

113TH CONGRESS  
1ST SESSION

# S. 453

To require that certain Federal job training and career education programs give priority to programs that lead to an industry-recognized and nationally portable credential.

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## IN THE SENATE OF THE UNITED STATES

MARCH 5, 2013

Mrs. HAGAN (for herself, Mr. HELLER, and Mr. DONNELLY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To require that certain Federal job training and career education programs give priority to programs that lead to an industry-recognized and nationally portable credential.

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 “American Manufac-  
5 turing Efficiency and Retraining Investment Collaboration  
6 Achievement Works Act” or “AMERICA Works Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1           (1) Recent data show that United States manu-  
2           facturing companies cannot fill as many as 600,000  
3           skilled positions, even as unemployment numbers  
4           hover at historically high levels.

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

9           (3) In less than 20 years, an overall loss of ex-  
10          pertise and management skill is expected to result  
11          from the gradual departure from the workplace of  
12          77,200,000 workers.

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

16          (5) According to the January 2011 Computing  
17          Technology Industry Association report entitled  
18          “Employer Perceptions of Information Technology  
19          Training and Certification”, 64 percent of hiring in-  
20          formation technology managers rate information  
21          technology certifications as having extremely high or  
22          high value in validating information technology skills  
23          and expertise. The value of those certifications is  
24          rated highest among senior information technology

1 managers, such as Chief Information Officers, and  
 2 managers of medium-size firms.

3 **SEC. 3. INDUSTRY-RECOGNIZED AND NATIONALLY PORT-**  
 4 **ABLE CREDENTIALS FOR JOB TRAINING PRO-**  
 5 **GRAMS.**

6 (a) WORKFORCE INVESTMENT ACT OF 1998.—

7 (1) YOUTH ACTIVITIES.—Section 129(c)(1)(C)  
 8 of the Workforce Investment Act of 1998 (29 U.S.C.  
 9 2854(c)(1)(C)) is amended—

10 (A) by redesignating clauses (ii) through  
 11 (iv) as clauses (iii) through (v), respectively;  
 12 and

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

14 “(ii) training (which may include pri-  
 15 ority consideration for training programs  
 16 that lead to recognized postsecondary cre-  
 17 dentials (as defined in section 4 of the  
 18 AMERICA Works Act) that are aligned  
 19 with in-demand occupations or industries  
 20 in the local area involved, if the local board  
 21 determines that the programs meet the  
 22 quality criteria described in section 123);”.

23 (2) GENERAL EMPLOYMENT AND TRAINING AC-  
 24 TIVITIES.—Section 134(d)(4)(F) of the Workforce

Investment Act of 1998 (29 U.S.C. 2864(d)(4)(F))  
is amended by adding at the end the following:

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

(3) CRITERIA.—

(A) GENERAL EMPLOYMENT AND TRAIN-  
ING ACTIVITIES.—Section 122(b)(2)(D) of the  
Workforce Investment Act of 1998 (29 U.S.C.  
2842(b)(2)(D)) is amended—

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

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

3 (iii) by adding at the end the fol-  
 4 lowing:

5 “(iv) in the case of a provider of a  
 6 program of training services that leads to  
 7 a recognized postsecondary credential (as  
 8 defined in section 4 of the AMERICA  
 9 Works Act), that the program leading to  
 10 the credential meets such quality criteria  
 11 as the Governor shall establish.”.

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

20 (b) CAREER AND TECHNICAL EDUCATION.—

21 (1) STATE PLAN.—Section 122(c)(1)(B) of the  
 22 Carl D. Perkins Career and Technical Education  
 23 Act of 2006 (20 U.S.C. 2342(c)(1)(B)) is amend-  
 24 ed—

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

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

5 (C) by adding at the end the following

6 “(ii) in the case of an eligible entity that,  
 7 in developing and implementing programs of  
 8 study leading to recognized postsecondary cre-  
 9 dentials, desires to give a priority to such pro-  
 10 grams that are aligned with in-demand occupa-  
 11 tions or industries in the area served (as deter-  
 12 mined by the eligible agency) and that may pro-  
 13 vide a basis for additional credentials, certifi-  
 14 cates, or degree, how the entity will do so;”.

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

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

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

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

23 “(13) describe the career and technical edu-  
 24 cation activities supporting the attainment of recog-  
 25 nized postsecondary credentials (as defined in sec-

tion 4 of the AMERICA Works Act), and, in the case of an eligible recipient that desires to provide priority consideration to certain programs of study in accordance with the State plan under section 122(c)(1)(B), how the eligible recipient will give priority consideration to such activities.”.

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

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

“(12) In approving training programs for adversely affected workers and adversely affected incumbent workers under paragraph (1), the Secretary may give priority consideration to workers seeking training through programs 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

1 4 of the AMERICA Works Act) that are aligned with in-  
 2 demand occupations or industries in the local area (de-  
 3 fined for purposes of title I of the Workforce Investment  
 4 Act of 1998 (29 U.S.C. 2801 et seq.)) involved.”.

5 **SEC. 4. DEFINITIONS.**

6 In this Act:

7 (1) **INDUSTRY-RECOGNIZED.**—The term “indus-  
 8 try-recognized”, used with respect to a credential,  
 9 means a credential that—

10 (A) is sought or accepted by employers  
 11 within the industry sector involved as recog-  
 12 nized, preferred, or required for recruitment,  
 13 screening, hiring, or advancement;

14 (B) is endorsed by a recognized trade or  
 15 professional association or organization, rep-  
 16 resenting a significant part of the industry sec-  
 17 tor; and

18 (C) is a nationally portable credential,  
 19 meaning a credential that is sought or accepted,  
 20 across multiple States, as described in subpara-  
 21 graph (A).

22 (2) **RECOGNIZED POSTSECONDARY CREDEN-**  
 23 **TIAL.**—The term “recognized postsecondary creden-

24 tial” means a credential consisting of an industry-

25 recognized credential for postsecondary training, a

1 certificate that meets the requirements of subpara-  
2 graphs (A) and (C) of paragraph (1) for postsec-  
3 ondary training, a certificate of completion of a post-  
4 secondary apprenticeship through a program de-  
5 scribed in section 122(a)(2)(B) of the Workforce In-  
6 vestment Act of 1998 (29 U.S.C. 2842(a)(2)(B)), or  
7 an associate degree or baccalaureate degree awarded  
8 by an institution of higher education (as defined in  
9 section 101(a) of the Higher Education Act of 1965  
10 (20 U.S.C. 1001(a))).

11 **SEC. 5. EFFECTIVE DATE.**

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

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