicable calendar quarter an amount equal to the payroll tax credit portion of the research credit determined under section 41(a).

''(2) CARRYOVER OF UNUSED CREDIT.—In any case in which the payroll tax credit portion of the research credit determined under section 41(a) exceeds the tax imposed under subsection (a) for an applicable calendar quarter—

''(A) the succeeding calendar quarter shall be treated as an applicable calendar quarter, and

''(B) the amount of credit allowed under paragraph (1) shall be reduced by the amount of credit allowed under such paragraph for all preceding applicable calendar quarters.

''(3) ALLOCATION OF CREDIT FOR CONTROLLED GROUPS, ETC.—In determining the amount of the credit under this subsection—

''(A) all persons treated as a single taxpayer under section 41 shall be treated as a single taxpayer under this section, and

''(B) the credit (if any) allowable by this section to each such member shall be its proportionate share of the qualified research expenses, basic research payments, and amounts paid or incurred to energy research consortiums, giving rise to the credit allowable under section 41.

''(4) DEFINITIONS.—For purposes of this subsection—

''(A) APPLICABLE CALENDAR QUARTER.—The term 'applicable calendar quarter' means—

''(i) the first calendar quarter following the date on which the qualified small business files a return under section 6012 for the taxable year for which the payroll tax credit portion of the research credit under section 41(a) is determined, and

''(ii) any succeeding calendar quarter treated as an applicable calendar quarter under paragraph (2)(A).

''For purposes of determining the date on which a return is filed, rules similar to the rules of section 6513 shall apply.

''(B) OTHER TERMS.—Any term used in this subsection which is also used in section 41 shall have the meaning given such term under section 41.''.

(B) TRANSFERS TO FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND.—There are hereby appropriated to the Federal Old-Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) amounts equal to the reduction in revenues to the Treasury by reason of the amendments made by paragraph (1). Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund had such amendments not been enacted.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2012.

(k) ACCELERATED COMMERCIALIZATION OF TAXPAYER-FUNDED RESEARCH.—

(1) DEFINITIONS.—In this subsection:

(A) COUNCIL.—The term ''Council'' means the Advisory Council on Innovation and Entrepreneurship of the Department of Commerce established pursuant to section 25(c) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3720(c)).

(B) EXTRAMURAL BUDGET.—The term ''extramural budget'' means the sum of the total obligations minus amounts obligated for such activities by employees of the agency in or through Government-owned, Government-operated facilities, except that for the Department of Energy it shall not include amounts obligated for atomic energy defense programs solely for weapons activities or for naval reactor programs, and except that for the Agency for International Development it shall not include amounts obligated solely for general institutional support of international research centers or for grants to foreign countries.

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

(D) RESEARCH OR RESEARCH AND DEVELOPMENT.—The term ''research'' or ''research and development'' means any activity that is—

(i) a systematic, intensive study directed toward greater knowledge or understanding of the subject studied;

(ii) a systematic study directed specifically toward applying new knowledge to meet a recognized need; or

(iii) a systematic application of knowledge toward the production of useful materials, devices, and systems or methods, including design, development, and improvement of prototypes and new processes to meet specific requirements.

(E) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(2) GRANT PROGRAM AUTHORIZED.—

(A) IN GENERAL.—Each Federal agency that has an extramural budget for research or research and development that is in excess of $100,000,000 for each of fiscal years 2014 through 2018, shall transfer 0.15 percent of such extramural budget for each of such fiscal years to the Secretary to enable the Secretary to carry out a grant program in accordance with this paragraph.

(B) GRANTS.—

(i) AWARDING OF GRANTS.—

(I) IN GENERAL.—From funds transferred under subparagraph (A), the Secretary shall use the criteria developed by the Council to award grants to institutions of higher education, including consortia of institutions of higher education, for initiatives to improve commercialization and transfer of technology.

(II) REQUEST FOR PROPOSALS.—Not later than 30 days after the Council submits the recommendations for criteria to the Secretary under paragraph (3)(B)(i), and annually thereafter for each fiscal year for which the grant program is authorized, the Secretary shall release a request for proposals.

(III) APPLICATIONS.—Each institution of higher education that desires to receive a grant under this subsection shall submit an application to the Secretary not later than 90 days after the Secretary releases the request for proposals under subclause (II).

(IV) COUNCIL REVIEW.—

(aa) IN GENERAL.—The Secretary shall submit each application received under subclause (III) to the Council for Council review.

(bb) RECOMMENDATIONS.—The Council shall review each application received under item (aa) and submit recommendations for grant awards to the Secretary, including funding recommendations for each proposal.

(cc) PUBLIC RELEASE.—The Council shall publicly release any recommendations made under item (bb).

(dd) CONSIDERATION OF RECOMMENDATIONS.—In awarding grants under this subsection, the Secretary shall take into consideration the recommendations of the Council under item (bb)).

(ii) COMMERCIALIZATION CAPACITY BUILDING GRANTS.—

(I) IN GENERAL.—The Secretary shall award grants to support institutions of higher education pursuing specific innovative initiatives to improve an institution's capacity to commercialize faculty research that can be widely adopted if the research yields measurable results.

(II) CONTENT OF PROPOSALS.—Grants shall be awarded under this clause to proposals demonstrating the capacity for accelerated commercialization, proof-of-concept proficiency, and translating scientific discoveries and cutting-edge inventions into technological innovations and new companies. In particular, grant funds shall seek to support innovative approaches to achieving these goals that can be replicated by other institutions of higher education if the innovative approaches are successful.

(iii) COMMERCIALIZATION ACCELERATOR GRANTS.—The Secretary shall award grants to support institutions of higher education pursuing initiatives that allow faculty to directly commercialize research in an effort to accelerate research breakthroughs. The Secretary shall prioritize those initiatives that have a management structure that encourages collaboration between other institutions of higher education or other entities with demonstrated proficiency in creating and growing new companies based on verifiable metrics.

(C) ASSESSMENT OF SUCCESS.—Grants awarded under this paragraph shall use criteria for assessing the success of programs through the establishment of benchmarks.

(D) TERMINATION.—The Secretary shall have the authority to terminate grant funding to an institution of higher education in accordance with the process and performance metrics recommended by the Council.

(E) LIMITATIONS.—

(i) PROJECT MANAGEMENT COSTS.—A grant recipient may use not more than 10 percent of grant funds awarded under this paragraph for the purpose of funding project management costs of the grant program.

(ii) SUPPLEMENT, NOT SUPPLANT.—An institution of higher education that receives a grant under this paragraph shall use the grant funds to supplement, and not supplant, non-Federal funds that would, in the absence of such grant funds, be made available for activities described in this subsection.

(F) UNSPENT FUNDS.—Any funds transferred to the Secretary under subparagraph (A) for a fiscal year that are not expended by the end of such fiscal year may be expended in any subsequent fiscal year through fiscal year 2018. Any funds transferred under subparagraph (A) that are remaining at the end of the grant program's authorization under this subsection shall be transferred to the Treasury for deficit reduction.

(3) COUNCIL.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Council shall convene and develop recommendations for criteria in awarding grants to institutions of higher education under paragraph (2).

(B) SUBMISSION TO COMMERCE AND PUBLICLY RELEASED.—The Council shall—

(i) submit the recommendations described in subparagraph (A) to the Secretary; and

(ii) release the recommendations to the public.

(C) MAJORITY VOTE.—The recommendations submitted by the Council under subparagraph (A) shall be determined by a majority vote of Council members.

(D) PERFORMANCE METRICS.—The Council shall develop and provide to the Secretary recommendations on performance metrics to be used to evaluate grants awarded under paragraph (2).

(E) EVALUATION.—

(i) IN GENERAL.—Not later than 180 days before the date on which the grant program authorized under paragraph (2) expires, the Council shall conduct an evaluation of the effect that the grant program is having on accelerating the commercialization of faculty research.

(ii) INCLUSIONS.—The evaluation shall include—

(I) the recommendation of the Council as to whether the grant program should be continued or terminated;

(II) quantitative data related to the effect, if any, that the grant program has had on faculty research commercialization; and

(III) a description of lessons learned in administering the grant program, and how those lessons could be applied to future efforts to accelerate commercialization of faculty research.

(iii) AVAILABILITY.—Upon completion of the evaluation, the evaluation shall be made available on a public website and submitted to Congress. The Secretary shall notify all institutions of higher education when the evaluation is published and how it can be accessed.

(4) CONSTRUCTION.—Nothing in this subsection may be construed to alter, modify, or amend any provision of chapter 18 of title 35, United States Code (commonly known as the ''Bayh-Dole Act'').

(l) ECONOMIC IMPACT OF SIGNIFICANT FEDERAL AGENCY RULES.—Section 553 of title 5, United States Code, is amended by adding at the end the following:

''(f) REQUIRED REVIEW BEFORE ISSUANCE OF SIGNIFICANT RULES.—

''(1) IN GENERAL.—Before issuing a notice of proposed rulemaking in the Federal Register regarding the issuance of a proposed significant rule, the head of the Federal agency or independent regulatory agency seeking to issue the rule shall complete a review, to the extent permitted by law, that—

''(A) analyzes the problem that the proposed rule intends to address, including—

''(i) the specific market failure, such as externalities, market power, or lack of information, that justifies such rule; or

''(ii) any other specific problem, such as the failures of public institutions, that justifies such rule;

''(B) analyzes the expected impact of the proposed rule on the ability of new businesses to form and expand;

''(C) identifies the expected impact of the proposed rule on State, local, and tribal governments, including the availability of resources—

''(i) to carry out the mandates imposed by the rule on such government entities; and

''(ii) to minimize the burdens that uniquely or significantly affect such governmental entities, consistent with achieving regulatory objectives;

''(D) identifies any conflicting or duplicative regulations;

''(E) determines—

''(i) if existing laws or regulations created, or contributed to, the problem that the new rule is intended to correct; and

''(ii) if the laws or regulations referred to in clause (i) should be modified to more effectively achieve the intended goal of the rule; and

''(F) includes the cost-benefit analysis described in paragraph (2).

''(2) COST-BENEFIT ANALYSIS.—A cost-benefit analysis described in this paragraph shall include—

''(A)(i) an assessment, including the underlying analysis, of benefits anticipated from the proposed rule, such as—

''(I) promoting the efficient functioning of the economy and private markets;

''(II) enhancing health and safety;

''(III) protecting the natural environment; and

''(IV) eliminating or reducing discrimination or bias; and

''(ii) the quantification of the benefits described in clause (i), to the extent feasible;

''(B)(i) an assessment, including the underlying analysis, of costs anticipated from the proposed rule, such as—

''(I) the direct costs to the Federal Government to administer the rule;

''(II) the direct costs to businesses and others to comply with the rule; and

''(III) any adverse effects on the efficient functioning of the economy, private markets (including productivity, employment, and competitiveness), health, safety, and the natural environment; and

''(ii) the quantification of the costs described in clause (i), to the extent feasible;

''(C)(i) an assessment, including the underlying analysis, of costs and benefits of potentially effective and reasonably feasible alternatives to the proposed rule, which have been identified by the agency or by the public, including taking reasonably viable nonregulatory actions; and

''(ii) an explanation of why the proposed rule is preferable to the alternatives identified under clause (i).

''(3) REPORT.—Before issuing a notice of proposed rulemaking in the Federal Register regarding the issuance of a proposed significant rule, the head of the Federal agency or independent regulatory agency seeking to issue the rule shall—

''(A) submit the results of the review conducted under paragraph (1) to the appropriate congressional committees; and

''(B) post the results of the review conducted under paragraph (1) on a publicly available website.

''(4) JUDICIAL REVIEW.—Any determinations made, or other actions taken, by an agency or independent regulatory agency under this subsection shall not be subject to judicial review.

''(5) DEFINED TERM.—In this subsection the term 'significant rule' means a rule that is likely to—

''(A) have an annual effect on the economy of $100,000,000 or more;

''(B) adversely affect, in a material way, the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; or

''(C) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency.''.

(m) BIENNIAL STATE STARTUP BUSINESS REPORT.—

(1) DATA COLLECTION.—The Secretary of Commerce shall regularly compile information from each of the 50 States and the District of Columbia on State laws that affect the formation and growth of new businesses within the State or District.

(2) REPORT.—Not later than 18 months after the date of the enactment of this Act, and every 2 years thereafter, the Secretary, using data compiled under paragraph (1), shall prepare a report that—

(A) analyzes the economic effect of State and District laws that either encourage or inhibit business formation and growth; and

(B) ranks the States and the District based on the effectiveness with which their laws foster new business creation and economic growth.

(3) DISTRIBUTION.—The Secretary shall—

(A) submit each report prepared under paragraph (1) to Congress; and

(B) make each report available to the public on the website of the Department of Commerce.

(4) INCLUSION OF LARGE METROPOLITAN AREAS.—Not later than 90 days after the submission of the first report under this subsection, the Secretary of Commerce shall submit a study to Congress on the feasibility and advisability of including, in future reports, information about the effect of local laws and ordinances on the formation and growth of new businesses in large metropolitan areas within the United States.

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

(n) NEW BUSINESS FORMATION REPORT.—

(1) IN GENERAL.—The Secretary of Commerce shall regularly compile quantitative and qualitative information on businesses in the United States that are not more than 1 year old.

(2) DATA COLLECTION.—The Secretary shall—

(A) regularly compile information from the Bureau of the Census' business register on new business formation in the United States; and

(B) conduct quarterly surveys of business owners who start a business during the 1-year period ending on the date on which such survey is conducted to gather qualitative information about the factors that influenced their decision to start the business.

(3) RANDOM SAMPLING.—In conducting surveys under paragraph (2)(B), the Secretary may use random sampling to identify a group of business owners who are representative of all the business owners described in paragraph (2)(B).

(4) BENEFITS.—The Secretary shall inform business owners selected to participate in a survey conducted under this subsection of the benefits they would receive from participating in the survey.

(5) VOLUNTARY PARTICIPATION.—Business owners selected to participate in a survey conducted under this subsection may decline to participate without penalty.

(6) REPORT.—Not later than 18 months after the date of the enactment of this Act, and every 3 months thereafter, the Secretary shall use the data compiled under paragraph (2) to prepare a report that—

(A) lists the aggregate number of new businesses formed in the United States;

(B) lists the aggregate number of persons employed by new businesses formed in the United States;

(C) analyzes the payroll of new businesses formed in the United States;

(D) summarizes the data collected under paragraph (2); and

(E) identifies the most effective means by which government officials can encourage the formation and growth of new businesses in the United States.

(7) DISTRIBUTION.—The Secretary shall—

(A) submit each report prepared under paragraph (6) to Congress; and

(B) make each report available to the public on the website of the Department of Commerce.

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

(o) RESCISSION OF UNSPENT FEDERAL FUNDS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, of all available unobligated funds for fiscal year 2013, the amount necessary to carry out this section and the amendments made by this section in appropriated discretionary funds are hereby rescinded.

(2) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify from which appropriation accounts the rescission under paragraph (1) shall apply and the amount of such rescission that shall apply to each such account. Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to the Secretary of the Treasury and Congress of the accounts and amounts determined and identified for rescission under the preceding sentence.

AUTHORITY FOR COMMITTEES TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 7, 2014, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND HUMAN RIGHTS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Human Rights, be authorized to meet during the session of the Senate, on January 7, 2014, at 2:30 p.m., in room SH–216 of the Hart Senate Office Building, to conduct a hearing entitled ''The Syrian Refugee Crisis.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPORTING ENHANCED MARITIME SECURITY IN THE GULF OF GUINEA

Mr. REED. Madam President, I ask unanimous consent that the Senate now proceed to Calendar No. 270, S. Res. 288.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 288) supporting unenhanced maritime security in the gulf of Guinea and encouraging increased cooperation between the United States and West and Central African countries to fight armed robbery at sea, piracy, and other maritime threats.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REED. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 288) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 288

Whereas, although the number of armed robbery at sea and piracy attacks worldwide dropped substantially in recent years, such acts in the Gulf of Guinea are increasing, with more than 40 reported through October 2013 and many more going unreported;

Whereas the United States imported more than 315,000,000 barrels of oil through the region in 2012, and United States businesses have extensive fixed assets in the region that are important to United States energy security;

Whereas the nature of attacks in the Gulf of Guinea demonstrates an ongoing pattern of cargo thefts and robbery, often occurring in the territorial waters of West and Central African states;

Whereas there are countries in West and Central Africa that are susceptible to acts of armed robbery at sea and piracy that lack adequate law enforcement and naval capabilities to stop or deter such attacks;

Whereas acts of maritime crime raise the costs and risks of trade and commerce in Africa and beyond because the security of vessels, crews, and cargoes cannot be guaranteed;

Whereas shipping insurance premiums increase after such attacks, and in so doing, create disincentives for local, regional, and international investors and companies seeking to do business in the region;

Whereas imports provide indispensable goods and services for the people of West and Central Africa, generate port fees and customs duties for their governments, and are essential in spurring economic growth and development in the region;

Whereas the U.S. Strategy Toward Sub-Saharan Africa issued by President Barack Obama in June 2012 states, ''It is in the interest of the United States to improve the region's trade competitiveness, encourage the diversification of exports beyond natural resources, and ensure that the benefits from growth are broad-based.'';

Whereas a vibrant trade relationship between Africa and its partners, including the United States, can lead to expanded economic opportunities that can spur competition, raise productivity, and facilitate job creation in the economies of all participating countries;

Whereas the African Union, in collaboration with numerous official and nongovernmental stakeholders, developed the ''2050 Africa's Integrated Maritime Security'' strategy (the 2050 AIM STRATEGY) which seeks ''to address contending, emerging and future maritime challenges and opportunities in Africa . . . with a clear focus on enhanced wealth creation from a sustainable governance of Africa's oceans and seas'';

Whereas the African Union's 2050 AIM STRATEGY seeks to combat ''diverse illegal activities which include . . . arms and drug trafficking, human trafficking and smuggling, piracy, and armed robbery at sea'', among other objectives;

Whereas the June 24–25, 2013, meeting of the Gulf of Guinea Maritime Security Heads of State Summit held in Cameroon marked the culmination of a United States Government-supported Economic Communities of Central African States (ECCAS) and Economic Community of West African States (ECOWAS)-led initiative and process that produced an approved ECOWAS–ECCAS Memorandum of Understanding for regional cooperation, and adopted a Gulf of Guinea Code of Conduct to address maritime crime and a Heads of State Political Declaration;

Whereas ECOWAS and ECCAS states are working to cooperate and build their joint capacities in order to increase maritime security in the Gulf of Guinea and are working to achieve this goal with such partners as the United Nations Offices for West and Central Africa, the Gulf of Guinea Commission, the International Maritime Organization,