

111TH CONGRESS
1ST SESSION

S. 3178

To amend the Workforce Investment Act of 1998 to provide for the establishment of Youth Corps programs and provide for wider dissemination of the Youth Corps model.

IN THE SENATE OF THE UNITED STATES

MARCH 25, 2010

Mr. BROWN of Ohio (for himself, Mr. SANDERS, Mrs. GILLIBRAND, and Mr. UDALL of New Mexico) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Workforce Investment Act of 1998 to provide for the establishment of Youth Corps programs and provide for wider dissemination of the Youth Corps model.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Youth Corps Act of
5 2010”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Nationally, there are an estimated
2 3,500,000 to 5,000,000 youth, ages 16 through 24,
3 out-of-school and out-of-work, with an additional
4 500,000 young people dropping out of school each
5 year. At present, the unemployment rate for youth
6 ages 16 through 24 is approximately 25 percent.
7 For such youth who are in low-income or minority
8 communities, or are youth with disabilities, this rate
9 is even higher.

10 (2) Youth Service and Conservation Corps, de-
11 scended from the Civilian Conservation Corps of the
12 1930s, have been preparing disadvantaged and dis-
13 connected youth for careers in resource conservation,
14 environmental restoration, land management, build-
15 ing renovation and weatherization, education, human
16 services, health care, homeland security, and disaster
17 relief for nearly 3 decades. To date, more than
18 600,000 young people have found a new start
19 through a Youth Service and Conservation Corps.

20 (3) Today, over 140 Youth Service and Con-
21 servation Corps are working in 44 States and the
22 District of Columbia, and employing a research-driv-
23 en strategy, called the Youth Corps model, to re-
24 engage and provide educational and economic oppor-
25 tunity to nearly 30,000 young people each year.

1 (4) Due to the many benefits and positive out-
 2 comes, not only for program participants but also
 3 for the communities in which they serve, the Youth
 4 Corps model is a proven strategy for re-engaging
 5 disconnected youth, while improving communities
 6 and the environment and building the workforce of
 7 tomorrow.

8 **SEC. 3. YOUTH CORPS PROGRAMS.**

9 (a) IN GENERAL.—Subtitle D of title I of the Work-
 10 force Investment Act of 1998 is amended by inserting be-
 11 fore section 174 (29 U.S.C. 2919) the following new sec-
 12 tion:

13 **“SEC. 173B. YOUTH CORPS PROGRAMS.**

14 “(a) PURPOSE.—The purpose of this section is to uti-
 15 lize service, environmental stewardship, and the Youth
 16 Corps model to educate and train the next generation of
 17 workers to enable them to find meaningful employment
 18 in the economy of the 21st century, and instill in them
 19 a sense of civic engagement and environmental steward-
 20 ship.

21 “(b) DEFINITIONS.—In this section:

22 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
 23 tity’ means a public or private nonprofit agency or
 24 organization (including a consortium of such agen-
 25 cies or organizations), including—

1 “(A) a community-based organization;

2 “(B) a faith-based organization;

3 “(C) a community action agency;

4 “(D) a community development corpora-
5 tion;

6 “(E) an entity carrying out activities under
7 this title, such as a local board;

8 “(F) an Indian tribe or other agency pri-
9 marily serving Indians;

10 “(G) a public or private institution of high-
11 er education;

12 “(H) a State or unit of general local gov-
13 ernment; or

14 “(I) a State or local youth service or con-
15 servation corps.

16 “(2) ELIGIBLE YOUTH.—Notwithstanding sec-
17 tion 101, the term ‘eligible youth’ means an indi-
18 vidual eligible to participate in a Youth Corps pro-
19 gram in accordance with subsection (d).

20 “(3) INDIAN; INDIAN TRIBE.—The terms ‘In-
21 dian’ and ‘Indian tribe’ have the meanings given the
22 terms in section 166(b).

23 “(4) PARTICIPANT.—The term ‘participant’ has
24 the meaning given the term in section 101, but in-

1 includes a recipient of services under paragraph
2 (5)(F).

3 “(5) YOUTH CORPS MODEL.—The term ‘Youth
4 Corps model’ means a model for a youth education
5 and training program for which an eligible entity—

6 “(A) provides eligible youth with stipended
7 or paid work experience, and basic and tech-
8 nical skills training leading, at a minimum, to
9 an outcome consisting of—

10 “(i) enrollment in postsecondary edu-
11 cation or training;

12 “(ii) attainment of an industry-recog-
13 nized certification or credential;

14 “(iii) meaningful employment in the
15 economy of the 21st century; or

16 “(iv) military service;

17 “(B) provides eligible youth with opportu-
18 nities for educational advancement, including
19 the attainment of a secondary school diploma or
20 its recognized equivalent, or other State-recog-
21 nized credential;

22 “(C) engages eligible youth to work, in
23 teams or crews under the leadership of adult
24 mentors and trainers, on service and conserva-
25 tion projects designed to improve the commu-

1 nities in which the youth live and the environ-
2 ment;

3 “(D) works with youth- and family-serving
4 systems, such as child welfare and justice sys-
5 tems, to provide and coordinate supportive serv-
6 ices for education and training program partici-
7 pants;

8 “(E) works with program partners in the
9 local workforce investment system, institutions
10 of higher education, or other community-based
11 organizations to develop pathways to subse-
12 quent enrollment in education or training, at-
13 tainment of an industry-recognized certification
14 or credential, meaningful employment, or serv-
15 ice as described in subparagraph (A); and

16 “(F) provides 12 months of followup serv-
17 ices and tracking for the program graduates.

18 “(c) YOUTH CORPS GRANTS.—

19 “(1) AMOUNTS OF GRANTS.—The Secretary is
20 authorized to make grants to eligible entities for the
21 purpose of carrying out Youth Corps programs ap-
22 proved under this section.

23 “(2) TERM OF GRANTS.—The Secretary is au-
24 thorized to make the grants for terms of up to 3

1 years in length, and is authorized to renew the
 2 grants.

3 “(3) ELIGIBLE ACTIVITIES.—An entity that re-
 4 ceives a grant under this subsection—

5 “(A) shall use the funds made available
 6 through the grant to carry out a Youth Corps
 7 program that utilizes the Youth Corps model to
 8 provide to the participants, prior to graduation
 9 from the program—

10 “(i) education, which may include—

11 “(I) basic instruction and reme-
 12 dial education;

13 “(II) language instruction for in-
 14 dividuals with limited English pro-
 15 ficiency;

16 “(III) secondary education serv-
 17 ices and activities, including dropout
 18 prevention, tutoring, and other activi-
 19 ties, that—

20 “(aa) are designed to lead to
 21 the attainment of a secondary
 22 school diploma or its recognized
 23 equivalent, or other State-recog-
 24 nized credential (including a cre-
 25 dential for meeting recognized al-

1 ternative standards for individ-
2 uals with disabilities); and

3 “(bb) are delivered in con-
4 junction with project-based serv-
5 ice-learning to the maximum de-
6 gree practicable; and

7 “(IV) preparation for and access
8 to postsecondary education opportuni-
9 ties, including counseling and assist-
10 ance with applying for student finan-
11 cial aid;

12 “(ii) work readiness training, which
13 may include—

14 “(I) development of basic skills,
15 such as—

16 “(aa) arriving on time to
17 work;

18 “(bb) being prepared to
19 work;

20 “(cc) following directions;

21 “(dd) working independ-
22 ently;

23 “(ee) working with others;

24 “(ff) working safely; and

1 “(gg) demonstrating a com-
 2 mitment to produce high-quality
 3 work;

4 “(II) development of job-specific
 5 occupational skills and on-the-job
 6 training;

7 “(III) stipended or paid work ex-
 8 perience that provides participants
 9 with insights into the professional
 10 work environment;

11 “(IV) activities designed to lead
 12 to—

13 “(aa) the attainment of an
 14 industry-recognized certification
 15 or credential; or

16 “(bb) meaningful employ-
 17 ment in the economy of the 21st
 18 century;

19 “(V) career counseling and job
 20 search assistance; and

21 “(VI) provision of a job developer
 22 to cultivate relationships with local
 23 employers to hire program graduates;

24 “(iii) supportive services, which may
 25 include—

- 1 “(I) needs-related payments;
- 2 “(II) health care, including men-
- 3 tal health care such as drug and alco-
- 4 hol abuse counseling;
- 5 “(III) child care; and
- 6 “(IV) transportation;
- 7 “(iv) provision of wages, stipends, or
- 8 benefits;
- 9 “(v) development and monitoring of
- 10 individual education and career plans;
- 11 “(vi) service and conservation
- 12 projects, designed to develop civic engage-
- 13 ment and environmental stewardship;
- 14 “(vii) supervision and training on
- 15 those projects; and
- 16 “(viii) adult mentoring;
- 17 “(B) shall use the funds made available
- 18 through the grant, in carrying out the Youth
- 19 Corps program, to provide followup services and
- 20 tracking for program graduates; and
- 21 “(C) may use the funds made available
- 22 through the grant for—
- 23 “(i) ongoing training and technical as-
- 24 sistance that is related to the development,

1 implementation, and sustainability of the
2 program; and

3 “(ii) payment of administrative ex-
4 penses.

5 “(4) APPLICATION.—

6 “(A) IN GENERAL.—In order to be quali-
7 fied to receive a grant for a program under this
8 subsection, an eligible entity shall submit an ap-
9 plication at such time, in such manner, and
10 containing such information as the Secretary
11 may require.

12 “(B) MINIMUM REQUIREMENTS.—The Sec-
13 retary shall require that the application contain,
14 at a minimum—

15 “(i) a request for the grant, specifying
16 the amount of the grant requested and the
17 proposed uses for the grant funds;

18 “(ii) a description of the applicant
19 and a statement of its qualifications, in-
20 cluding a description of the applicant’s—

21 “(I) past experience with youth
22 education and training programs; and

23 “(II) relationships with local
24 boards, one-stop operators and one-
25 stop partners, local labor organiza-

1 tions, entities carrying out registered
2 apprenticeship and pre-apprenticeship
3 programs, employers, institutions of
4 higher education, and other commu-
5 nity-based organizations who are pro-
6 posed as members of the program
7 partnership;

8 “(iii) a description of the educational
9 and work readiness training activities (in-
10 cluding paid work opportunities), sec-
11 ondary education, preparation for and ac-
12 cess to postsecondary education and train-
13 ing opportunities, and other services that
14 will be provided to participants, and how
15 those activities, opportunities, and services
16 will prepare eligible youth for an outcome
17 described in subsection (b)(5)(A), and in-
18 still in them a sense of civic engagement
19 and environmental stewardship;

20 “(iv) a description of the proposed
21 service and conservation projects to be un-
22 dertaken under the grant, how the project
23 activities will improve the affected commu-
24 nity or environment, and the anticipated
25 schedule for carrying out such activities;

1 “(v) a description of the manner in
2 which eligible youth will be recruited and
3 selected as participants, including a de-
4 scription of any coordination with local
5 boards, one-stop operators and one-stop
6 partners, community-based organizations,
7 faith-based organizations, State edu-
8 cational agencies (as defined in section
9 9101 of the Elementary and Secondary
10 Education Act of 1965 (20 U.S.C. 7801))
11 or local educational agencies (including
12 agencies of Indian tribes), public assistance
13 agencies, local courts, probation and parole
14 offices, the justice system, agencies serving
15 homeless youth, foster care agencies, the
16 Armed Forces, and other appropriate pub-
17 lic and private agencies;

18 “(vi) a description of how the pro-
19 posed program will be coordinated with
20 other Federal, State, and local activities
21 and activities conducted by Indian tribes,
22 such as local workforce investment activi-
23 ties, career and technical education pro-
24 grams, programs of adult education and
25 literary activities, activities conducted by

1 public schools, activities conducted by com-
2 munity colleges, national and community
3 service programs, and other non-school-
4 based education or training provided with
5 funds available under this title;

6 “(vii) a description of results to be
7 achieved with respect to performance indi-
8 cators described in subsection (e);

9 “(viii) a detailed budget and a de-
10 scription of the system of fiscal controls,
11 and auditing and accountability proce-
12 dures, that will be used to ensure fiscal
13 soundness for the proposed program; and

14 “(ix) a description of the commit-
15 ments of any additional resources (in addi-
16 tion to the grant funds) by the applicant
17 or any program partners.

18 “(5) SELECTION CRITERIA.—For an applicant
19 to be eligible to receive a grant under this sub-
20 section, the applicant and the applicant’s proposed
21 program shall meet such selection criteria as the
22 Secretary shall establish under this section, which
23 shall include criteria relating to—

24 “(A) the qualifications or potential capa-
25 bilities of an applicant;

1 “(B) an applicant’s potential for devel-
2 oping and implementing a successful education
3 and training program utilizing the Youth Corps
4 model;

5 “(C) the need for an applicant’s proposed
6 program, as determined by the degree of eco-
7 nomic distress of the community from which
8 participants would be recruited (measured by
9 indicators such as poverty, youth unemploy-
10 ment, and the number of individuals who have
11 dropped out of secondary school);

12 “(D) the need for the applicant’s proposed
13 service and conservation projects by the af-
14 fected community or environmental area;

15 “(E) the ability of an applicant to provide
16 the education, training, and other services de-
17 scribed in paragraph (3) that are necessary to
18 prepare participants for an outcome described
19 in subsection (b)(5)(A);

20 “(F) the extent of an applicant’s ability to
21 coordinate and partner with local boards, one-
22 stop operators and one-stop partners, local
23 labor organizations, entities carrying out reg-
24 istered apprenticeship and pre-apprenticeship
25 programs, employers, institutions of higher edu-

1 cation, and other community-based organiza-
 2 tions who are proposed as members of the pro-
 3 gram partnership to provide participants with
 4 an outcome described in subsection (b)(5)(A);

5 “(G) the extent of the applicant’s coordina-
 6 tion of activities with entities carrying out pub-
 7 lic education, criminal justice, housing and com-
 8 munity development, national and community
 9 service, postsecondary education, or other sys-
 10 tems that relate to the goals of the proposed
 11 program;

12 “(H) the extent of the commitment of ad-
 13 ditional resources (in addition to the grant
 14 funds) to the proposed program by the appli-
 15 cant or any program partners; and

16 “(I) such other factors as the Secretary
 17 determines to be appropriate for purposes of
 18 carrying out the proposed program in an effec-
 19 tive and efficient manner.

20 “(d) ADDITIONAL PROGRAM REQUIREMENTS.—

21 “(1) ELIGIBLE INDIVIDUALS.—

22 “(A) IN GENERAL.—Notwithstanding sec-
 23 tion 101, for purposes of this section an indi-
 24 vidual shall be eligible to participate in a Youth
 25 Corps program only if such individual is—

1 “(i)(I) not less than age 16 and not
2 more than age 24, on the date of enroll-
3 ment; and

4 “(II)(aa) a low-income individual, a
5 youth in foster care (including youth aging
6 out of foster care), a formerly incarcerated
7 or court-involved youth, a child of an in-
8 carcerated parent, a youth who is an indi-
9 vidual with a disability, or a migrant
10 youth; or

11 “(bb) a school dropout; or

12 “(ii) eligible to participate under sub-
13 paragraph (B).

14 “(B) EXCEPTION FOR INDIVIDUALS NOT
15 MEETING INCOME OR EDUCATIONAL NEED RE-
16 QUIREMENTS.—Not more than 25 percent of
17 the individuals selected to be participants in
18 such program may be individuals who do not
19 meet the requirements of subclause (II) or (III)
20 of subparagraph (A)(i).

21 “(C) PARTICIPANTS.—For purposes of
22 Federal law, participants in a Youth Corps pro-
23 gram under this section shall be considered par-
24 ticipants of the program rather than employees
25 of the program.

1 “(2) PARTICIPATION LIMITATION.—An eligible
 2 individual selected for participation in a Youth
 3 Corps program under this section shall be offered
 4 full-time participation in the program for a period of
 5 not less than 6 months and not more than 24
 6 months.

7 “(e) PERFORMANCE INDICATORS.—Recipients of
 8 grants for programs under subsection (c) shall report an-
 9 nually to the Secretary concerning the following perform-
 10 ance indicators:

11 “(1) Program enrollment rates.

12 “(2) Program attendance rates.

13 “(3) Attainment of a diploma, equivalent, or
 14 credential described in subsection (c)(3)(A)(i)(III).

15 “(4) Rates of program completion, including
 16 early release for meaningful employment in the econ-
 17 omy of the 21st century.

18 “(5) Rates of outcomes described in subsection
 19 (b)(5)(A) for program graduates.

20 “(6) Wages of program graduates.

21 “(7) Post-program employment retention rates.

22 “(8) Such other performance indicators as may
 23 be reasonably required by the Secretary.

24 “(f) MANAGEMENT AND TECHNICAL ASSISTANCE.—

1 “(1) SECRETARY ASSISTANCE.—The Secretary
2 may enter into contracts or cooperative agreements
3 with or make grants to 1 or more entities to provide
4 assistance to the Secretary in the management, su-
5 pervision, and coordination of the program carried
6 out under this section.

7 “(2) TECHNICAL ASSISTANCE.—

8 “(A) CONTRACTS, COOPERATIVE AGREE-
9 MENTS, AND GRANTS.—The Secretary shall
10 enter into contracts or cooperative agreements
11 with or make grants to 1 or more qualified na-
12 tional nonprofit organizations with a dem-
13 onstrated record of experience with and achieve-
14 ment in developing and implementing the Youth
15 Corps model, in order to provide training, infor-
16 mation, and technical assistance to recipients of
17 grants under subsection (c).

18 “(B) RESERVATION OF FUNDS.—Of the
19 amounts available under section 174(d) to carry
20 out this section for a fiscal year, the Secretary
21 shall reserve 5 percent to carry out subpara-
22 graph (A).

23 “(3) EVALUATION.—

24 “(A) CONTRACTS, COOPERATIVE AGREE-
25 MENTS, AND GRANTS.—The Secretary shall

enter into contracts or cooperative agreements with or make grants to 1 or more qualified national nonprofit organizations with a demonstrated record of experience with and achievement in developing and implementing the Youth Corps model, for the purpose of conducting data collection and evaluation.

“(B) RESERVATION OF FUNDS.—Of the amounts available under section 174(d) to carry out this section for a fiscal year, the Secretary shall reserve 1 percent to carry out subparagraph (A).

“(4) CAPACITY BUILDING GRANTS.—For each fiscal year, the Secretary may use not more than 3 percent of the amounts available under section 174(d) to award grants to 1 or more qualified national nonprofit organizations to pay for the Federal share of the cost of providing capacity building activities for recipients of grants under subsection (c).”.

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Workforce Investment Act of 1998 is amended by inserting after the item relating to section 173A the following:

“Sec. 173B. Youth Corps programs.”.

1 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 174 of the Workforce Investment Act of 1998
3 (29 U.S.C. 2919) is amended by adding at the end the
4 following:

5 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
6 is authorized to be appropriated to carry out section 173B
7 such sums as may be necessary for each of fiscal years
8 2010 through 2015.”.

○