112TH CONGRESS  
1ST SESSION  

S. 1743

To consolidate certain Federal job training programs into a State-administered, market-delivered block grant program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 20, 2011

Mr. BROWN of Massachusetts introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To consolidate certain Federal job training programs into a State-administered, market-delivered block grant program, and for other purposes.

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 “Learn to Earn Reemployment Training Improvement Act of 2011”.

SEC. 2. PURPOSE.

The purpose of this Act is to establish a consolidated Learn to Earn program, described in section 4(a), which
shall replace the programs terminated or consolidated under section 5.

SEC. 3. DEFINITIONS.

In this Act:

(1) JOB TRAINING PROGRAM.—The term “job training program” means a program that has as its primary purpose or is specifically designed to enhance the specific job skills of individuals in order to increase their employability, identify job opportunities, or help individuals obtain employment. The term includes each of the 47 federally funded employment and training programs examined in the March 2011 report of the Government Accountability Office entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO–11–318SP).

(2) STATE.—The term “State” has the meaning given the term in section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

SEC. 4. ESTABLISHMENT OF LEARN TO EARN PROGRAM.

(a) IN GENERAL.—There is established the Learn to Earn program, to be carried out by the Secretary of Labor in accordance with this Act, in order to facilitate the reem-
ployement of individuals who are receiving emergency un-
employment compensation under title IV of the Supple-
mental Appropriations Act, 2008 (Public Law 110–252;
26 U.S.C. 3304 note) (referred to individually in this Act
as an “EUC claimant”).

(b) AUTHORIZATION AND APPROPRIATION FOR FISCAL YEAR 2013 AND 2014.—There is authorized to be
appropriated and there is appropriated for each of fiscal
years 2013 and 2014, out of any money in the general
fund of the Treasury not otherwise appropriated, a sum
equal to—

(1) the total of the amounts appropriated for
fiscal year 2011 for the programs terminated under
the legislation described in section 5(a); and

(2) the total of the savings per fiscal year, as
estimated by the Director of the Office of Manage-
ment and Budget under section 5(a)(1), from the
programs consolidated under that legislation.

SEC. 5. TERMINATION AND CONSOLIDATION OF CERTAIN EXISTING JOB TRAINING PROGRAMS.

(a) SELECTION OF ADDITIONAL PROGRAMS AND ACTIVITIES TO BE TERMINATED OR CONSOLIDATED.—

(1) ANALYSIS.—The Director of the Office of
Management and Budget shall—
(A) analyze Federal job training programs, determine which of the programs are duplica-
tive or ineffective, and recommend which of the programs should be terminated or consolidated with other Federal job training programs;

(B) determine the sum of—

(i) the total of the savings per fiscal year from the programs recommended under subparagraph (A) to be terminated, calculated as the total of the amounts appropriated for fiscal year 2011 for those programs; and

(ii) the total of the savings per fiscal year from the programs recommended under subparagraph (A) to be consoli-
dated, as estimated by the Director;

(C) if the sum determined under subpara-
graph (B) is less than $100,000,000 per fiscal year, analyze Federal discretionary spending programs, determine which of the programs are duplicative or ineffective, and recommend which of the programs should be terminated or con-
solidated with other Federal discretionary spending programs;

(D) determine the sum of—
(i) the total of the savings per fiscal year from the programs recommended under subparagraph (C) to be terminated, calculated as the total of the amounts appropriated for fiscal year 2011 for those programs; and

(ii) the total of the savings per fiscal year from the programs recommended under subparagraph (C) to be consolidated, as estimated by the Director; and

(E) ensure that the recommendations made under subparagraph (C) are sufficient to result in total savings recommended under this paragraph, per fiscal year, of not less than $100,000,000.

(2) REPORT.—Not later than 45 days after the date of enactment of this Act, the Director shall submit to the appropriate officials a report containing—

(A) the results of each analysis under paragraph (1);

(B) the determinations, and recommendations for terminations and consolidations, resulting from the analysis;
(C) proposed legislative language to carry out the recommendations, and transfer funds from the terminated and consolidated programs to the Secretary of Labor, to carry out this Act; and

(D) the total savings recommended under paragraph (1), per fiscal year.

(3) APPROPRIATE OFFICIALS.—For purposes of paragraph (2), the appropriate officials are the President, the Vice President, the Speaker of the House of Representatives, and the majority and minority leaders of the House of Representatives and of the Senate.

(b) PROCESS FOR CONSIDERATION OF TERMINATION OR CONSOLIDATION OF ADDITIONAL PROGRAMS.—

(1) INTRODUCTION.—The proposed legislative language submitted pursuant to subsection (a)(2) (referred to in this subsection as the “job training bill”) shall be introduced in the Senate (by request) on the next day on which the Senate is in session by the majority leader of the Senate or by a Member of the Senate designated by the majority leader of the Senate and shall be introduced in the House of Representatives (by request) on the next legislative day by the majority leader of the House or by a
Member of the House designated by the majority leader of the House.

(2) Consideration in the House of Representatives.—

(A) Referral and reporting.—Any committee of the House of Representatives to which the job training bill is referred shall report it to the House without amendment not later than 60 days after the date of enactment of this Act. If a committee fails to report the job training bill within that period, it shall be in order to move that the House discharge the committee from further consideration of the bill. Such a motion shall not be in order after the last committee authorized to consider the bill reports it to the House or after the House has disposed of a motion to discharge the bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except 20 minutes of debate equally divided and controlled by the proponent and an opponent. If such a motion is adopted, the House shall proceed immediately to consider the job training bill in accordance with subparagraphs (B) and (C). A motion to reconsider the
vote by which the motion is disposed of shall not be in order.

(B) PROCEEDING TO CONSIDERATION.—
After the last committee authorized to consider a job training bill reports it to the House or has been discharged (other than by motion) from its consideration, it shall be in order to move to proceed to consider the job training bill in the House. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect to the job training bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(C) CONSIDERATION.—The job training bill shall be considered as read. All points of order against the job training bill and against its consideration are waived. The previous question shall be considered as ordered on the job training bill to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the job
training bill. A motion to reconsider the vote on
passage of the job training bill shall not be in
order.

(D) VOTE ON PASSAGE.—The vote on pas-
sage of the job training bill shall occur not later
than 75 days after the date of enactment of
this Act.

(3) EXPEDITED PROCEDURE IN THE SENATE.—

(A) COMMITTEE CONSIDERATION.—A job
training bill introduced in the Senate under
paragraph (1) shall be jointly referred to the
committee or committees of jurisdiction, which
committees shall report the bill without any re-
vision and with a favorable recommendation, an
unfavorable recommendation, or without rec-
ommendation, not later than 60 days after the
date of enactment of this Act. If any committee
fails to report the bill within that period, that
committee shall be automatically discharged
from consideration of the bill, and the bill shall
be placed on the appropriate calendar.

(B) MOTION TO PROCEED.—Notwith-
standing Rule XXII of the Standing Rules of
the Senate, it is in order, not later than 2 days
of session after the date on which a job training
bill is reported or discharged from all committees to which it was referred, for the majority leader of the Senate or the majority leader’s designee to move to proceed to the consideration of the job training bill. It shall also be in order for any Member of the Senate to move to proceed to the consideration of the job training bill at any time after the conclusion of such 2-day period. A motion to proceed is in order even though a previous motion to the same effect has been disagreed to. All points of order against the motion to proceed to the job training bill are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the job training bill is agreed to, the job training bill shall remain the unfinished business until disposed of.

(C) CONSIDERATION.—All points of order against the job training bill and against consideration of the job training bill are waived. Consideration of the job training bill and of all debatable motions and appeals in connection
therewith shall not exceed a total of 30 hours 
which shall be divided equally between the ma-
jority and minority leaders or their designees. A 
motion further to limit debate on the job train-
ing bill is in order, shall require an affirmative 
vote of three-fifths of the Members duly chosen 
and sworn, and is not debatable. Any debatable 
motion or appeal is debatable for not to exceed 
1 hour, to be divided equally between those fa-
voring and those opposing the motion or appeal. 
All time used for consideration of the job train-
ing bill, including time used for quorum calls 
and voting, shall be counted against the total 
30 hours of consideration. 

(D) NO AMENDMENTS.—An amendment to 
the job training bill, or a motion to postpone, 
or a motion to proceed to the consideration of 
other business, or a motion to recommit the job 
training bill, is not in order. 

(E) VOTE ON PASSAGE.—If the Senate has 
voted to proceed to the job training bill, the 
vote on passage of the job training bill shall 
occur immediately following the conclusion of 
the debate on a job training bill, and a single 
quorum call at the conclusion of the debate if
requested. The vote on passage of the job training bill shall occur not later than 75 days after the date of enactment of this Act.

(F) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a job training bill shall be decided without debate.

(4) AMENDMENT.—The job training bill shall not be subject to amendment in either the House of Representatives or the Senate.

(5) CONSIDERATION BY THE OTHER HOUSE.—

(A) IN GENERAL.—If, before passing the job training bill, one House receives from the other a job training bill—

(i) the job training bill of the other House shall not be referred to a committee; and

(ii) the procedure in the receiving House shall be the same as if no job training bill had been received from the other House until the vote on passage, when the job training bill received from the other
House shall supplant the job training bill of the receiving House.

(B) Revenue measure.—This paragraph shall not apply to the House of Representatives if the job training bill received from the Senate is a revenue measure.

(6) Rules to coordinate action with other house.—

(A) Treatment of job training bill of other house.—If the Senate fails to introduce or consider a job training bill under this subsection, the job training bill of the House shall be entitled to expedited floor procedures under this subsection.

(B) Treatment of companion measures in the Senate.—If following passage of the job training bill in the Senate, the Senate then receives the job training bill from the House of Representatives, the House-passed job training bill shall not be debatable. The vote on passage of the job training bill in the Senate shall be considered to be the vote on passage of the job training bill received from the House of Representatives.
(C) 

VETOES.—If the President vetoes the job training bill, debate on a veto message in the Senate under this subsection shall be 1 hour equally divided between the majority and minority leaders or their designees.

(7) LOSS OF PRIVILEGE.—The provisions of this subsection shall cease to apply to the job training bill if—

(A) the Director of the Office of Management and Budget fails to submit the report or proposed legislative language required under section 5(a)(2) not later than 45 days after the date of enactment of this Act; or

(B) the job training bill does not pass both Houses not later than 75 days after the date of enactment of this Act.

SEC. 6. DISTRIBUTION OF FUNDS.

(a) IN GENERAL.—Using the funds appropriated under section 4 for a fiscal year to carry out this Act, the Secretary of Labor shall—

(1) reserve up to 1 percent for the costs of Federal administration and for carrying out rigorous evaluations of the activities conducted under this Act; and
(2) allot the remainder of the funds not reserved under paragraph (1) in accordance with the requirements of subsection (b) and (c) to States that have approved plans under section 7.

(b) ALLOTMENT FORMULA.—

(1) FORMULA FACTORS.—The Secretary of Labor shall use the remainder described in subsection (a)(2) to make allotments to such States for a fiscal year as follows:

(A) Two-thirds of such remainder shall be allotted on the basis of the relative number of unemployed individuals in each such State, compared to the total number of unemployed individuals in all such States.

(B) One-third of such remainder shall be allotted on the basis of the relative number of individuals in each such State who have been unemployed for 27 weeks or more, compared to the total number of individuals in all such States who have been unemployed for 27 weeks or more.

(2) CALCULATION.—For purposes of paragraph (1), the number of unemployed individuals and the number of individuals unemployed for 27 weeks or
more shall be based on the data for the most recent
12-month period, as determined by the Secretary.

(c) **REALLOTMENT.**

(1) **FAILURE TO IMPLEMENT ACTIVITIES ON A TIMELY BASIS.**—The Secretary of Labor may, in ac-
cordance with procedures and criteria established by
the Secretary, recapture the portion of a State allot-
ment made for a fiscal year under this Act that re-
 mains unobligated if the Secretary determines that
the funds made available through the allotment are
not being obligated at a rate sufficient to meet the
objectives of this Act. The Secretary shall reallo-
t such recaptured funds to other States that are not
subject to recapture, on the basis of the relative
 amount of the allotment received by each such State
(as determined by the Secretary under subsection
(b)), compared to the total amount of such allot-
ments received by all such States.

(2) **RECAPTURE OF FUNDS.**—Funds recaptured
under paragraph (1) during a fiscal year shall re-
main available for reobligation through December 31
of the following year.

**SEC. 7. STATE PLAN.**

(a) **IN GENERAL.**—For a State to be eligible to re-
ceive an allotment under section 6, a State shall submit
to the Secretary of Labor a State plan in such form and
containing such information as the Secretary may require,
which at a minimum shall include—

(1) a description of the activities to be carried
out by the State to assist, through the State’s Learn
to Earn program, in the reemployment of eligible in-
dividuals to be served in accordance with this Act,
including information describing which of the activi-
ties authorized in section 8 the State intends to
carry out and an estimate of the amounts the State
intends to allocate to the activities, respectively;

(2) a description of the performance outcomes
to be achieved by the State through the activities
carried out under this Act, including the employ-
ment outcomes to be achieved by participants, and
the processes the State will use to track the per-
formance, consistent with guidance provided by the
Secretary of Labor regarding such performance out-
comes and processes;

(3) a description of how the State will coordi-
nate activities to be carried out under this Act with
activities under title I of the Workforce Investment
Act of 1998 (29 U.S.C. 2801 et seq.), the Wagner-
Peyser Act (29 U.S.C. 49 et seq.), and other appro-
priate Federal programs;
(4) the timelines for implementation of the activities described in the plan and the number of eligible EUC claimants expected to be enrolled in such activities, by calendar quarter;

(5) assurances that the State will participate in the evaluation activities carried out by the Secretary of Labor under this Act;

(6) assurances that the State will provide appropriate reemployment services, including counseling, to any EUC claimant who participates in any program authorized under this Act; and

(7) assurances that the State will report such information as the Secretary may require relating to fiscal, performance, and other matters, including employment outcomes and effects, that the Secretary determines is necessary to effectively monitor the activities carried out under this Act.

(b) Plan Submission and Approval.—A State shall submit a State plan under this section to the Secretary of Labor for approval not later than 30 days after the Secretary issues guidance relating to submission of such a plan. The Secretary shall approve such a plan if the Secretary determines that the plan meets the requirements of this Act and is appropriate and adequate to carry out the objectives of this Act.
(c) **Plan Modifications.**—A State may submit modifications to a State plan that has been approved under this Act, and the Secretary of Labor may approve such modifications, if the plan as modified would meet the requirements of this Act and be appropriate and adequate to carry out the objectives of this Act.

**SEC. 8. Learn to Earn Program.**

(a) **In General.**—A State shall use funds allotted to the State under this Act to establish and administer a State Learn to Earn program described in this section.

(b) **Description of Program.**—In order to increase individuals’ opportunities to move to permanent employment, the State shall administer the State Learn to Earn program by providing an eligible EUC claimant with short-term work experience placements with an eligible employer, during which such individual—

(1) shall receive emergency unemployment compensation (as described under title IV of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note)), as wages for the work performed for the employer, as specified in subsections (c) and (d);

(2) shall be provided with any additional amount required pursuant to subsection (f) as augmented wages for the work performed; and
(3) may be provided with compensation in addition to the amounts described in paragraphs (1) and (2) by the State or by the employer as wages for the work performed, as described in subsection (e)(2)(B).

(c) PROGRAM ELIGIBILITY.—For purposes of the State Learn to Earn program described in subsection (b), an individual shall be considered to be an eligible EUC claimant for purposes of this Act and shall receive emergency unemployment compensation as wages for the work performed during the individual’s voluntary participation in the program if such individual—

(1) is otherwise eligible to receive emergency unemployment compensation payments under title IV of the Supplemental Appropriations Act, 2008;

(2) elects to participate in the program; and

(3) is a national of the United States, or alien lawfully admitted for permanent residence (as those terms are defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(d) PROGRAM REQUIREMENTS.—

(1) IN GENERAL.—For purposes of the State Learn to Earn program described in subsection (b)—
(A) the wages payable to an individual under subsection (e) shall be paid from the emergency unemployment compensation account for such individual as described in section 4002 of the Supplemental Appropriations Act, 2008, and the amount in that account shall be re-
duced accordingly;

(B) the wages payable to an individual under subsection (e) shall be payable in the same amount, at the same intervals, on the same terms, and subject to the same conditions as under title IV of the Supplemental Appropri-
ations Act, 2008, except that—

(i) State requirements applied under such Act relating to disqualifying income are not applicable to compensation de-
scribed in subsection (b) if, subject to the limitations described in subparagraph (C), such individual participates in the program for not less than 300 hours;

(ii) State requirements relating to availability for work, active search for work, and refusal to accept work are not applicable to such individuals, and such indi-
dividuals shall be considered to be unem-
ployed for purposes of Federal and State
laws applicable to emergency unemploy-
ment compensation; and

(iii) State requirements applied under
such Act relating to an individual’s accept-
ance of an offer of employment shall not
apply with regard to an offer of employ-
ment for a period of 26 weeks or greater
from a participating employer made to an
individual who is participating in the pro-
gram in a work experience provided by
such employer if the offer of employment is
expected to commence or commences at the
conclusion of the period described in sub-
paragraph (C)(i);

(C) the program shall be structured so
that individuals described in subsection (c) may
participate in the program for—

(i) not more than 10 weeks; and

(ii) not more than 38 hours for each
such week;

(D) the State shall ensure that all individ-
uals participating in the program are covered
by a workers’ compensation insurance program;
and
(E) the program shall meet such other requirements as established by the Secretary of Labor through guidance (as described in section 9).

(2) Certification of eligible employer.—

A State may certify as eligible for participation in the program under this Act any employer that meets the eligibility criteria established by the Secretary of Labor through guidance (as described in section 9), except that an employer shall not be certified as eligible for participation in the State program—

(A) if such employer—

(i) is a Federal, State, or local government agency;

(ii) would engage an eligible individual in work activities under any employer’s grant (including a subgrant) or contract (including a subcontract) with a Federal, State, or local government agency, except with regard to work activities under any employer’s contract for goods;

(iii) is delinquent with respect to any taxes or employer contributions under section 3301 or 3303(a)(1) of the Internal
Revenue Code of 1986 or with respect to any related reporting requirements;

(iv) is engaged in the business of supplying workers to other employers and would participate in the program for the purpose of supplying individuals participating in the program to other employers; or

(v) has previously participated in the program and the State has determined that such employer has failed to meet any of the requirements specified in subsection (h) or (i), or any other requirements that the Secretary may establish for employers under paragraph (1)(E); and

(B) unless such employer provides assurances that the employer will not participate in the program in a manner that violates the requirements of subsection (h).

(e) AUTHORIZED ACTIVITIES.—A State that receives an allotment under this Act for a State Learn to Earn program—

(1) shall use the funds made available through the allotment to—
(A) recruit employers for participation in the program;

(B) review and certify eligible employers for the program, including employers identified by eligible individuals seeking to participate in the program;

(C) ensure that reemployment and counseling services are available for participants, including services describing the State program prior to an individual's participation in such program;

(D) establish and implement processes to monitor the progress and performance of individual participants for the duration of the program;

(E) prevent misuse of the program; and

(F) provide augmented wages to participants pursuant to subsection (f); and

(2) may use the funds made available through the allotment—

(A) to pay workers' compensation insurance premiums to cover all participants in the program, except that, if a State opts not to make such payments directly to a State administered workers' compensation program, the
State involved shall describe in the State plan the means by which such State shall ensure workers’ compensation or equivalent coverage for all participants in the program;

(B) to provide compensation to a participant in addition to the amounts described in subsections (c) and (f) as wages for work performed during participation in the program;

(C) to provide supportive services, such as transportation, child care, and dependent care, to enable individuals to participate in the program;

(D) for the administration and oversight of the program; and

(E) to fulfill additional program requirements included in the approved State plan.

(f) Provision of Augmented Wages If Necessary.—In a case in which the wages described in subsection (c) for a participant are not sufficient to equal or exceed an amount (referred to in this subsection as the “applicable minimum wages amount”) equal to the minimum wages that are required to be paid by an employer under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the minimum wages that are so required under the applicable State or local min-
imum wage law, whichever are higher, a State shall pro-
vide augmented wages to a participant in any amount nec-
essary to cover the difference between—

(1) the applicable minimum wages amount; and

(2) the wages payable under subsection (c).

(g) Effect of Wages on Eligibility for Other

Programs.—None of the amounts provided under this
section shall be considered as income for the purposes of
determining eligibility for and the amount of financial as-
sistance and in-kind aid furnished under any Federal or
federally assisted program based on income.

(h) Nondisplacement of Employees.—

(1) Prohibition.—A participating employer
shall not use a participant to displace (including a
partial displacement, such as a reduction in the
hours of nonovertime work, wages, or employment
benefits) any current employee (as of the date of the
participation).

(2) Other Prohibitions.—A participating
employer shall not permit a participant to perform
work activities related to any job if—

(A) any other individual is on layoff from
the same or any substantially equivalent job;

(B) the employer has terminated the em-
ployment of any employee or otherwise reduced
the workforce of the employer with the intention of filling (including partially filling) the vacancy so created with a participant performing work activities;

(C) there is a strike or lockout at the worksite that is the participant’s workplace; or

(D) the job is created in a manner that will infringe in any way upon the promotional opportunities of currently employed individuals (as of the date of the participation).

(i) **Prohibition on Impairment of Contracts.**—

A participating employer shall not, by participating in the program described in subsection (b), impair an existing contract for services or collective bargaining agreement, and no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization that is the signatory to the collective bargaining agreement.

(j) **Failure to Meet Program Requirements.**—

If a State makes a determination based on information provided to the State, or acquired by the State by means of its administration and oversight functions, that a participating employer under this section has violated a requirement of this section, the State shall bar such em-
ployer from further participation in the program. The State shall establish a process under which an individual described in subsection (c), or any other affected individual or entity, may file a complaint with the State relating to a violation of any requirement (including a prohibition) of this section.

(k) PARTICIPANT OPTION TO TERMINATE PARTICIPATION IN LEARN TO EARN PROGRAM.—

(1) TERMINATION.—An individual who is participating in a program described in subsection (b) may elect to discontinue participation in such program.

(2) CONTINUED ELIGIBILITY FOR EMERGENCY UNEMPLOYMENT COMPENSATION.—In the case of an individual who elects to discontinue participation in such program, is terminated from such program by a participating employer, or who has completed participation in such program pursuant to subsection (d)(1)(C)(i), if such individual continues to satisfy the eligibility requirements for emergency unemployment compensation under title IV of the Supplemental Appropriations Act, 2008, the individual shall receive emergency unemployment compensation payments with respect to subsequent weeks of unemployment, to the extent that amounts remain in the
account established for such individual under section 4002(b) of such Act or to the extent that such individual commences receiving the amounts described in subsections (c), (d), or (e) of such section, respectively.

(l) Effect of Other Laws.—Unless otherwise provided in this section, nothing in this section shall be construed to alter or affect the rights or obligations under any Federal, State, or local law with respect to any individual described in subsection (c) or with respect to any participating employer under this section.

(m) Treatment of Payments.—All wages or other payments to an individual under this section shall be treated as payments of unemployment insurance for purposes of section 209 of the Social Security Act (42 U.S.C. 409) and for purposes of subtitle A and sections 3101 and 3111 of the Internal Revenue Code of 1986.

SEC. 9. GUIDANCE AND ADDITIONAL REQUIREMENTS.

The Secretary of Labor may establish through guidance, without regard to the requirements of section 553 of title 5, United States Code, such additional requirements, including reporting requirements, as the Secretary determines to be necessary to ensure fiscal integrity, effective monitoring, and appropriate and prompt implementation of the activities under this Act.
SEC. 10. EMERGENCY DESIGNATIONS.

(a) EMERGENCY DESIGNATION FOR CONGRESSIONAL ENFORCEMENT.—This Act is designated as an emergency for purposes of pay-as-you-go principles. In the Senate, this Act is designated as an emergency requirement pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(b) EMERGENCY DESIGNATION FOR STATUTORY PAYGO.—This Act is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

SEC. 11. TERMINATION.

This Act shall terminate on October 1, 2015.