

112TH CONGRESS
2D SESSION

H. R. 5805

To direct the Secretary of Labor to establish alternate guidelines for measuring the progress of State and local performance for entrepreneurial training services under the Workforce Investment Act of 1998.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2012

Mrs. CAPPS introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To direct the Secretary of Labor to establish alternate guidelines for measuring the progress of State and local performance for entrepreneurial training services under the Workforce Investment Act of 1998.

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 “Entrepreneurial Train-
5 ing Improvement Act of 2012”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Entrepreneurship represents an important
2 part of the economic recovery. According to the
3 2012 Kauffman Index of Entrepreneurial Activity,
4 adults in the United States created an average of
5 543,000 new businesses each month in 2011, among
6 the highest levels of entrepreneurship in the last 16
7 years.

8 (2) Of the estimated 27.5 million small busi-
9 nesses in the United States, 21.4 million had no em-
10 ployees in 2008 according to Small Business Admin-
11 istration Office of Advocacy.

12 (3) According to a January 2010 report enti-
13 tled “Think Entrepreneurs: A Call to Action” pre-
14 pared by the Consortium for Entrepreneurship Edu-
15 cation for the Department of Labor, Employment
16 and Training Administration, “Entrepreneurship is
17 not well established in Federal and statewide policy
18 and execution strategies.” The report continues to
19 state that Workforce Investment Board staff “lacks
20 information and training about self-employment as a
21 career option, including accessibility to resources,
22 technical assistance, outreach efforts, available part-
23 nerships, assessment processes, and coordination of
24 available funding options” and that Boards report
25 that “self-employment outcomes are hard to docu-

1 ment for [Department of Labor] regulations; self-
2 employment does not fit into current methods for
3 measuring performance”.

4 (4) In Training and Employment Guidance Let-
5 ter No. 12–10, issued November 15, 2010, the Em-
6 ployment and Training Administration noted that
7 “Certain types of employment, particularly self-em-
8 ployment, are generally not covered by State [unem-
9 ployment insurance] wage records, and the system
10 has noted this as a challenge in providing entrepre-
11 neurship training. However, supplemental data op-
12 tions for some performance measures, combined with
13 performance target negotiations, offer flexibility to
14 accommodate entrepreneurship training within the
15 workforce system”.

16 (5) There are many existing supplemental data
17 sources and authorities that can be used to better
18 measure the success of an entrepreneurial training
19 program.

20 (6) All reasonable effort should be made by the
21 Secretary of Labor to reduce regulatory barriers and
22 disincentives that discourage local Workforce Invest-
23 ment Boards from offering entrepreneurial training
24 programs.

1 **SEC. 3. RULEMAKING.**

2 (a) IN GENERAL.—Not later than 9 months after the
3 date of enactment of this Act, the Secretary of Labor shall
4 establish alternate guidelines for measuring the progress
5 of State and local performance for entrepreneurial train-
6 ing services, as authorized in section 134 subsection
7 (d)(4)(D)(vi) of the Workforce Investment Act of 1998
8 (29 U.S.C. 2864(d)(4)(D)(vi)), and provide the State and
9 local Workforce Investment Boards with specific guidance
10 on successful approaches to collecting performance infor-
11 mation on entrepreneurial self employment.

12 (b) CONSIDERATIONS.—In determining the alternate
13 guidelines, the Secretary shall consider utilizing existing
14 authorities granted under the Workforce Investment Act
15 of 1998, including a State’s waiver authority, as author-
16 ized in section 189(i)(4) of such Act (29 U.S.C.
17 2939(i)(4)).

18 (c) REPORT.—Not later than 12 months after publi-
19 cation of the final rule, the Secretary shall issue a report
20 on the progress of Workforce Investment Boards in imple-
21 menting new entrepreneurial training programs and any
22 ongoing challenges to offering entrepreneurial training
23 programs, with recommendations to Congress on how best
24 to address those challenges.

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