

own benefit payments. The Committee continues to strongly encourage SSA to continue to pursue efforts to improve representative payee oversight, including continuing to partner with outside organizations to identify, investigate, and prevent fraud and abuse.

Medical Improvement Review Standard.—The Committee commends SSA for its work to improve program integrity. However, the Committee is concerned about GAO's testimony to Congress that confusion still exists about the Medical Improvement Review Standard [MIRS] and its exceptions. The Committee directs SSA to submit a report no later than 60 days after the enactment of this act to the Committees on Appropriations of the House of Representatives and the Senate, no later than 60 days after the enactment of this act, on its progress in educating Disability Determinations Services in the proper application of the MIRS and its exceptions.

Disability Hearing Pilot Program.—The Committee notes that SSA has made positive statements to Congress about its pilot program in Region I that requires administrative law judges to give claimants a 75 day notice before their hearing and requires claimants to submit all evidence 5 days before the hearing subject to good cause exception (also known as "soft" closing of the record). This policy promotes a smoother hearing process, reducing the time it take to hear and adjudicate disability appeals, while still providing assurances that individuals are able to provide all evidence in support of their case. The Committee directs SSA to provide to the Committees on Appropriations of the House of Representatives and the Senate, no later than 60 days after the enactment of this act, an update on this pilot program and any plans to expand the pilot to other regions.

Medical Vocational Guidelines.—The Committee is encouraged that SSA plans to issue an Advanced Notice of Proposed Rulemaking on the need to update the medical-vocational guidelines, including seeking input from the Disability Research Consortium; the Institute of Medicine; and other medical, aging, employment, and disability experts. These guidelines play a key role in SSA's disability determination process but have not been updated since they were established in 1978. The Committee directs SSA to provide a report to the Committees on Appropriations of the House of Representatives and the Senate, no later than 60 days after the enactment of this act, on its plan for updating the medical vocational guidelines.

Vocational Experts [VE].—The Committee notes that SSA's OIG has recommended that SSA periodically determine whether VE fees are appropriate to obtain the required level of VE service, which could include benchmark studies with VE fees paid in the national economy or elsewhere by government entities. The Committee strongly encourages SSA to conduct such a review, including comparing fees paid by SSA to those paid by other governmental and non-governmental organizations. The Committee directs SSA to brief the Committees on Appropriations of the House of Representatives and the Senate on its plan to comply with these OIG recommendations.

Social Security Advisory Board.—The Committee recommendation includes not less than \$2,300,000 for the Social Security Advi-

sory Board. This board advises the Commissioner of Social Security and makes recommendations to Congress and the President on policies relating to the OASI, DI, and SSI programs.

User Fees.—Within the total for LAE, the Committee recommendation includes up to \$137,000,000 for administrative activities funded from user fees. This includes \$136,000,000 in fees collected from States that request SSA to administer State SSI supplementary payments and up to \$1,000,000 from fees collected from non-attorney claimant representatives.

Within the total for LAE, the Committee recommendation includes up to \$11,900,000 for the planning and design of the renovation and modernization of SSA facilities.

OFFICE OF THE INSPECTOR GENERAL

Appropriations, 2015	\$103,350,000
Budget estimate, 2016	109,795,000
Committee recommendation	103,350,000

The Committee recommends \$103,350,000 for SSA's OIG. This includes \$74,521,000 funded from the OASI and DI trust funds for those programs' share of OIG's expenses and \$28,829,000 funded from general revenues for the SSI program's share of expenses.

TITLE V

GENERAL PROVISIONS

Section 501. The bill continues a provision authorizing transfers of unexpended balances.

Section 502. The bill continues a provision limiting funding to 1-year availability unless otherwise specified.

Section 503. The bill continues a provision limiting lobbying and related activities.

Section 504. The bill continues a provision limiting official representation expenses.

Section 505. The bill continues a provision clarifying Federal funding as a component of State and local grant funds.

Sections 506 and 507. The bill continues provisions limiting the use of funds for abortion.

Section 508. The bill continues a provision restricting human embryo research.

Section 509. The bill continues a provision limiting the use of funds for promotion of legalization of controlled substances.

Section 510. The bill continues a provision prohibiting the use of funds to promulgate regulations regarding the individual health identifier.

Section 511. The bill continues a provision limiting the use of funds to enter into or review contracts with entities subject to the requirement in section 4212(d) of title 38, United States Code, if the report required by that section has not been submitted.

Section 512. The bill continues a provision prohibiting the transfer of funds made available in this act to any department, agency, or instrumentality of the U.S. Government, except as otherwise provided by this or any other act.

Section 513. The bill continues a provision prohibiting Federal funding in this act for libraries unless they are in compliance with the Children's Internet Protection Act.

Section 514. The bill continues a provision maintaining a procedure for reprogramming of funds.

Section 515. The bill continues a provision prohibiting candidates for scientific advisory committees from having to disclose their political activities.

Section 516. The bill continues a provision requiring each department and related agency to submit an operating plan.

Section 517. The bill continues a provision requiring the Secretaries of Labor, Health and Human Services, and Education to submit a report on the number and amounts of contracts, grants, and cooperative agreements awarded by the Departments on a non-competitive basis.

Section 518. The bill continues a general provision prohibiting SSA from processing earnings for work performed under a fraudulent social security number if based on a conviction for a violation under section 208(a)(6) or (7) of the Social Security Act.

Section 519. The bill continues a general provision prohibiting SSA from establishing a totalization agreement with Mexico.

Section 520. The bill includes a modified provision regarding funding for programs that carry out distribution of sterile needles or syringes.

Section 521. The bill continues a provision requiring computer networks to block pornography.

Section 522. The bill continues a provision prohibiting funding from going to the Association of Community Organizations for Reform Now [ACORN], or any of its affiliates, subsidiaries, allied organizations, or successors.

Section 523. The bill continues a provision related to reporting requirements for conference spending.

Section 524. The bill includes a new provision related to advertisement costs. In response to Federal agencies spending millions of taxpayer dollars on advertising campaigns, the Committee includes language requiring Federal agencies funded in this bill to disclose when taxpayer dollars are used to pay for government advertising. On any advertisements, including, but not limited to, emails, television, radio, or Internet postings, the Committee requires the agency to disclose within the advertisement itself, that it was produced and disseminated with taxpayer dollars. Further, the Committee expects each agency to include in their fiscal year 2017 CJ information detailing how much funding was spent on advertising in fiscal year 2016.

Section 525. The bill includes a modified provision on Performance Partnerships.

Section 526. The bill continues a provision regarding reporting status of balances of appropriations.

Section 527. The bill includes a new provision related to the National Disaster Medical System employees.

Section 528. The bill includes a new provision designed to ensure compliance with the "public charge" inadmissibility grounds present in the Immigration and Nationality Act.

Section 529. The bill modifies a provision rescinding funds from the Independent Payment Advisory Board.

Section 530. The bill includes a new provision rescinding funds from the Consumer Operated and Oriented Plans.

Section 531. The bill modifies a provision rescinding funds from the Children's Health Insurance Program performance bonus fund.

Section 532. The bill includes a provision rescinding funds from section 532 of the Children's Health Insurance Program.

Section 533. The bill includes a new provision rescinding carry-over funds from Community Health Centers.

COMPLIANCE WITH PARAGRAPH 7, RULE XVI, OF THE
STANDING RULES OF THE SENATE

Paragraph 7 of rule XVI requires that Committee reports on general appropriations bills identify each Committee amendment to the House bill “which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.”

The Committee is filing an original bill, which is not covered under this rule, but reports this information in the spirit of full disclosure.

The Committee recommends funding for the following programs and activities which currently lack authorization: Elementary and Secondary Education Act; Institute of Education Sciences; parts C and D of the Individuals with Disabilities Education Act; Special Olympics Sport and Empowerment Act of 2004; Nurse Education Loan Repayment; Education and Training Related to Geriatrics; Mental and Behavioral Health Training; Children’s Hospital Graduate Medical Education; Title XVII of the PHS Act; Ryan White CARE Act; Universal Newborn Hearing Screening; Organ Transplantation; Family Planning; Rural Health programs; Traumatic Brain Injury programs; Combating Autism Act; Public Health Improvement Act; Healthy Start; Telehealth; Health Professions Education Partnership Act; Children’s Health Act; Women’s Health Research and Prevention Amendments of 1998; Birth Defects Prevention, Preventive Health Amendments of 1993; Substance Abuse and Mental Health Services programs; Low Income Home Energy Assistance Program; Refugee and Entrant Assistance programs (except for Victims of Trafficking); Head Start; Runaway and Homeless Youth programs; Adoption Incentives; Developmental Disabilities programs; Voting Access for Individuals with Disabilities; Native American Programs; Community Services Block Grant Act programs; National Institutes of Health; Assets for Independence; Alzheimer’s Disease Demonstration Grants; Office of Disease Prevention and Health Promotion; YouthBuild Transfer Act; Assistive Technology Act; Carl D. Perkins Career and Technical Education Improvement Act; Corporation for Public Broadcasting; National Council on Disability; Older Americans Act; Second Chance Act; Work Incentive Planning and Assistance; and Protection and Advocacy for Beneficiaries of Social Security.

COMPLIANCE WITH PARAGRAPH 7(c), RULE XXVI OF THE
STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, on June 00, 2015, the Committee ordered favorably reported an original bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, provided, that the bill be subject to amendment and that the bill be consistent with its budget allocation, by a recorded vote of 00–00, a quorum being present. The vote was as follows:

Yeas

Nays

**COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE
STANDING RULES OF THE SENATE**

Paragraph 12 of rule XXVI requires that Committee reports on a bill or a joint resolution repealing or amending any statute include "(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee."

In compliance with this rule, changes in existing law proposed to be made by the bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is printed in italic; and existing law in which no change is proposed is shown in roman.

FAIR LABOR STANDARDS ACT OF 1938

Sec. 207.

(r)(4) * * *

(s)(1) The provisions of this section shall not apply for a period of 2 years after the occurrence of a major disaster, as defined herein, to any employee—

"(A) employed to adjust or evaluate claims resulting from or relating to such major disaster, by an employer not engaged, directly or through an affiliate, in underwriting, selling, or marketing property, casualty, or liability insurance policies or contracts;

"(B) who receives on average weekly compensation of not less than \$591.00 per week or any minimum weekly amount established by the Secretary, whichever is greater, over the number of weeks such employee is engaged in any of the activities described in subparagraph (C); and

"(C) whose duties include any of the following:

"(i) interviewing insured individuals, individuals who suffered injuries or other damages or losses arising from or relating to a disaster, witnesses, or physicians;

"(ii) inspecting property damage or reviewing factual information to prepare damage estimates; "(iii) evaluating and making recommendations regarding coverage or compensability of claims or determining liability or value aspects of claims; "(iv) negotiating settlements; or "(v) making recommendations regarding litigation.

"(2) Notwithstanding any other provision of section 18, in the event of a major disaster, this Act exclusively shall govern the payment of overtime to all employees described in paragraph (1) above, and shall supersede any other Federal, State, or local law, regulation, or order.

"(3) The exemption in this subsection shall not affect the exemption provided by section 13(a)(1).

“(4) For purposes of this subsection—

“(A) the term ‘major disaster’ means any disaster or catastrophe declared or designated by any State or Federal agency or department;

“(B) the term ‘employee employed to adjust or evaluate claims resulting from or relating to such major disaster’ means an individual who timely secured or secures a license required by applicable law to engage in and perform any of the activities described in clauses (i) through (v) of paragraph (1)(C) relating to a major disaster, and is employed by an employer that maintains worker compensation insurance coverage or protection for its employees, if required by applicable law, and withholds applicable Federal, State, and local income and payroll taxes from the wages, salaries and any benefits of such employees; and

“(C) the term ‘affiliate’ means a company that, by reason of ownership or control of percent or more of the outstanding shares of any class of voting securities of one or more companies, directly or indirectly, controls, is controlled by, or is under common control with, another company.

* * * * *

PUBLIC HEALTH SERVICE ACT

TITLE IV—NATIONAL RESEARCH INSTITUTES

PART A—NATIONAL INSTITUTES OF HEALTH

SEC. 461. NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

(b)(1)(A) * * *

(B) The entities referred to in subparagraph (A) are entities that conduct biomedical [and] or behavioral research and are located in a State [in which the aggregate success rate for applications to the national research institutes for assistance for such research by the NIH funding received by entities in the State has historically constituted a low success rate of obtaining such funds], that is at or below the median of all States in terms of the aggregate NIH funding received by entities in the State [relative to such aggregate rate for such entities in other States.]

* * * * *

PUBLIC HEALTH SERVICE ACT

TITLE XXVI—NATIONAL ALL-HAZARDS PREPAREDNESS FOR PUBLIC HEALTH EMERGENCIES

PART B—ALL-HAZARDS EMERGENCY PREPAREDNESS AND RESPONSE

Sec. 2812. Certain employment issues regarding intermittent appointments

(d)(1) * * *

(2) Compensation for work injuries

(A) IN GENERAL.—*An* [A] intermittent disaster-response appointee shall, while acting in the scope of such appointment, be considered to be an employee of the Public Health Service performing medical, surgical, dental, or related functions, and an injury sustained by such an individual shall be deemed “in the performance of duty”, for purposes of chapter 81 of title 5 pertaining to compensation for work injuries.

(B) APPLICATION TO TRAINING PROGRAMS.—*With* [With] respect to the participation of individuals appointed under subsection (c) of this section in training programs authorized by the Assistant Secretary for Preparedness and Response or a comparable official of any Federal agency specified in subsection (a)(2)(B) of this section, injuries sustained by such an individual, while acting within the scope of such participation, also shall be deemed “in the performance of duty” for purposes of chapter 81 of title 5 (regardless of whether the individuals receive compensation for such participation).

(C) RESPONSIBILITY OF LABOR SECRETARY.—*In* [In] the event of an injury to such an intermittent disaster-response appointee, the Secretary of Labor shall be responsible for making determinations as to whether the claimant is entitled to compensation or other benefits in accordance with chapter 81 of title 5.

(D) COMPUTATION OF PAY.—*In the event of an injury to such an intermittent disaster response appointee, the position of the employee shall be deemed to be ‘one which would have afforded employment for substantially a whole year,’ for purposes of section 8114(d)(2) of such title.*

(E) CONTINUATION OF PAY.—*The weekly pay of such an employee shall be deemed to be the hourly pay in effect on the date of the injury multiplied by 40, for purposes of computing benefits under section 8118 of such title.*

* * * * *

TITLE 20—EDUCATION

CHAPTER 28—HIGHER EDUCATION RESOURCES AND STUDENT ASSISTANCE

SUBCHAPTER IV—STUDENT ASSISTANCE

PART A—GRANTS TO STUDENTS IN ATTENDANCE AT INSTITUTIONS OF HIGHER EDUCATION

SUBPART 1—FEDERAL PELL GRANTS

§1070a. Federal Pell Grants: amount and determinations; applications

(a) * * *

(b) Purpose and amount of grants

- (1) * * *
- (2)(A) The amount of the Federal Pell Grant for a student eligible under this part shall be—
 - (i) the maximum Federal Pell Grant, as specified in the last enacted appropriation Act applicable to that award year, plus
 - (ii) the amount of the increase calculated under paragraph (7)(B) for that year **【**except that a student eligible only under 484(d)(1)(A) who first enrolls in an eligible program of study on or after July 1, 2015, shall not be eligible for the amount of the increase calculated under paragraph (7)(B)**】**, less * * * * *

PART F—GENERAL PROVISION RELATING TO STUDENT ASSISTANCE PROGRAMS

§ 1091. Student eligibility

- (a) * * *
- * * * * *
- (d) STUDENTS WHO ARE NOT HIGH SCHOOL GRADUATES.—
 - (1) * * *
 - 【**(2) ELIGIBLE CAREER PATHWAY PROGRAM.—In this subsection, the term “eligible career pathway program” means a program that—
 - (A) concurrently enrolls participants in connected adult education and eligible postsecondary programs;
 - (B) provides counseling and supportive services to identify and attain academic and career goals;
 - (C) provides structured course sequences that—
 - (i) are articulated and contextualized; and
 - (ii) allow students to advance to higher levels of education and employment;
 - (D) provides opportunities for acceleration to attain recognized postsecondary credentials, including degrees, industry relevant certifications, and certificates of completion of apprenticeship programs;
 - (E) is organized to meet the needs of adults;
 - (F) is aligned with the education and skill needs of the regional economy; and
 - (G) has been developed and implemented in collaboration with partners in business, workforce development, and economic development. **】**
 - (2) ELIGIBLE CAREER PATHWAY PROGRAM.—*In this subsection, the term “eligible career pathway program” means a program that combines rigorous and high-quality education, training, and other services that—*
 - (A) *aligns with the skill needs of industries in the economy of the State or regional economy involved;*
 - (B) *prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et*

seq.) (referred to individually in this Act as an “apprenticeship”, except in section 171);

(C) includes counseling to support an individual in achieving the individual’s education and career goals;

(D) includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;

(E) organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;

(F) enables an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential; and

(G) helps an individual enter or advance within a specific occupation or occupational cluster.

BUDGETARY IMPACT OF BILL

PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC. 308(a), PUBLIC LAW 93-344, AS AMENDED

[In millions of dollars]

	Budget authority		Outlays	
	Committee allocation	Amount in bill	Committee allocation	Amount in bill
Comparison of amounts in the bill with the subcommittee allocation for 2016: Subcommittee on Labor, HHS, Education, and Related Agencies:				
Mandatory				
Discretionary				
Security				
Nonsecurity				
Projections of outlays associated with the recommendation:				
2016				
2017				
2017				
2018				
2019 and future years				
Financial assistance to State and local governments for				
2016				

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2015 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2016

[In thousands of dollars]

Item	2015 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or --)	
				2015 appropriation	Budget estimate
TITLE I—DEPARTMENT OF LABOR					
EMPLOYMENT AND TRAINING ADMINISTRATION					
Training and Employment Services					
Grants to States:					
Adult Training, current year

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June 23, 2015 (10:50 a.m.)

