

113TH CONGRESS
1ST SESSION

H. R. 2560

To amend the Workforce Investment Act of 1998 to support community college and industry partnerships, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2013

Mr. GEORGE MILLER of California (for himself, Mr. TIERNEY, Mr. HINOJOSA, Mrs. CAPPS, Mr. ISRAEL, Ms. WILSON of Florida, Mr. CONYERS, Mrs. NAPOLITANO, Ms. NORTON, Ms. JACKSON LEE, Ms. SCHAKOWSKY, Mr. LARSEN of Washington, Ms. ESTY, Ms. BORDALLO, Mr. RYAN of Ohio, Mr. CÁRDENAS, Mr. MCGOVERN, Mr. MORAN, Mrs. NEGRETE MCLEOD, Mr. DINGELL, and Mr. SABLAN) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Workforce Investment Act of 1998 to support community college and industry partnerships, and for other purposes.

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 “Community College
5 to Career Fund Act”.

1 **SEC. 2. COMMUNITY COLLEGE TO CAREER FUND.**

2 Title I of the Workforce Investment Act of 1998
3 amended by adding at the end the following:

4 **“Subtitle G—Community College to**
5 **Career Fund**

6 **“SEC. 199B. COMMUNITY COLLEGE AND INDUSTRY PART-**
7 **NERSHIPS PROGRAM.**

8 “(a) GRANTS AUTHORIZED.—From funds appro-
9 priated under section 199F(1), the Secretary of Labor and
10 the Secretary of Education, in accordance with the inter-
11 agency agreement described in section 199G, shall award
12 competitive grants to eligible entities described in sub-
13 section (b) for the purpose of developing, offering, improv-
14 ing or providing educational or career training programs
15 for workers.

16 “(b) ELIGIBLE ENTITY.—

17 “(1) PARTNERSHIPS WITH EMPLOYERS OR AN
18 EMPLOYER OR INDUSTRY PARTNERSHIP.—

19 “(A) GENERAL DEFINITION.—For pur-
20 poses of this section, an ‘eligible entity’ means
21 any of the entities described in subparagraph
22 (B) (or a consortium of any of such entities) in
23 partnership with employers or an employer or
24 industry partnership representing multiple em-
25 ployers.

1 “(B) DESCRIPTION OF ENTITIES.—The en-
2 tities described in this subparagraph are as fol-
3 lows:

4 “(i) a community college;

5 “(ii) a 4-year public institution of
6 higher education (as defined in section
7 101(a) of the Higher Education Act of
8 1965 (20 U.S.C. 1001(a)) that offers 2-
9 year degrees, and which will use funds pro-
10 vided under this section for activities at
11 the certificate and associate degree levels;

12 “(iii) a tribal college or university (as
13 defined in section 316(b) of the Higher
14 Education Act of 1965); or

15 “(iv) a private or nonprofit, 2-year in-
16 stitution of higher education (as defined in
17 section 102 of the Higher Education Act
18 of 1965 (20 U.S.C. 1002)) in Puerto Rico,
19 Guam, the United States Virgin Islands,
20 American Samoa, the Commonwealth of
21 the Northern Mariana Islands, the Repub-
22 lic of the Marshall Islands, the Federated
23 States of Micronesia, or the Republic of
24 Palau.

25 “(2) ADDITIONAL PARTNERSHIPS.—

1 “(A) AUTHORIZATION OF ADDITIONAL
 2 PARTNERSHIPS.—In addition to partnering with
 3 employers or an employer or industry partner-
 4 ship representing multiple employers as de-
 5 scribed in paragraph (1)(A), an eligible entity
 6 described in paragraph (1) may partner with 1
 7 or more of the organizations described in sub-
 8 paragraph (B). An eligible entity in partnership
 9 with 1 or more such organizations shall collabo-
 10 rate with the State or local board in the area
 11 served by the eligible entity.

12 “(B) ORGANIZATIONS.—The organizations
 13 described in this subparagraph are as follows:

14 “(i) An adult education provider or
 15 institution of higher education (as defined
 16 in section 101 of the Higher Education
 17 Act of 1965 (20 U.S.C. 1001)).

18 “(ii) A community-based organization.

19 “(iii) A joint-labor management part-
 20 nership.

21 “(iv) A State or local board.

22 “(v) Any other organization that the
 23 Secretaries consider appropriate.

24 “(c) EDUCATIONAL OR CAREER TRAINING PRO-
 25 GRAM.—For purposes of this section, the Governor of the

1 State in which at least 1 of the entities described in sub-
2 section (b)(1)(B) of an eligible entity is located shall es-
3 tablish criteria for the educational or career training pro-
4 gram for which the eligible entity submits a grant proposal
5 under subsection (d).

6 “(d) APPLICATION.—An eligible entity seeking a
7 grant under this section shall submit a grant proposal to
8 the Secretaries at such time and containing such informa-
9 tion as the Secretaries determine is required, including a
10 detailed description of—

11 “(1) the specific educational or career training
12 program for which the grant proposal is submitted
13 and that meets the criteria established under sub-
14 section (c), including the manner in which the grant
15 will be used to develop, offer, improve, or provide the
16 educational or career training program;

17 “(2) the extent to which the program will meet
18 the educational or career training needs of workers
19 in the area served by the eligible entity;

20 “(3) the extent to which the program will meet
21 the needs of employers in the region for skilled
22 workers in in-demand industry sectors and occupa-
23 tions;

1 “(4) the extent to which the program submitted
2 fits within any overall strategic plan developed by an
3 eligible entity; and

4 “(5) any previous experience of the eligible enti-
5 ty in providing educational or career training pro-
6 grams, the absence of which shall not automatically
7 disqualify an eligible institution from receiving a
8 grant under this section.

9 “(e) CRITERIA FOR AWARD.—

10 “(1) IN GENERAL.—Grants under this section
11 shall be awarded based on criteria established by the
12 Secretaries, that include the following:

13 “(A) A determination of the merits of the
14 grant proposal submitted by the eligible entity
15 to develop, offer, improve, or provide an edu-
16 cational or career training program to be made
17 available to workers.

18 “(B) An assessment of the likely employ-
19 ment opportunities available in the region to in-
20 dividuals who complete an educational or career
21 training program that the eligible entity pro-
22 poses to develop, offer, improve, or provide.

23 “(C) An assessment of prior demand for
24 training programs by individuals eligible for
25 training served by the eligible entity as well as

1 availability and capacity of existing training
2 programs to meet future demand for training
3 programs.

4 “(2) PRIORITY.—In awarding grants under this
5 section, the Secretaries shall give priority to eligible
6 entities that—

7 “(A) include a partnership with a business
8 or industry or sector partnership that—

9 “(i) pays a portion of the costs of
10 such programs; or

11 “(ii) agrees to hire individuals who
12 have completed a particular postsecondary
13 degree, certificate, or credential resulting
14 from the training program of the eligible
15 entity;

16 “(B) enter into a partnership with a labor
17 organization or labor-management training pro-
18 gram that provides technical expertise for occu-
19 pationally specific education necessary for a rec-
20 ognized postsecondary credential leading to a
21 skill occupation in an in-demand industry sec-
22 tor;

23 “(C) are focused on serving individuals
24 with barriers to employment, low-income, non-
25 traditional students, students who are dis-

1 located workers, students who are veterans, or
2 students who are long-term unemployed;

3 “(D) are community colleges serving areas
4 with high unemployment rates, including rural
5 areas;

6 “(E) are eligible entities that include an
7 institution of higher education eligible for as-
8 sistance under title III or V of the Higher Edu-
9 cation Act of 1965; and

10 “(F) include a partnership with a business
11 or industry or sector partnership that increases
12 domestic production of goods, such as advanced
13 manufacturing or clean energy technology.

14 “(f) USE OF FUNDS.—Grants awarded under this
15 section shall be used for one or more of the following:

16 “(1) The development, offering, improvement,
17 or provision of academic programs or training pro-
18 grams, that provide relevant job training for skilled
19 occupations that will meet the needs of employers in
20 in-demand industries sectors, and which may include
21 registered apprenticeship programs, on-the-job train-
22 ing programs, and programs that support employers
23 in upgrading the skills of their workforce.

24 “(2) The development and implementation of
25 policies and programs to expand opportunities for

1 students to earn a recognized postsecondary creden-
2 tial or degree in in-demand industry sectors and oc-
3 cupations, including by—

4 “(A) facilitating the transfer of academic
5 credits between institutions of higher education,
6 including the transfer of academic credits for
7 courses in the same field of study;

8 “(B) expanding articulation agreements
9 and policies that guarantee transfer between
10 such institutions, including through common
11 course numbering and general core curriculum;
12 and

13 “(C) developing or enhancing student sup-
14 port services programs.

15 “(3) The creation of workforce programs that
16 provide a sequence of education and occupational
17 training that leads to a recognized postsecondary
18 credential or degree, including programs that—

19 “(A) blend basic skills and occupational
20 training;

21 “(B) facilitate means of transitioning from
22 non-credit occupational, basic skills, or develop-
23 mental coursework to for-credit coursework
24 within and across institutions;

1 “(C) build or enhance linkages including
2 the development of dual enrollment programs
3 and early college high schools between sec-
4 ondary education or adult education programs
5 (including programs established under the Carl
6 D. Perkins Career and Technical Education Act
7 of 2006 (20 U.S.C. 2301 et seq.) and title II
8 of this Act);

9 “(D) implement other innovative programs
10 designed to increase the provision of training
11 for students, including students who are vet-
12 eran members of the National Guard or Re-
13 serves, to enter skilled occupations in in-de-
14 mand industry sectors; and

15 “(E) support paid internships that will
16 allow students to simultaneously earn credit for
17 work-based learning and gain relevant employ-
18 ment experience in an in-demand industry sec-
19 tor or occupation, which shall include opportu-
20 nities that transition individuals into employ-
21 ment.

22 “(4) The support of regional or national in-de-
23 mand industry sectors to develop skills consortia
24 that will identify pressing workforce needs and de-
25 velop solutions such as—

1 “(A) standardizing industry certifications;
 2 “(B) developing new training technologies;
 3 and
 4 “(C) collaborating with industry employers
 5 to define and describe how specific skills lead to
 6 particular jobs and career opportunities.

7 **“SEC. 199C. PAY-FOR-PERFORMANCE AND PAY-FOR-SUC-**
 8 **CESS JOB TRAINING PROJECTS.**

9 “(a) AWARD GRANTS AUTHORIZED.—From funds
 10 appropriated under section 199F(2), the Secretaries, in
 11 accordance with the interagency agreement described in
 12 section 199G, shall award grants on a competitive basis
 13 to eligible entities described in subsection (b) who meet
 14 specific performance outcomes and criteria established by
 15 the Secretaries under subsection (c). Projects funded by
 16 grants under this section shall be referred to as either
 17 Pay-for-Performance or Pay-for-Success projects, as set
 18 forth in subsection (b).

19 “(b) ELIGIBLE ENTITY.—To be eligible to receive a
 20 grant under this section an entity shall be a State or local
 21 organization (which may be a local workforce organiza-
 22 tion) in partnership with entities such as community col-
 23 leges and other training providers who—

24 “(1) in the case of Pay-for-Performance
 25 projects, agree to be reimbursed primarily on the

1 basis of achievement of specified performance out-
2 comes and criteria agreed upon by the Secretaries
3 under subsection (c); or

4 “(2) in the case of Pay-for-Success projects, in-
5 clude partnerships with investors, such as philan-
6 thropic organizations that provide funding for a spe-
7 cific project or projects to address a clear and meas-
8 urable job training need in the community or region
9 and agree to be reimbursed under the grant only if
10 the project or projects meet specified performance
11 outcomes and criteria agreed to by the Secretaries
12 under subsection (c).

13 “(c) PERFORMANCE OUTCOMES AND CRITERIA.—
14 Not later than 6 months after the date of the enactment
15 of this subtitle, the Secretaries shall establish and publish
16 specific performance measures for the initial qualification
17 of eligible entities to receive a grant under this section.
18 At a minimum, to receive an award an eligible entity
19 shall—

20 “(1) identify a particular program area and cli-
21 ent population that is not achieving optimal out-
22 comes;

23 “(2) provide evidence that the proposed strat-
24 egy would achieve better results;

1 “(3) clearly articulate and quantify the im-
2 proved outcomes of such new approach;

3 “(4) for Pay-for-Success projects, specify a
4 monetary value that would need to paid to obtain
5 such results and explain the basis for such value;

6 “(5) identify data that would be required to
7 evaluate whether outcomes are being achieved for a
8 target population and a comparison group;

9 “(6) identify estimated savings that would re-
10 sult from the improved outcomes, including to other
11 programs or units of government;

12 “(7) demonstrate the capacity to collect re-
13 quired data, track outcomes, and validate those out-
14 comes; and

15 “(8) any other criteria the Secretaries may re-
16 quire.

17 “(d) PERIOD OF AVAILABILITY FOR PAY-FOR-SUC-
18 CESS PROJECTS.—Funds appropriated to carry out Pay-
19 for-Success projects pursuant to section 199F(2) shall,
20 upon obligation, remain available for disbursement until
21 expended, notwithstanding section 1552 of title 31, United
22 States Code, and, if later deobligated, in whole or in part,
23 be available until expended for additional Pay-for-Success
24 grants under this section.

1 **“SEC. 199D. BRING JOBS BACK TO AMERICA GRANTS.**

2 “(a) GRANTS AUTHORIZED.—From funds appro-
3 priated under section 199F(3), the Secretaries, in accord-
4 ance with the interagency agreement described in section
5 199G, shall award grants to State or local governments
6 for job training and recruiting activities that can quickly
7 provided businesses with skilled workers in order to en-
8 courage businesses to remain in or relocate to areas served
9 by such governments. The Secretaries shall coordinate
10 with the Secretary of Commerce in carrying out this sec-
11 tion.

12 “(b) PURPOSE AND USE OF FUNDS.—Grants award-
13 ed under this section may be used by a State or local gov-
14 ernment to issue subgrants to eligible entities as des-
15 igned by the Secretaries, including those described in
16 section 199B(b), to assist such eligible entities in pro-
17 viding training necessary to provide skilled workers for
18 businesses that have relocated or are considering relo-
19 cating operations outside the United States, and may in-
20 stead relocate to the areas served by such governments.

21 “(c) APPLICATION.—A State or local government
22 seeking a grant under the program established under sub-
23 section (a) shall submit an application to the Secretaries
24 in such manner and containing such information as the
25 Secretaries may require. At a minimum, each application
26 shall include—

1 “(1) a description of the eligible entity or enti-
2 ties the State or local government proposes to assist
3 in providing job training or recruiting activities;

4 “(2) a description of the proposed or existing
5 business facility, including the number of jobs relat-
6 ing to such facility and the average wage or salary
7 of those jobs; and

8 “(3) a description of any other resources that
9 the State has committed to assisting such business
10 in locating such facility, including tax incentives pro-
11 vided, bonding authority exercised, and land grant-
12 ed.

13 “(d) CRITERIA.—The Secretaries shall award grants
14 under this section to State and local governments that—

15 “(1) the Secretaries determine are most likely
16 to succeed with a grant under the program in assist-
17 ing an eligible entity in providing the training nec-
18 essary to cause a business or businesses to remain
19 in or relocate to areas served by such governments;

20 “(2) will fund training programs that will result
21 in the greatest number and quality of jobs;

22 “(3) have committed State or other resources,
23 to the extent of their ability as determined by the
24 Secretaries, to assist a business or businesses to re-

1 main in or relocate to areas served by such govern-
2 ments; and

3 “(4) have met such other criteria as the Secre-
4 taries consider appropriate, including criteria relat-
5 ing to marketing plans, benefits to ongoing regional
6 or State strategies for economic development and job
7 growth.

8 **“SEC. 199E. GRANTS FOR ENTREPRENEUR AND SMALL**
9 **BUSINESS STARTUP TRAINING.**

10 “(a) GRANTS AUTHORIZED.—From funds appro-
11 priated under section 199F(4), the Secretaries, in accord-
12 ance with the interagency agreement described in section
13 199G, shall award competitive grants to eligible entities
14 described in subsection (b) to provide training in starting
15 a small business and entrepreneurship. The Secretaries
16 shall coordinate with the Administrator of the Small Busi-
17 ness Administration in carrying out this section including
18 in the development of criteria and selection of proposals.

19 “(b) ELIGIBLE ENTITY.—

20 “(1) IN GENERAL.—For purposes of this sec-
21 tion, the term ‘eligible entities’ means an entity de-
22 scribed in section 199B(b)(1) (or a consortium of
23 any of such entities) in partnership with at least one
24 local or regional economic development entity de-
25 scribed in paragraph (2).

1 “(2) ADDITIONAL PARTNERSHIPS.—Local or re-
2 gional economic development entities described in
3 this paragraph are the following:

4 “(A) Small business development centers.

5 “(B) Women’s business centers.

6 “(C) Regional innovation clusters.

7 “(D) Local accelerators or incubators.

8 “(E) State or local economic development
9 agencies.

10 “(c) APPLICATION.—An eligible entity seeking a
11 grant under this section shall submit a grant proposal in
12 such manner and containing such information as the Sec-
13 retaries and the Small Business Administrator shall re-
14 quire. Such information shall include the manner in which
15 entrepreneurship training and education will be provided,
16 the role of partners in such an arrangement, and the man-
17 ner in which the proposal will integrate and partner with
18 local economic development resources.

19 “(d) USE OF FUNDS.—Grants awarded under this
20 section shall be used to provide training in entrepreneur-
21 ship and starting a small business, including through on-
22 line courses, intensive seminars, and comprehensive
23 courses.

1 **“SEC. 199F. AUTHORIZATION OF APPROPRIATIONS.**

2 “(a) IN GENERAL.—There is authorized to be appro-
3 priated \$8,000,000,000 to carry out this subtitle, of which
4 \$4,000,000,000 is authorized to be appropriated to the
5 Secretary of Labor and \$4,000,000,000 is authorized to
6 be appropriated to the Secretary of Education. Such
7 amounts shall be used to carry out the programs author-
8 ized by this subtitle as follows:

9 “(1) \$7,000,000,000 is authorized for the pro-
10 gram established by section 199B;

11 “(2) \$500,000,000 is authorized for the pro-
12 gram established by section 199C;

13 “(3) \$250,000,000 is authorized for the pro-
14 gram established by section 199D;

15 “(4) \$250,000,000 is authorized for the pro-
16 gram established by section 199E; and

17 “(5) not more than 5 percent of the amounts
18 authorized under paragraphs (1) through (4) may be
19 used by the Secretaries to administer each respective
20 program, including providing technical assistance
21 and carrying out evaluations.

22 “(b) PERIOD OF AVAILABILITY.—Except as provided
23 in section 199C(d), the funds appropriated pursuant to
24 subsection (a) shall be available for Federal obligation for
25 the fiscal year for which the funds are appropriated and
26 the succeeding 2 fiscal years.

1 **“SEC. 199G. INTERAGENCY AGREEMENT.**

2 “(a) IN GENERAL.—The Secretary of Labor and the
3 Secretary of Education shall jointly develop policies for the
4 administration of this subtitle in accordance with such
5 terms as the Secretaries shall set forth in an interagency
6 agreement. Such interagency agreement, at a minimum,
7 shall include a description of the respective roles and re-
8 sponsibilities of the Secretaries in carrying out this sub-
9 title (both jointly and separately), including—

10 “(1) how the funds available under this subtitle
11 will be obligated and disbursed and compliance with
12 applicable laws (including regulations) will be en-
13 sured, as well as how the grantees will be selected
14 and monitored;

15 “(2) how evaluations and research will be con-
16 ducted on the effectiveness of grants awarded under
17 this subtitle in addressing the education and employ-
18 ment needs of workers, and employers;

19 “(3) how technical assistance will be provided
20 to applicants and grant recipients;

21 “(4) how information will be disseminated, in-
22 cluding through electronic means, on best practices
23 and effective strategies and service delivery models
24 for activities carried out under this subtitle; and

25 “(5) how policies and processes critical to the
26 successful achievement of the education, training,

1 and employment goals of this subtitle will be estab-
2 lished.

3 “(b) TRANSFER AUTHORITY.—The Secretary of
4 Labor and the Secretary of Education shall have the au-
5 thority to transfer funds between the Department of
6 Labor and the Department of Education to carry out this
7 subtitle in accordance with the agreement described in
8 subsection (a). The Secretary of Labor and the Secretary
9 of Education shall have the ability to transfer funds to
10 the Secretary of Commerce and the Administrator of the
11 Small Business Administration to carry out sections 199D
12 and 199E, respectively.

13 “(c) REPORTS.—The Secretary of Labor and the Sec-
14 retary of Education shall jointly develop and submit a bi-
15 ennial report to the Committee on Health, Education,
16 Labor, and Pensions of the Senate and the Committee on
17 Education and the Workforce of the House of Representa-
18 tives, describing the activities carried out under this sub-
19 title and the outcomes of such activities.

20 **“SEC. 199H. DEFINITIONS.**

21 “For purposes of this subtitle:

22 “(1) COMMUNITY COLLEGE.—The term ‘com-
23 munity college’ has the meaning given the term ‘jun-
24 ior or community college’ in section 312(f) of the
25 Higher Education Act of 1965 (20 U.S.C. 1085(f)).

1 “(2) NONTRADITIONAL STUDENT.—The term
 2 ‘nontraditional student’ has the meaning given the
 3 term in section 803(j) of the Higher Education Act
 4 (20 U.S.C. 11561(c)(j)).

5 “(3) SECRETARIES.—The term ‘Secretaries’
 6 means the Secretary of Labor and the Secretary of
 7 Education.”.

8 **SEC. 3. CONFORMING AMENDMENT.**

9 The table of contents for the Workforce Investment
 10 Act of 1998 (20 U.S.C. 9201 note) is amended by insert-
 11 ing after the item relating to section 199A the following:

 “Subtitle G—Community College to Career Fund

 “Sec. 199B. Community college and industry partnerships program.

 “Sec. 199C. Pay-for-Performance and Pay-for-Success Job Training projects.

 “Sec. 199D. Bring Jobs Back to America grants.

 “Sec. 199E. Grants for Entrepreneur and Small Business startup training.

 “Sec. 199F. Authorization of appropriations.

 “Sec. 199H. Definitions.”.

