National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1145

At the request of Mr. LEAHY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1145, a bill to amend title 18, United States Code, to clarify and expand Federal criminal jurisdiction over Federal contractors and employees outside the United States, and for other purposes.

S. 1176

At the request of Ms. LANDRIEU, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1176, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1189

At the request of Mr. PORTMAN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1189, a bill to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to provide for regulatory impact analyses for certain rules, consideration of the least burdensome regulatory alternative, and for other purposes.

S. 1279

At the request of Ms. STABENOW, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1279, a bill to prepare disconnected youth for a competitive future.

S. 1297

At the request of Mr. BURR, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Oklahoma (Mr. INHOFE), the Senator from Utah (Mr. HATCH) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 1297, a bill to preserve State and institutional authority relating to State authorization and the definition of credit hour.

S.J. RES. 17

At the request of Mrs. FEINSTEIN, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Oregon (Mr. MERKLEY) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

At the request of Mr. MCCONNELL, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S.J. Res. 17, supra.

S.J. RES. 19

At the request of Mr. HATCH, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. COCHRAN, Mrs. MURRAY, Mr. ROCKEFELLER, and Mr. WHITEHOUSE):

S. 1328. A bill to amend the Elementary and Secondary Education Act of 1965 regarding school libraries, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I introduce with my colleagues Senators COCHRAN, MURRAY, ROCKEFELLER, and WHITEHOUSE, the Strengthening Kids' Interest in Learning and Libraries Act bill.

Our bipartisan legislation will reauthorize and strengthen the school library program of the Elementary and Secondary Education Act. The key improvements to the program include ensuring that elementary, middle, and high school students are served; expanding professional development to include digital literacy instruction and reading and writing instruction across all grade levels; focusing on coordination and shared planning time between teachers and librarians; awarding grants for a period of three years; and ensuring that books and materials are appropriate for and gain the interest of students with special learning needs, including English learners.

The SKILLS Act will also strengthen Title I by asking state and school district plans to address the development of effective school library programs to help students develop digital literacy skills, master the knowledge and skills in the challenging academic content standards adopted by the state, and graduate from high school ready for college and careers. Additionally, the legislation will broaden the focus of training, professional development, and recruitment activities under Title II to include school librarians.

Since 1965, more than 60 education and library studies have produced clear evidence that school libraries staffed by qualified librarians have a positive impact on student academic achievement. Knowing how to find and use information are essential skills for college and careers. A good school library, staffed by a trained school librarian, is where students develop and hone these skills.

The SKILLS Act will build on the success of the Improving Literacy through School Libraries programs that was part of the No Child Left Behind Act and is the only Federal initiative solely dedicated to supporting and enhancing our Nation's school libraries. The Department of Education's January 2009 evaluation of the program found that it had been successful in improving the quality of those school libraries receiving the grants. Unfortunately, even in the face of all the evidence of the role school libraries play in boosting student achievement and the efficacy of the program itself, the Administration opted not to use its authority to provide funding for the school library program under the fiscal year 2011 continuing resolution.

This was a very short-sighted decision. Since its enactment in 2002, the Improving Literacy through School Libraries program has been making a difference for students across the country.

In Rhode Island, for instance, this program supported the Get READY, Get Ready, Empowered And Determined Youth, project of the Woonsocket school district, which encompassed a comprehensive strategy to improve the reading skills and academic achievement of 6,296 students, in grades K–12, by addressing critical elements of an effective school library program. Grant funds allowed the district to replace outdated library materials, add one to two books per student at each library, extend library hours, and add new computers to connect students to information at other libraries. The funds also increased resources for professional development in technology training for teachers and librarians.

Absent the Federal program, the libraries in many of our high poverty schools will languish with outdated materials and technology. This is a true equity issue, which is why I will continue to fight to sustain our Federal investment in this area and why renewing and strengthening the school library program is of critical importance.

I urge my colleagues to join in cosponsoring the Strengthening Kids' Interest in Learning and Libraries Act.

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

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

S. 1328

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Strengthening Kids' Interest in Learning and Libraries Act'' or the ''SKILLS Act''.

SEC. 2. REFERENCES.

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

TITLE I—IMPROVING EDUCATION THROUGH SCHOOL LIBRARIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Section 1002(b)(4) (20 U.S.C. 6302(b)(4)) is amended to read as follows:

''(4) IMPROVING LITERACY THROUGH SCHOOL LIBRARIES.—For the purpose of carrying out subpart 4 of part B, there are authorized to

be appropriated such sums as may be necessary for fiscal year 2012 and for each of the 5 succeeding fiscal years.''.

SEC. 102. STATE PLANS.

Section 1111(b)(8) (20 U.S.C. 6311(b)(8)) is amended—

(1) in the matter preceding subparagraph (A), by inserting ''or include'' after ''describe'';

(2) in subparagraph (D), by striking ''and'' after the semicolon;

(3) by redesignating subparagraph (E) as subparagraph (F); and

(4) by inserting after subparagraph (D) the following:

''(E) an assurance that the State educational agency will assist local educational agencies in developing effective school library programs to provide students an opportunity to develop digital literacy skills and the knowledge and skills described in the challenging academic content standards adopted by the State; and''.

SEC. 103. LOCAL EDUCATIONAL AGENCY PLANS.

Section 1112(c)(1) (20 U.S.C. 6312(c)(1)) is amended—

(1) in subparagraph (N), by striking ''and'' after the semicolon;

(2) in subparagraph (O), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(P) assist each school served by the agency and assisted under this part in developing effective school library programs consistent with section 1111(b)(8)(E).''.

SEC. 104. SCHOOLWIDE PROGRAMS.

Section 1114(b)(1)(D) (20 U.S.C. 6314(b)(1)(D)) is amended by inserting ''school librarians,'' after ''teachers,''.

SEC. 105. TARGETED ASSISTANCE PROGRAMS.

Section 1115(c)(1)(F) (20 U.S.C. 6315(c)(1)(F)) is amended by inserting ''school librarians,'' after ''teachers,''.

SEC. 106. IMPROVING LITERACY AND COLLEGE AND CAREER READINESS THROUGH EFFECTIVE SCHOOL LIBRARY PROGRAMS.

Subpart 4 of part B of title I (20 U.S.C. 6383) is amended to read as follows:

''Subpart 4—Improving Literacy and College and Career Readiness Through Effective School Library Programs

''SEC. 1251. IMPROVING LITERACY AND COLLEGE AND CAREER READINESS THROUGH EFFECTIVE SCHOOL LIBRARY PROGRAMS.

''(a) PURPOSE.—The purpose of this subpart is to improve students' literacy skills and readiness for higher education and careers, by providing students with effective school library programs.

''(b) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means—

''(1) a local educational agency in which 20 percent of the students served by the local educational agency are from families with incomes below the poverty line; or

''(2) a consortia of such local educational agencies.

''(c) RESERVATION.—From the funds appropriated under section 1002(b)(4) for a fiscal year, the Secretary shall reserve—

''(1) one-half of 1 percent to award assistance under this section to the Bureau of Indian Education to carry out activities consistent with the purpose of this subpart; and

''(2) one-half of 1 percent to award assistance under this section to the outlying areas according to their respective needs for assistance under this subpart.

''(d) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—From amounts appropriated under section 1002(b)(4) and not reserved under subsection (c), the Secretary shall award grants, on a competitive basis, to eligible entities to enable such entities to carry out the authorized activities described in subsection (e).

''(2) SUFFICIENT SIZE AND SCOPE.—The Secretary shall award grants under this section of sufficient size and scope to allow the eligible entities to carry out effective school library programs for which the grant funds are provided.

''(3) DISTRIBUTION.—The Secretary shall ensure that grants under this section are equitably distributed among the different geographic regions of the United States, and among eligible entities serving urban and rural areas.

''(4) DURATION.—The Secretary shall award grants under this section for a period of 3 years.

''(5) LOCAL APPLICATIONS.—An eligible entity desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Such application shall include, for each school that the eligible entity identifies as participating in a grant program under this section, the following information:

''(A) a needs assessment relating to the need for literacy improvement at all grade levels and the need for effective school library programs, based on the age and condition of school library resources, including—

''(i) book collections;

''(ii) access to advanced technology;

''(iii) the availability of well-trained, State certified or licensed school librarians; and

''(iv) the current level of coordination and shared planning time among school librarians and classroom teachers;

''(B) a description of which grade spans will be served, and an assurance that funding will be distributed to serve students in elementary, middle, and high schools;

''(C) how the eligible entity will extensively involve school librarians, teachers, administrators, and parents in the activities assisted under this section, and the manner in which the eligible entity will carry out the activities described in subsection (e) using programs and materials that are grounded in scientifically valid research;

''(D) the manner in which the eligible entity will effectively coordinate the funds and activities provided under this section with Federal, State, and local funds and activities under this subpart and other literacy, library, technology, and professional development funds and activities, including those funded through the Institute of Museum and Library Services; and

''(E) the manner in which the eligible entity will collect and analyze data on the quality and impact of activities carried out under this section by schools served by the eligible entity.

''(e) LOCAL ACTIVITIES.—Funds under this section may be used to develop and enhance effective school library programs, which may include activities to—

''(1) acquire up-to-date school library resources, including books and reading materials that—

''(A) are appropriate for students in all grade levels to be served and for students with special learning needs, including students who are limited English proficient; and

''(B) engage the interest of readers at all reading levels;

''(2) acquire and use advanced technology, incorporated into the curricula of the school, to develop and enhance the digital literacy skills of students;

''(3) facilitate Internet links and other resource-sharing networks among schools and school libraries, and public and academic libraries, where possible;

''(4) provide—

''(A) professional development in the acquisition of digital literacy skills and literacy instruction that is appropriate for all grades, including the assessment of student literacy needs, the coordination of reading and writing instruction across content areas, and training in literacy strategies in all content areas for school librarians; and

''(B) activities that foster increased collaboration among school librarians, teachers, and administrators; and

''(5) provide students with access to school libraries during nonschool hours, including the hours before and after school, during weekends, and during summer vacation periods.

''(f) SUPPLEMENT NOT SUPPLANT.—Funds made available under this section shall be used to supplement, and not supplant, other Federal, State, and local funds expended to carry out activities relating to library, technology, or professional development activities.

''(g) ACCOUNTABILITY AND REPORTING.—Each eligible entity that receives funds under this section for a fiscal year shall prepare and submit a report to the Secretary regarding how the funding was used and the extent to which the availability of, the access to, and the use of, up-to-date school library resources in the elementary schools and secondary schools served by the eligible entity was increased.''.

TITLE II—PREPARING, TRAINING, AND RECRUITING HIGHLY EFFECTIVE TEACHERS, SCHOOL LIBRARIANS, AND PRINCIPALS

SEC. 201. TEACHER, SCHOOL LIBRARIAN, AND PRINCIPAL TRAINING AND RECRUITING FUND.

Title II (20 U.S.C. 6601 et seq.) is amended—

(1) in the title heading, by striking ''**HIGH QUALITY TEACHERS AND PRINCIPALS**'' and inserting ''**HIGHLY EFFECTIVE TEACHERS, SCHOOL LIBRARIANS, AND PRINCIPALS**''; and

(2) in the part heading, by striking ''**TEACHER AND PRINCIPAL**'' and inserting ''**TEACHER, SCHOOL LIBRARIAN, AND PRINCIPAL**''.

SEC. 202. PURPOSE.

Section 2101(1) (20 U.S.C. 6601(1)) is amended to read as follows:

''(1) increase student achievement through strategies such as—

''(A) improving teacher, school librarian, and principal quality; and

''(B) increasing the number of highly effective teachers in the classroom, highly effective school librarians in the library, and highly effective principals and assistant principals in the school; and''.

SEC. 203. STATE APPLICATIONS.

Section 2112(b)(4) (20 U.S.C. 6612(b)(4)) is amended by inserting '', school librarians,'' before ''and principals''.

SEC. 204. STATE USE OF FUNDS.

Section 2113(c) (20 U.S.C. 6613(c)) is amended—

(1) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by striking ''principals,'' and inserting ''highly effective school librarians, and highly qualified principals and''; and

(B) in subparagraph (B), by striking '', principals,'' and inserting '', highly effective school librarians, and highly qualified principals''; and

(2) in paragraph (6), by striking ''teachers and principals'' each place the term appears and inserting ''teachers, school librarians, and principals''.

SEC. 205. LOCAL USE OF FUNDS.

Section 2123(a) (20 U.S.C. 6623(a)) is amended by inserting after paragraph (8) the following:

''(9)(A) Developing and implementing strategies to assist in recruiting and retaining highly effective school librarians; and

''(B) providing appropriate professional development for school librarians, particularly related to skills necessary to assist students to improve the students' academic achievement, including digital literacy skills and preparation for higher education and careers.''.

TITLE III—GENERAL PROVISIONS

SEC. 301. DEFINITIONS.

Section 9101 (20 U.S.C. 7801) is amended—

(1) by redesignating paragraphs (16), (17), and (18) through (43) as paragraphs (17), (18), and (20) through (45), respectively;

(2) by inserting after paragraph (15) the following:

''(15) DIGITAL LITERACY SKILLS.—The term 'digital literacy skills' has the meaning given the term in section 202 of the Museum and Library Services Act.''; and

(3) by inserting after paragraph (18) (as redesignated by paragraph (1)) the following:

''(19) EFFECTIVE SCHOOL LIBRARY PROGRAM.—The term 'effective school library program' means a school library program that—

''(A) is staffed by a State certified or licensed school librarian;

''(B) has up-to-date books, materials, equipment, and technology (including broadband);

''(C) includes regular collaboration between classroom teachers and school librarians to assist with development and implementation of the curriculum and other school reform efforts; and

''(D) supports the development of digital literacy skills.''.

SEC. 302. CONFORMING AMENDMENTS.

(a) TABLE OF CONTENTS.—The table of contents in section 2 of the Act is amended—

(1) by striking the items relating to subpart 4 of part B of title I and inserting the following:

''SUBPART 4—IMPROVING LITERACY AND COLLEGE AND CAREER READINESS THROUGH EFFECTIVE SCHOOL LIBRARY PROGRAMS

''Sec. 1251. Improving literacy and college and career readiness through effective school library programs.'';

(2) by striking the item relating to title II and inserting the following:

''TITLE II—PREPARING, TRAINING, AND RECRUITING HIGHLY EFFECTIVE TEACHERS, SCHOOL LIBRARIANS, AND PRINCIPALS'';

and

(3) by striking the item relating to part A of title II and inserting the following:

''PART A—TEACHER, SCHOOL LIBRARIAN, AND PRINCIPAL TRAINING AND RECRUITING FUND.''.

Mr. REED (for himself, Mr. HARKIN, Mrs. MURRAY, Mr. WHITEHOUSE, Mr. BROWN of Ohio, Mr. SCHUMER, Mr. LEAHY, Mr. CASEY, and Mr. BLUMENTHAL):

S. 1333. A bill to provide for the treatment and temporary financing of short-time compensation programs; to the Committee on Finance.

Mr. REED. Mr. President, today I am introducing the Layoff Prevention Act, legislation to strengthen and expand work sharing programs to keep Americans on the job and provide employers with a practical alternative to layoffs that is good for business.

While the U.S. has experienced 15 consecutive months of private-sector job creation, too many Americans, nearly 14 million, remain out of work. Like everyone in my State, I am fully focused on finding ways to create jobs. As we work to stabilize employment, our efforts should also be aimed at preventing the loss of jobs in the first place.

This is where work sharing programs make a real difference. If you are a business owner faced with the prospect of having to let go some percentage of your highly-skilled workforce because of a rough patch, work sharing allows you to keep your workers on the job with reduced hours until you can bring them back on full time when business rebounds. In this way, a business does not lose out on the considerable expense and time it has put in to hire and train these workers. This initiative helps workers by lessening the impact of those reduced hours on workers and their families because workers receive a proportionate share of unemployment benefits.

Work sharing has proven to be effective not only in my State of Rhode Island, but in the more than 20 States and the District of Columbia that have adopted it across the Nation. At the height of the recession in 2009, there was a significant jump in employer participation, demonstrating the program's value to small, medium, and large businesses. Indeed, according to the Department of Labor, work sharing programs saved approximately 165,000 jobs in 2009, nearly triple the number the year prior. As the overall economy improved in 2010, the system continued to be a valuable tool, saving 100,000 jobs. But these numbers could be much larger if more States adopted work sharing.

Although work sharing has played an increased role in preventing layoffs, it remains underutilized. Some States are not actively promoting its use; while in many other States it is simply not available.

Despite these limitations, the current economic circumstances have shined a bright light on the value of job sharing and these initiatives have been front and center as States are increasingly turning to them to prevent job losses. A growing number of States with Republican and Democratic Governors have taken action. In just the past few weeks, Maine and Pennsylvania have enacted laws to create work sharing systems, following Colorado, Oklahoma, and New Hampshire last year. The President has also recognized the potential of work sharing to stave off further job losses by including in his fiscal year 2012 budget proposal that expanded on legislation I introduced last Congress.

The bill I am introducing today along with Senators HARKIN, MURRAY, SCHUMER, SHERROD BROWN, WHITEHOUSE, LEAHY, CASEY, and BLUMENTHAL builds on this momentum and encourages States with existing lay off prevention systems to utilize them more frequently and incentivizes States without work sharing to create them. It strengthens the legislation that I authored last Congress by including changes suggested by the business community, States, economists, and other stakeholders. As in past versions, it provides States that have approved programs with temporary Federal financing for 100 percent of work sharing benefits paid to workers, limited to 26 weeks worth of benefits spread out over the course of a year. This financing is available for three years.

While the bill is designed to incentivize States to enact permanent laws to create work sharing, the bill also includes provisions to allow States to get work sharing up and running more quickly. Specifically, a State can reach an agreement with the Department of Labor to create a temporary program under which they would receive 50 percent Federal financing. This financing incentive would be available for 2 years, and such States would be eligible for a third year of 100 percent federal funding if they pass a permanent law.

In addition, the bill provides flexible grants to State labor agencies at a time when they are doing more with less. States that enact work sharing programs are eligible for grants to improve implementation and administration, and there are also grants for promotion and enrollment. These resources will play a critical role in ensuring that States are efficiently able to inform employers of its benefits, and encourage greater use of work sharing to stave off layoffs. Moreover, as work sharing programs take hold, States will see their unemployment insurance systems less burdened as fewer individuals will need to avail themselves of full unemployment benefits.

Simply put, this legislation will help more workers, businesses, and communities stay afloat, while the country works its way through these tough economic times. Moreover, the bill lays a needed foundation to protect businesses and workers from any future recession. It is a win-win for all.

First, work sharing helps speed economic recovery. Economist Mark Zandi estimates that temporary financing of work share offers a very high ''bang for the buck'' of $1.69. That is, every $1 devoted to finance State work share programs results in $1.69 in real GDP.

Second, work sharing allows businesses to retain skilled workers, temporarily cut costs, and maintain employee morale.

Third, it keeps people working while receiving a share of unemployment benefits to make up for lost wages and retaining health insurance and retirement benefits. This means workers can continue to pay their mortgages and bills, provide for their families, and support businesses in their local communities.

Keeping workers attached to the workforce is a key element of ensuring economic growth.

This legislation does not reinvent the wheel, it is not a mandate on employers or States, and it is not telling anyone what they must do.

Instead, it takes a proven jobs-saving initiative, that is increasingly being used by States, and strengthens and expands it. It gives more employers in more States the opportunity to take advantage of its benefits.

I urge my colleagues to join us in supporting this important legislation. It is my hope that we can proceed in a bipartisan manner as has been accomplished in the more than 20 States where work sharing has been adopted and take swift action to pass this legislation.

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

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

S. 1333

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Layoff Prevention Act of 2011''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 2. TREATMENT OF SHORT-TIME COMPENSATION PROGRAMS.

(a) DEFINITION.—

(1) IN GENERAL.—Section 3306 of the Internal Revenue Code of 1986 (26 U.S.C. 3306) is amended by adding at the end the following new subsection:

''(v) SHORT-TIME COMPENSATION PROGRAM.—For purposes of this chapter, the term 'short-time compensation program' means a program under which—

''(1) the participation of an employer is voluntary;

''(2) an employer reduces the number of hours worked by employees in lieu of layoffs;

''(3) such employees whose workweeks have been reduced by at least 10 percent, and by not more than the percentage, if any, that is determined by the State to be appropriate (but in no case more than 60 percent), are eligible for unemployment compensation;

''(4) the amount of unemployment compensation payable to any such employee is a pro rata portion of the unemployment compensation which would otherwise be payable to the employee if such employee were totally unemployed;

''(5) such employees are not expected to meet the availability for work or work search test requirements while collecting short-time compensation benefits, but are required to be available for their normal workweek;

''(6) eligible employees may participate, as appropriate, in training (including employer-sponsored training or worker training funded under the Workforce Investment Act of 1998) to enhance job skills if such program has been approved by the State agency;

''(7) the State agency shall require employers to certify that the employer will continue to provide health benefits and retirement benefits under a defined benefit plan (as defined in section 414(j)) and contributions under a defined contribution plan (as defined in section 414(i)) to any employee whose workweek is reduced under the program under the same terms and conditions as though the workweek of such employee had not been reduced;

''(8) the State agency shall require an employer to submit a written plan describing the manner in which the requirements of this subsection will be implemented (including a plan for giving advance notice, where feasible, to an employee whose workweek is to be reduced) together with an estimate of the number of layoffs that would have occurred absent the ability to participate in short-time compensation and such other information as the Secretary of Labor determines is appropriate;

''(9) in the case of employees represented by a union, the appropriate official of the union has agreed to the terms of the employer's written plan and implementation is consistent with employer obligations under the applicable Federal laws; and

''(10) upon request by the State and approval by the Secretary of Labor, only such other provisions are included in the State law that are determined to be appropriate for purposes of a short-time compensation program.''.

(2) EFFECTIVE DATE.—Subject to paragraph (3), the amendment made by paragraph (1) shall take effect on the date of the enactment of this Act.

(3) TRANSITION PERIOD FOR EXISTING PROGRAMS.—In the case of a State that is administering a short-time compensation program as of the date of the enactment of this Act and the State law cannot be administered consistent with the amendment made by paragraph (1), such amendment shall take effect on the earlier of—

(A) the date the State changes its State law in order to be consistent with such amendment; or

(B) the date that is 2 years and 6 months after the date of the enactment of this Act.

(b) CONFORMING AMENDMENTS.—

(1) INTERNAL REVENUE CODE OF 1986.—

(A) Subparagraph (E) of section 3304(a)(4) of the Internal Revenue Code of 1986 is amended to read as follows:

''(E) amounts may be withdrawn for the payment of short-time compensation under a short-time compensation program (as defined under section 3306(v));''.

(B) Subsection (f) of section 3306 of the Internal Revenue Code of 1986 is amended—

(i) by striking paragraph (5) (relating to short-time compensation) and inserting the following new paragraph:

''(5) amounts may be withdrawn for the payment of short-time compensation under a short-time compensation program (as defined in subsection (v)); and''; and

(ii) by redesignating paragraph (5) (relating to self-employment assistance program) as paragraph (6).

(2) SOCIAL SECURITY ACT.—Section 303(a)(5) of the Social Security Act is amended by striking ''the payment of short-time compensation under a plan approved by the Secretary of Labor'' and inserting ''the payment of short-time compensation under a short-time compensation program (as defined in section 3306(v) of the Internal Revenue Code of 1986)''.

(3) UNEMPLOYMENT COMPENSATION AMENDMENTS OF 1992.—Subsections (b) through (d) of section 401 of the Unemployment Compensation Amendments of 1992 (26 U.S.C. 3304 note) are repealed.

SEC. 3. TEMPORARY FINANCING OF SHORT-TIME COMPENSATION PAYMENTS IN STATES WITH PROGRAMS IN LAW.

(a) PAYMENTS TO STATES.—

(1) IN GENERAL.—Subject to paragraph (3), there shall be paid to a State an amount equal to 100 percent of the amount of short-time compensation paid under a short-time compensation program (as defined in section 3306(v) of the Internal Revenue Code of 1986, as added by section 2(a)) under the provisions of the State law.

(2) TERMS OF PAYMENTS.—Payments made to a State under paragraph (1) shall be payable by way of reimbursement in such amounts as the Secretary estimates the State will be entitled to receive under this section for each calendar month, reduced or increased, as the case may be, by any amount by which the Secretary finds that the Secretary's estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

(3) LIMITATIONS ON PAYMENTS.—

(A) GENERAL PAYMENT LIMITATIONS.—No payments shall be made to a State under this section for short-time compensation paid to an individual by the State during a benefit year in excess of 26 times the amount of regular compensation (including dependents' allowances) under the State law payable to such individual for a week of total unemployment.

(B) EMPLOYER LIMITATIONS.—No payments shall be made to a State under this section for benefits paid to an individual by the State under a short-time compensation program if such individual is employed by an employer on a seasonal, temporary, or intermittent basis.

(b) APPLICABILITY.—

(1) IN GENERAL.—Payments to a State under subsection (a) shall be available for weeks of unemployment—

(A) beginning on or after the date of the enactment of this Act; and

(B) ending on or before the date that is 3 years and 6 months after the date of the enactment of this Act.

(2) THREE-YEAR FUNDING LIMITATION FOR COMBINED PAYMENTS UNDER THIS SECTION AND SECTION 4.—States may receive payments under this section and section 4 with respect to a total of not more than 156 weeks.

(c) TWO-YEAR TRANSITION PERIOD FOR EXISTING PROGRAMS.—During any period that the transition provision under section 2(a)(3) is applicable to a State with respect to a short-time compensation program, such State shall be eligible for payments under this section. Subject to paragraphs (1)(B) and (2) of subsection (b), if at any point after the date of the enactment of this Act the State enacts a State law providing for the payment of short-time compensation under a short-time compensation program that meets the definition of such a program under section 3306(v) of the Internal Revenue Code of 1986, as added by section 2(a), the State shall be eligible for payments under this section after the effective date of such enactment.

(d) FUNDING AND CERTIFICATIONS.—

(1) FUNDING.—There are appropriated, out of moneys in the Treasury not otherwise appropriated, such sums as may be necessary for purposes of carrying out this section.

(2) CERTIFICATIONS.—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums payable to such State under this section.

(e) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Labor.

(2) STATE; STATE AGENCY; STATE LAW.—The terms ''State'', ''State agency'', and ''State law'' have the meanings given those terms in section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

SEC. 4. TEMPORARY FINANCING OF SHORT-TIME COMPENSATION AGREEMENTS.

(a) FEDERAL-STATE AGREEMENTS.—

(1) IN GENERAL.—Any State which desires to do so may enter into, and participate in, an agreement under this section with the Secretary provided that such State's law does not provide for the payment of short-time compensation under a short-time compensation program (as defined in section 3306(v) of the Internal Revenue Code of 1986, as added by section 2(a)).

(2) ABILITY TO TERMINATE.—Any State which is a party to an agreement under this section may, upon providing 30 days' written notice to the Secretary, terminate such agreement.

(b) PROVISIONS OF FEDERAL-STATE AGREEMENT.—

(1) IN GENERAL.—Any agreement under this section shall provide that the State agency of the State will make payments of short-time compensation under a plan approved by the State. Such plan shall provide that payments are made in accordance with the requirements under section 3306(v) of the Internal Revenue Code of 1986, as added by section 2(a).

(2) LIMITATIONS ON PLANS.—

(A) GENERAL PAYMENT LIMITATIONS.—A short-time compensation plan approved by a State shall not permit the payment of short-time compensation to an individual by the State during a benefit year in excess of 26 times the amount of regular compensation (including dependents' allowances) under the State law payable to such individual for a week of total unemployment.

(B) EMPLOYER LIMITATIONS.—A short-time compensation plan approved by a State shall not provide payments to an individual if such individual is employed by an employer on a seasonal, temporary, or intermittent basis.

(3) EMPLOYER PAYMENT OF COSTS.—Any short-time compensation plan entered into by an employer must provide that the employer will pay the State an amount equal to one-half of the amount of short-time compensation paid under such plan. Such amount shall be deposited in the State's unemployment fund and shall not be used for purposes of calculating an employer's contribution rate under section 3303(a)(1) of the Internal Revenue Code of 1986.

(c) PAYMENTS TO STATES.—

(1) IN GENERAL.—There shall be paid to each State with an agreement under this section an amount equal to—

(A) one-half of the amount of short-time compensation paid to individuals by the State pursuant to such agreement; and

(B) any additional administrative expenses incurred by the State by reason of such agreement (as determined by the Secretary).

(2) TERMS OF PAYMENTS.—Payments made to a State under paragraph (1) shall be payable by way of reimbursement in such amounts as the Secretary estimates the State will be entitled to receive under this section for each calendar month, reduced or increased, as the case may be, by any amount by which the Secretary finds that the Secretary's estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

(3) FUNDING.—There are appropriated, out of moneys in the Treasury not otherwise appropriated, such sums as may be necessary for purposes of carrying out this section.

(4) CERTIFICATIONS.—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums payable to such State under this section.

(d) APPLICABILITY.—

(1) IN GENERAL.—An agreement entered into under this section shall apply to weeks of unemployment—

(A) beginning on or after the date on which such agreement is entered into; and

(B) ending on or before the date that is 2 years and 13 weeks after the date of the enactment of this Act.

(2) TWO-YEAR FUNDING LIMITATION.—States may receive payments under this section with respect to a total of not more than 104 weeks.

(e) SPECIAL RULE.—If a State has entered into an agreement under this section and subsequently enacts a State law providing for the payment of short-time compensation under a short-time compensation program that meets the definition of such a program under section 3306(v) of the Internal Revenue Code of 1986, as added by section 2(a), the State—

(1) shall not be eligible for payments under this section for weeks of unemployment beginning after the effective date of such State law; and

(2) subject to paragraphs (1)(B) and (2) of section 3(b), shall be eligible to receive payments under section 3 after the effective date of such State law.

(f) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Labor.

(2) STATE; STATE AGENCY; STATE LAW.—The terms ''State'', ''State agency'', and ''State law'' have the meanings given those terms in section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

SEC. 5. GRANTS FOR SHORT-TIME COMPENSATION PROGRAMS.

(a) GRANTS.—

(1) FOR IMPLEMENTATION OR IMPROVED ADMINISTRATION.—The Secretary shall award grants to States that enact short-time compensation programs (as defined in subsection (i)(2)) for the purpose of implementation or improved administration of such programs.

(2) FOR PROMOTION AND ENROLLMENT.—The Secretary shall award grants to States that are eligible and submit plans for a grant under paragraph (1) for such States to promote and enroll employers in short-time compensation programs (as so defined).

(3) ELIGIBILITY.—

(A) IN GENERAL.—The Secretary shall determine eligibility criteria for the grants under paragraph (1) and (2).

(B) CLARIFICATION.—A State administering a short-time compensation program, including a program being administered by a State that is participating in the transition under the provisions of sections 2(a)(3) and 3(c), that does not meet the definition of a short-time compensation program under section 3306(v) of the Internal Revenue Code of 1986 (as added by 2(a)), and a State with an agreement under section 4, shall not be eligible to receive a grant under this section until such time as the State law of the State provides for payments under a short-time compensation program that meets such definition and such law.

(b) AMOUNT OF GRANTS.—

(1) IN GENERAL.—The maximum amount available for making grants to a State under paragraphs (1) and (2) shall be equal to the amount obtained by multiplying $700,000,000 (less the amount used by the Secretary under subsection (e)) by the same ratio as would apply under subsection (a)(2)(B) of section 903 of the Social Security Act (42 U.S.C. 1103) for purposes of determining such State's share of any excess amount (as described in subsection (a)(1) of such section) that would have been subject to transfer to State accounts, as of October 1, 2010, under the provisions of subsection (a) of such section.

(2) AMOUNT AVAILABLE FOR DIFFERENT GRANTS.—Of the maximum incentive payment determined under paragraph (1) with respect to a State—

(A) one-third shall be available for a grant under subsection (a)(1); and

(B) two-thirds shall be available for a grant under subsection (a)(2).

(c) GRANT APPLICATION AND DISBURSAL.—

(1) APPLICATION.—Any State seeking a grant under paragraph (1) or (2) of subsection (a) shall submit an application to the Secretary at such time, in such manner, and complete with such information as the Secretary may require. In no case may the Secretary award a grant under this section with respect to an application that is submitted after December 31, 2014.

(2) NOTICE.—The Secretary shall, within 30 days after receiving a complete application, notify the State agency of the State of the Secretary's findings with respect to the requirements for a grant under paragraph (1) or (2) (or both) of subsection (a).

(3) CERTIFICATION.—If the Secretary finds that the State law provisions meet the requirements for a grant under subsection (a), the Secretary shall thereupon make a certification to that effect to the Secretary of the Treasury, together with a certification as to the amount of the grant payment to be transferred to the State account in the Unemployment Trust Fund (as established in section 904(a) of the Social Security Act (42 U.S.C. 1104(a))) pursuant to that finding. The Secretary of the Treasury shall make the appropriate transfer to the State account within 7 days after receiving such certification.

(4) REQUIREMENT.—No certification of compliance with the requirements for a grant under paragraph (1) or (2) of subsection (a) may be made with respect to any State whose—

(A) State law is not otherwise eligible for certification under section 303 of the Social Security Act (42 U.S.C. 503) or approvable under section 3304 of the Internal Revenue Code of 1986; or

(B) short-time compensation program is subject to discontinuation or is not scheduled to take effect within 12 months of the certification.

(d) USE OF FUNDS.—The amount of any grant awarded under this section shall be used for the implementation of short-time compensation programs and the overall administration of such programs and the promotion and enrollment efforts associated with such programs, such as through—

(1) the creation or support of rapid response teams to advise employers about alternatives to layoffs;

(2) the provision of education or assistance to employers to enable them to assess the feasibility of participating in short-time compensation programs; and

(3) the development or enhancement of systems to automate—

(A) the submission and approval of plans; and

(B) the filing and approval of new and ongoing short-time compensation claims.

(e) ADMINISTRATION.—The Secretary is authorized to use 0.25 percent of the funds available under subsection (g) to provide for outreach and to share best practices with respect to this section and short-time compensation programs.

(f) RECOUPMENT.—The Secretary shall establish a process under which the Secretary shall recoup the amount of any grant awarded under paragraph (1) or (2) of subsection (a) if the Secretary determines that, during the 5-year period beginning on the first date that any such grant is awarded to the State, the State—

(1) terminated the State's short-time compensation program; or

(2) failed to meet appropriate requirements with respect to such program (as established by the Secretary).

(g) FUNDING.—There are appropriated, out of moneys in the Treasury not otherwise appropriated, to the Secretary, $700,000,000 to carry out this section, to remain available without fiscal year limitation.

(h) REPORTING.—The Secretary may establish reporting requirements for States receiving a grant under this section in order to provide oversight of grant funds.

(i) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Labor.

(2) SHORT-TIME COMPENSATION PROGRAM.—The term ''short-time compensation program'' has the meaning given such term in section 3306(v) of the Internal Revenue Code of 1986, as added by section 2(a).

(3) STATE; STATE AGENCY; STATE LAW.—The terms ''State'', ''State agency'' and ''State law'' have the meanings given those terms in section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

SEC. 6. ASSISTANCE AND GUIDANCE IN IMPLEMENTING PROGRAMS.

(a) IN GENERAL.—In order to assist States in establishing, qualifying, and implementing short-time compensation programs (as defined in section 3306(v) of the Internal Revenue Code of 1986, as added by section 2(a)), the Secretary of Labor (in this section referred to as the ''Secretary'') shall—

(1) develop model legislative language which may be used by States in developing and enacting such programs and periodically review and revise such model legislative language;

(2) provide technical assistance and guidance in developing, enacting, and implementing such programs;

(3) establish reporting requirements for States, including reporting on—

(A) the number of estimated averted layoffs;

(B) the number of participating employers and workers; and

(C) such other items as the Secretary of Labor determines are appropriate.

(b) MODEL LANGUAGE AND GUIDANCE.—The model language and guidance developed under subsection (a) shall allow sufficient flexibility by States and participating employers while ensuring accountability and program integrity.

(c) CONSULTATION.—In developing the model legislative language and guidance under subsection (a), and in order to meet the requirements of subsection (b), the Secretary shall consult with employers, labor organizations, State workforce agencies, and other program experts.''

SEC. 7. REPORTS.

(a) INITIAL REPORT.—

(1) IN GENERAL.—Not later than 4 years after the date of the enactment of this Act, the Secretary of Labor shall submit to Congress and to the President a report or reports on the implementation of the provisions of this Act.

(2) REQUIREMENTS.—Any report under paragraph (1) shall include the following:

(A) A description of best practices by States and employers in the administration, promotion, and use of short-time compensation programs (as defined in section 3306(v) of the Internal Revenue Code of 1986, as added by section 2(a)).

(B) An analysis of the significant challenges to State enactment and implementation of short-time compensation programs.

(C) A survey of employers in States that have not enacted a short-time compensation program or entered into an agreement with the Secretary on a short-time compensation plan to determine the level of interest among such employers in participating in short-time compensation programs.

(D) Other matters related to the implementation of the provisions of this Act as the Secretary of Labor determines appropriate.

(b) SUBSEQUENT REPORTS.—After the submission of the report under subsection (a), the Secretary of Labor may submit such additional reports on the implementation of short-time compensation programs as the Secretary deems appropriate.

(c) FUNDING.—There are appropriated, out of any moneys in the Treasury not otherwise appropriated, to the Secretary of Labor, $1,500,000 to carry out this section, to remain available without fiscal year limitation.

By Mr. INHOFE (for himself, Mr. BEGICH, Mr. JOHANNS, Mr. BOOZMAN, Ms. SNOWE, Mr. MORAN, Mr. PRYOR, Ms. COLLINS, Mr. CRAPO, Mr. THUNE, Mr. CORNYN, Ms. MURKOWSKI, Mr. ALEXANDER, Mr. ENZI, Mr. BURR, Mr. BARRASSO, Mr. CHAMBLISS, Mr. COATS, Mr. HOEVEN, Mr. ISAKSON, Mr. JOHNSON of Wisconsin, Mr. ROBERTS, Mr. BLUNT, Mr. COBURN, Mr. RISCH, and Mr. WICKER):

S. 1335. A bill to amend title 49, United States Code, to provide rights for pilots, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. INHOFE. Mr. President, just a few minutes ago I did introduce and we have a bill number that is S. 1335. It is the Pilot's Bill of Rights. It is very significant that we get this done today, and I will explain why.

First of all, when Senator John Glenn from Ohio retired, that left me as the last active commercial pilot in the Senate. Consequently, I probably get more complaints than anybody else does about problems and abuses with the FAA.

I have to say this: I was very complimentary yesterday to so many of the people. The vast majority of the inspectors, the controllers, and others at the FAA are so talented. In fact, the first thing I do when I go up to Oshkosh every year, the largest air show in the world, is I go up to where they are all gathered together and I compliment them on the fact that they are taking on the toughest job for a 6-day period in Oshkosh as a volunteer. So I love their virtues. However, we have to keep in mind that any bureaucracy can become abusive.

So I have introduced the Pilot's Bill of Rights. The reason I am speaking right now is because we have 25 cosponsors at this time, which means 25 percent of the Senate has signed on as cosponsors.

The way the rules work around here, any of the Members who might be listening right now—and I know the occupier of the Chair is very concerned about this and he is very active with me on this legislation—any staffers who are watching, they should advise their Members that they have until close of business today, probably 1 more hour, to put their names down as original cosponsors.

Now, the bill simply does four things. First of all, it requires the FAA, for any enforcement action, to make sure the pilot is fully aware of what he is being accused of before any ultimatums are put forth. Consequently, that pilot is able to defend himself.

The second thing is it clarifies what they call statutory deference. Right now, statutory deference relates to the National Transportation Safety Board. The NTSB is the only area of appeal, so that if a pilot is accused of something and he looks at it and thinks it is unfair, he would have to go to the NTSB. Yet because of deference, they merely rubberstamp in almost all cases what the FAA does. As an example, of the emergency determinations that were made last year, only one was actually granted and the rest of them were denied. This bill will allow, in terms of fairness, that if something is going on and they refuse to consider a case, there will be an appellate process where the pilot can go to the Federal District Court and be heard there.

The third thing it does is it has to do with notice. That is notice to airmen. That is very significant. Those of us who are pilots know that when we go into a field, we check and see what the NOTAMs are, so that if there is any work on the runway, any problem there, any taxiways that are closed, they will give the pilot that information. However, the problem is it is the pilot's responsibility to do this and the FAA many times doesn't even post these NOTAMs. So what we are saying with our FARs, or our laws, is we are saying to a pilot, You have to be responsible to know what is going on at the airport, where you are going to be landing. Yet there is no place you can find out. So this requires that they revamp this system so that there is a central location. We specify that in the legislation, so that can be found.

Then the fourth and final thing, there is another problem in terms of medical certification. Those of us who are pilots have to have medicals and we have to have a certification process. This has been a problem for a long period of time. I have had countless people call me and talk about the problems they are having with their medical certification. In fact, of all the requests for assistance to the Aircraft Owners and Pilots Association—they represent hundreds of thousands of pilots—of all the requests for assistance they receive each year, 28 percent are related to the FAA's medical certification process. So I would say this of this very simple legislation. Two sections actually change the statutes so that it offers protection to pilots, but

the other two are working together to come up with a system where we can have a central location for NOTAMs as well as having a fair process for medical evaluations.

I think it is very obvious that there are a lot of bureaucracies where one or two people can be bad. When I was in Tulsa, I can remember all it took was one or two bad cops and that gave a black eye to everybody else. I remember actually, when I was running—it is the whole reason I ran for office in the first place. When I was out in the private sector, I was doing things that I thought I was supposed to be doing, and I had one old building called the Wrightsman Oil Estate. I was going to take this old eyesore and make it into a building and preserve it as it was originally. Old, in my city of Tulsa, OK, in this case was maybe 1910 or 1912. We weren't even a State until 1907. This is something everybody wanted.

I went to the city engineer and I said, I want to take this eyesore of a fire escape on the second floor and move it from the south to the north end. It is the same thing; it will service the same number of people, but it is an eyesore and this gets it out of the way. No one is against it. He said, You can't do that until this committee meets. So let's see. You have to have notice. That would be 3 more weeks before you can get notice. A month after that, you can get on the agenda. I said, Look, everyone is for it. He said, That is your problem, not mine. I said, I will run for mayor and fire you, and I did, and I fired him. This can happen in any bureaucracy.

So the reason there is a sense of urgency is because we have already told all of the groups—the Experimental Aircraft Association, ALPA, all of these groups that represent these different organizations—that we are going to be getting this bill ready with all of our original cosponsors and then cosponsors so that when we arrive and when I arrive at the end of July, at Oshkosh, WI, I am going to do the same thing I did in 1994 that caused us to be able to pass the first product liability bill on aviation and aviation products that had the effect of changing us from a major importer of aviation products and of airplanes to a major exporter, just by changing that. It was an 18-year repose bill. I did that at Oshkosh with an audience of 200,000 people. These are single issue people. I can assure my colleagues that they will be just as interested in this bill.

So I will be presenting this, and I am going to encourage Members of the Senate who want to get their name in today, they can be cosponsors, original cosponsors, as is the occupier of the chair at the present time, and myself, and 23 other Members of the Senate.

One last reminder. This is S. 1335. This is the last chance. Colleagues have 1 more hour to be an original cosponsor. I hope my colleagues will join me in sponsoring this legislation.

ORDERS FOR THURSDAY, JULY 7, 2011

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., on Thursday, July 7; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume the motion to proceed to Calendar No. 93, S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit, with the time until 10 a.m. equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each; that at 10 a.m., the Senate conduct a rollcall vote on the motion to invoke cloture on the motion to proceed to S. 1323.

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

PROGRAM

Mr. LAUTENBERG. Mr. President, there will be a vote tomorrow morning at approximately 10 a.m.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. LAUTENBERG. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:24 p.m., adjourned until Thursday, July 7, 2011, at 9:30 a.m.