

113TH CONGRESS
1ST SESSION

H. R. 497

To allow that certain Federal job training and career education programs give priority to programs that lead to recognized postsecondary credentials.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2013

Mr. BARLETTA (for himself and Mr. SCHNEIDER) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To allow that certain Federal job training and career education programs give priority to programs that lead to recognized postsecondary credentials.

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 “America Works Act”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) Recent data show that United States manu-
8 facturing companies cannot fill as many as 600,000

1 skilled positions, even as unemployment numbers
2 hover at historically high levels.

3 (2) The unfilled positions are mainly in the
4 skilled production category, and in occupations such
5 as machinist, operator, craft worker, distributor, or
6 technician.

7 (3) In less than 20 years, an overall loss of ex-
8 pertise and management skill is expected to result
9 from the gradual departure from the workplace of
10 77,200,000 workers.

11 (4) Postsecondary success and workforce readi-
12 ness can be achieved through attainment of a recog-
13 nized postsecondary credential.

14 (5) The Bureau of Labor Statistics Occupa-
15 tional Outlook estimates that 746,500 new jobs in
16 computer-related occupations will be generated from
17 2010 to 2020. This would equate to a 23 percent
18 net growth in computer-related occupations.

19 (6) Computer-related occupations with the high-
20 est projected growth rates include database adminis-
21 trators, software developers, and network and com-
22 puter systems administrators.

23 (7) As of June 2012, there were approximately
24 301,214 job openings in the information technology
25 sector.

1 (8) According to a recent report, 64 percent of
 2 managers hiring for information technology jobs rate
 3 certifications as having extremely high or high value
 4 in validating information technology skills and ex-
 5 pertise, and that value is rated highest by senior
 6 managers, such as chief information officers, and by
 7 medium-size firms.

8 **SEC. 3. INDUSTRY-RECOGNIZED AND NATIONALLY PORT-**
 9 **ABLE CREDENTIALS FOR JOB TRAINING PRO-**
 10 **GRAMS.**

11 (a) WORKFORCE INVESTMENT ACT OF 1998.—

12 (1) YOUTH ACTIVITIES.—Section 129(c)(1)(C)
 13 of the Workforce Investment Act of 1998 (29 U.S.C.
 14 2854(c)(1)(C)) is amended—

15 (A) by redesignating clauses (ii) through
 16 (iv) as clauses (iii) through (v), respectively;
 17 and

18 (B) inserting after clause (i) the following:

19 “(ii) training (which may include pri-
 20 ority consideration for training programs
 21 that lead to recognized postsecondary cre-
 22 dentials (as defined in section 4 of the
 23 America Works Act) that are aligned with
 24 in-demand occupations or industries in the
 25 local area involved, if the local board deter-

1 mines that the programs meet the quality
2 criteria described in section 123);”.

3 (2) GENERAL EMPLOYMENT AND TRAINING AC-
4 TIVITIES.—Section 134(d)(4)(F) of the Workforce
5 Investment Act of 1998 (29 U.S.C. 2864(d)(4)(F))
6 is amended by adding at the end the following:

7 “(iv) PROGRAMS THAT LEAD TO AN
8 INDUSTRY-RECOGNIZED AND NATIONALLY
9 PORTABLE CREDENTIAL.—In assisting in-
10 dividuals in selecting programs of training
11 services under this section, a one-stop op-
12 erator and employees of a one-stop center
13 referred to in subsection (c) may give pri-
14 ority consideration to programs (approved
15 in conjunction with eligibility decisions
16 made under section 122) that lead to rec-
17 ognized postsecondary credentials (as de-
18 fined in section 4 of the America Works
19 Act) that are aligned with in-demand occu-
20 pations or industries in the local area in-
21 volved.”.

22 (3) CRITERIA.—

23 (A) GENERAL EMPLOYMENT AND TRAIN-
24 ING ACTIVITIES.—Section 122(b)(2)(D) of the

1 Workforce Investment Act of 1998 (29 U.S.C.
2 2842(b)(2)(D)) is amended—

3 (i) in clause (ii), by striking “and” at
4 the end;

5 (ii) in clause (iii), by striking the pe-
6 riod and inserting “; and”; and

7 (iii) by adding at the end the fol-
8 lowing:

9 “(iv) in the case of a provider of a
10 program of training services that leads to
11 a recognized postsecondary credential (as
12 defined in section 4 of the America Works
13 Act), that the program leading to the cre-
14 dential meets such quality criteria as the
15 Governor shall establish.”.

16 (B) YOUTH ACTIVITIES.—Section 123 of
17 the Workforce Investment Act of 1998 (29
18 U.S.C. 2843) by inserting “(including such
19 quality criteria as the Governor shall establish
20 for a training program that leads to a recog-
21 nized postsecondary credential (as defined in
22 section 4 of the America Works Act))” after
23 “plan”.

24 (b) CAREER AND TECHNICAL EDUCATION.—

(1) STATE PLAN.—Section 122(c)(1)(B) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2342(c)(1)(B)) is amended—

(A) by striking “(B) how” and inserting “(B)(i) how”;

(B) by inserting “and” after the semicolon; and

(C) by adding at the end the following

“(ii) in the case of an eligible entity that, in developing and implementing programs of study leading to recognized postsecondary credentials, desires to give a priority to such programs that are aligned with in-demand occupations or industries in the area served (as determined by the eligible agency) and that may provide a basis for additional credentials, certificates, or degree, how the entity will do so;”.

(2) USE OF LOCAL FUNDS.—Section 134(b) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2354(b)) is amended—

(A) in paragraph (11), by striking “; and” and inserting a semicolon;

(B) in paragraph (12)(B), by striking the period and inserting “; and”; and

1 (C) by adding at the end the following:

2 “(13) describe the career and technical edu-
 3 cation activities supporting the attainment of recog-
 4 nized postsecondary credentials (as defined in sec-
 5 tion 4 of the America Works Act), and, in the case
 6 of an eligible recipient that desires to provide pri-
 7 ority consideration to certain programs of study in
 8 accordance with the State plan under section
 9 122(c)(1)(B), how the eligible recipient will give pri-
 10 ority consideration to such activities.”.

11 (3) TECH-PREP PROGRAMS.—Section
 12 203(c)(2)(E) of the Carl D. Perkins Career and
 13 Technical Education Act of 2006 (20 U.S.C.
 14 2373(c)(2)(E)) is amended by striking “industry-
 15 recognized credential, a certificate,” and inserting
 16 “recognized postsecondary credential (as defined in
 17 section 4 of the America Works Act and approved by
 18 the eligible agency),”.

19 (c) TRAINING PROGRAMS UNDER TAA.—Section
 20 236(a) of the Trade Act of 1974 (19 U.S.C. 2296(a)) is
 21 amended by adding at the end the following:

22 “(12) In approving training programs for adversely
 23 affected workers and adversely affected incumbent work-
 24 ers under paragraph (1), the Secretary may give priority
 25 consideration to workers seeking training through pro-

grams that are approved in conjunction with eligibility decisions made under section 122 of the Workforce Investment Act of 1998 (29 U.S.C. 2842), and that lead to recognized postsecondary credentials (as defined in section 4 of the America Works Act) that are aligned with in-demand occupations or industries in the local area (defined for purposes of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)) involved.”.

SEC. 4. DEFINITIONS.

In this Act:

(1) **INDUSTRY-RECOGNIZED.**—The term “industry-recognized”, used with respect to a credential, means a credential that—

(A) is sought or accepted by employers within the industry sector involved as recognized, preferred, or required for recruitment, screening, hiring, or advancement;

(B) is endorsed by a recognized trade or professional association or organization, representing a significant part of the industry sector; and

(C) is a nationally portable credential, meaning a credential that is sought or accepted, across multiple States, as described in subparagraph (A).

1 (2) RECOGNIZED POSTSECONDARY CREDEN-
2 TIAL.—The term “recognized postsecondary creden-
3 tial” means a credential consisting of an industry-
4 recognized credential for postsecondary training, a
5 certificate that meets the requirements of subpara-
6 graphs (A) and (C) of paragraph (1) for postsec-
7 ondary training, a certificate of completion of a post-
8 secondary apprenticeship through a program de-
9 scribed in section 122(a)(2)(B) of the Workforce In-
10 vestment Act of 1998 (29 U.S.C. 2842(a)(2)(B)), or
11 an associate degree or baccalaureate degree awarded
12 by an institution of higher education (as defined in
13 section 102(a) of the Higher Education Act of 1965
14 (20 U.S.C. 1002(a))).

15 **SEC. 5. RULE OF CONSTRUCTION.**

16 Nothing in this Act shall be construed to require an
17 entity with responsibility for selecting or approving an
18 education, training, or workforce investment activities pro-
19 gram with regard to a covered provision, to select a pro-
20 gram with a recognized postsecondary credential or certifi-
21 cate as defined by this Act.

22 **SEC. 6. EFFECTIVE DATE.**

23 This Act, and the amendments made by this Act, take
24 effect 120 days after the date of enactment of this Act.

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