

113TH CONGRESS
1ST SESSION

S. 655

To amend the Workforce Investment Act of 1998 to authorize the Secretary of Labor to provide grants for Urban Jobs Programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 22, 2013

Mrs. GILLIBRAND (for herself, Mr. FRANKEN, Mr. LAUTENBERG, and Ms. WARREN) 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 authorize the Secretary of Labor to provide grants for Urban Jobs Programs, 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 “Urban Jobs Act of
5 2013”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) Every school day, nearly 7,000 students be-
9 come dropouts. Annually, that dropout rate results

1 in about 1,200,000 students not graduating from
2 high school with their peers as scheduled. Lacking a
3 high school diploma, those individuals will be far
4 more likely than graduates to spend their lives peri-
5 odically unemployed, on government assistance, or
6 cycling in and out of the prison system.

7 (2) The average annual income in 2009 was
8 \$19,540 for a high school dropout, compared to
9 \$27,380 for a high school graduate, a difference of
10 \$7,840.

11 (3) According to a 2011 report by Diploma
12 Counts—

13 (A) about 42 percent of Hispanic students,
14 43 percent of African-American students, and
15 46 percent of American Indian students will not
16 graduate on time with a regular high school di-
17 ploma; and

18 (B) by comparison, 17 percent of Asian
19 students and 22 percent of White students will
20 not graduate as described in subparagraph (A).

21 (4) Among all races and ethnicities, males grad-
22 uate from high school at a lower rate than their fe-
23 male peers do. Among all students, 68 percent of
24 males and 75 percent of females graduate.

1 (5) According to a report by the College Board
2 Advocacy & Policy Center, one of the most unfortu-
3 nate destinations for high school dropouts, students,
4 and graduates age 18 to 24 is incarceration in Fed-
5 eral or State prisons or local jails. Since 2000, the
6 number of individuals in the 18 to 24 age group who
7 are incarcerated at the Federal, State, and local lev-
8 els has risen from about 1,400,000 in 2000 to about
9 1,600,000 in 2008. Over 475,000 individuals in that
10 age group were incarcerated in 2008, with males ac-
11 counting for 92.4 percent of all those individuals. In
12 contrast, only 36,000 women in the same age group
13 (7.6 percent) were incarcerated in 2008.

14 (6) High school graduation rates are signifi-
15 cantly lower in school districts with higher percent-
16 ages of students in poverty, measured as students
17 who are eligible for free or reduced price lunches.

18 (7) According to a 2010 National Center for
19 Education Statistics report, high school students
20 from low-income families drop out of high school at
21 6 times the rate of their peers from high-income
22 families.

23 (8) Over half of State parole entrants are not
24 high school graduates, and as many as eleven per-

1 cent of the entrants have only an eighth grade edu-
2 cation or less.

3 (9) The lowest achieving 25 percent of students
4 are 20 times more likely to drop out of high school,
5 compared to the highest achieving 25 percent of stu-
6 dents.

7 (10) According to the Department of Labor,
8 each year approximately 650,000 persons are re-
9 leased from Federal and State prisons. Those ex-
10 prisoners do not return to communities evenly dis-
11 tributed across the United States, but rather return
12 disproportionately to high-poverty communities char-
13 acterized by high rates of joblessness, crime, and
14 drug abuse.

15 (11) The unemployment rate among ex-pris-
16 oners has been estimated to be between 25 and 40
17 percent. An estimated 19 percent of adults in State
18 prisons are functionally illiterate. Over half of State
19 parole entrants are not high school graduates, and
20 about 11 percent of the entrants have only an eighth
21 grade education or less.

22 (b) PURPOSE.—It is the purpose of this Act to pro-
23 vide adequate resources for national or regional nonprofit
24 organizations to prevent and reduce the disproportionate
25 incarceration of eligible youth, especially minority youth,

1 and to prepare eligible youth for entry into employment,
2 or education leading to employment, that places partici-
3 pants on a path to economic self-sufficiency and provides
4 opportunities for advancement, by providing a comprehen-
5 sive set of services that includes job training, education,
6 and support services.

7 **SEC. 3. URBAN JOBS PROGRAMS.**

8 (a) IN GENERAL.—Subtitle D of title I of the Work-
9 force Investment Act of 1998 is amended by inserting
10 after section 173A (29 U.S.C. 2918a) the following:

11 **“SEC. 173B. URBAN JOBS PROGRAMS.**

12 “(a) PURPOSE.—The purpose of this section is to
13 provide, through competitive grants, needed resources for
14 the following objectives:

15 “(1) To establish a feeder system for youth
16 ages 18 through 24, who are out-of-school youth or
17 are or have been subject to the criminal justice proc-
18 ess, in urban communities, into employment, or edu-
19 cation leading to employment, through national or
20 regional intermediaries that have demonstrated ef-
21 fectiveness in conducting outreach to, and serving,
22 eligible youth through a national or regional network
23 of community-based affiliates.

24 “(2) To provide a holistic approach for pre-
25 paring eligible youth in urban communities for entry

1 into employment, or education leading to employ-
 2 ment, through a comprehensive set of services.

3 “(3) To prevent and reduce the dispropor-
 4 tionate incarceration of eligible youth in urban com-
 5 munities, including minority youth.

6 “(b) DEFINITIONS.—In this section:

7 “(1) COMMUNITY-BASED AFFILIATE.—The term
 8 ‘community-based affiliate’ means a community-
 9 based organization that is an affiliate of a national
 10 or regional intermediary.

11 “(2) ELIGIBLE YOUTH.—The term ‘eligible
 12 youth’ means individuals ages 18 through 24 who—

13 “(A) are not enrolled in secondary or post-
 14 secondary school; or

15 “(B) are or have been subject to any stage
 16 of the criminal justice process.

17 “(3) NATIONAL INTERMEDIARY.—The term
 18 ‘national’, with respect to an intermediary, means a
 19 national private nonprofit community-based organi-
 20 zation that—

21 “(A) has an affiliate network comprised of
 22 community-based organizations in urban com-
 23 munities in more than one State; and

24 “(B) has demonstrated expertise and effec-
 25 tiveness in conducting outreach to eligible youth

1 and providing workforce investment activities to
2 such youth.

3 “(4) RECIDIVISM.—The term ‘recidivism’
4 means a tendency to return to criminal behavior.

5 “(5) REGIONAL INTERMEDIARY.—The term ‘re-
6 gional’, used with respect to an intermediary, means
7 a private nonprofit community-based organization
8 that—

9 “(A) has an affiliate network comprised of
10 community-based organizations that—

11 “(i) have experience conducting multi-
12 site projects; and

13 “(ii) are in a geographic area defined
14 by the Bureau of the Census; and

15 “(B) has demonstrated expertise and effec-
16 tiveness in conducting outreach to eligible youth
17 and providing workforce investment activities to
18 such youth.

19 “(6) UNSUBSIDIZED JOB.—The term ‘unsub-
20 sidized job’ means an employment position with an
21 employer—

22 “(A) that pays the wages for the position;
23 and

1 “(B) that does not receive public funds for
2 the creation and maintenance of the employ-
3 ment position.

4 “(7) URBAN JOBS PROGRAM.—The term ‘Urban
5 Jobs Program’ means an Urban Jobs Program
6 funded under subsection (c).

7 “(c) URBAN JOBS PROGRAM GRANTS.—

8 “(1) GRANTS.—The Secretary is authorized to
9 make grants, on a competitive basis, to national or
10 regional intermediaries for the purpose of carrying
11 out Urban Jobs Programs that provide a com-
12 prehensive set of services to eligible youth in urban
13 communities to provide such youth with a pathway
14 to employment, or education leading to employment.

15 “(2) APPLICATION.—

16 “(A) FORM AND PROCEDURE.—To be eligi-
17 ble to receive a grant under this subsection, a
18 national or regional intermediary shall submit
19 an application at such time, in such manner,
20 and accompanied by such information as the
21 Secretary may require.

22 “(B) MINIMUM REQUIREMENTS.—The Sec-
23 retary shall require that the application contain,
24 at a minimum—

1 “(i) a request for the grant, specifying
2 the amount of the grant requested and
3 proposed uses of the grant funds;

4 “(ii) a description of how the national
5 or regional intermediary will meet, for par-
6 ticipants in the Urban Jobs Program,
7 goals consisting of—

8 “(I) increased long-term employ-
9 ment in unsubsidized jobs;

10 “(II) reduced recidivism;

11 “(III) increased attainment of
12 the recognized equivalent of a high
13 school diploma;

14 “(IV) improved literacy and
15 numeracy; and

16 “(V) increased attainment of in-
17 dustry-recognized certificates or cre-
18 dentials, or preparation for entry into
19 an institution of higher education
20 without need for further remediation;

21 “(iii) a description of underlying sup-
22 ports for the program, including—

23 “(I) engaged community part-
24 ners;

1 “(II) staff expertise in youth de-
2 velopment; and

3 “(III) demonstrated under-
4 standing of youth characteristics;

5 “(iv) a description of how the pro-
6 gram will enable program participants to
7 achieve outcomes consisting of—

8 “(I) creation of caring relation-
9 ships with peers and staff;

10 “(II) creation of goals (such as
11 the attainment described in clause
12 (ii)(III), attainment of employment,
13 admission to or completion of a degree
14 at an institution of higher education,
15 attainment of industry-recognized cer-
16 tificates or credentials, or preparation
17 for entry into an institution of higher
18 education without need for further re-
19 mediation);

20 “(III) participation in opportuni-
21 ties to contribute to the community
22 through service or volunteerism;

23 “(IV) development of 21st cen-
24 tury workplace skills, including critical
25 thinking and collaboration;

1 “(V) development of a sense of
2 responsibility for one’s future;

3 “(VI) development of plans or
4 strategies to meet one’s goals;

5 “(VII) reduction of risk-taking
6 behaviors;

7 “(VIII) achievement of improved
8 educational outcomes (such as
9 numeracy, literacy, or the attainment
10 described in clause (ii)(II));

11 “(IX) achievement of improved
12 employment outcomes; and

13 “(X) reduction of recidivism; and

14 “(v) a description of activities to be
15 provided through the Urban Jobs Program
16 that lead to the attainment of industry-rec-
17 ognized certificates or credentials described
18 in paragraph (3).

19 “(3) ELIGIBLE ACTIVITIES.—A national or re-
20 gional intermediary that receives a grant under this
21 subsection shall use the funds made available
22 through the grant to carry out an Urban Jobs Pro-
23 gram, which shall include the following comprehen-
24 sive set of services:

1 “(A) Case management, through an indi-
2 vidual responsible for helping participants navi-
3 gate the Urban Jobs Program activities.

4 “(B) Educational services, including skill
5 assessment, reading and math remediation,
6 educational enrichment, services involving prep-
7 aration for and opportunities for attainment of
8 the recognized equivalent of a high school di-
9 ploma, services that connect to career pathways
10 such as opportunities for attainment of indus-
11 try-recognized certificates or credentials or for
12 preparation for entry into an institution of
13 higher education without the need for further
14 remediation, and postsecondary education.

15 “(C) Employment and job readiness activi-
16 ties, including mentoring, community service
17 opportunities, internships, on-the-job training,
18 occupational skills training, personal develop-
19 ment, and unsubsidized jobs.

20 “(D) Support services, health and nutri-
21 tion service referral, substance abuse counseling
22 and treatment, and provision of housing assist-
23 ance, interpersonal and basic living skills, and
24 transportation, child care, clothing, and other
25 assistance as needed.

1 “(4) LIMITATION.—Not more than 2 percent of
 2 the funds appropriated for any fiscal year under sec-
 3 tion 174(d) may be used for expenses associated
 4 with carrying out this subsection.

5 “(d) REPORTS.—

6 “(1) IN GENERAL.—Not later than August 1
 7 following each program year for which amounts are
 8 made available to carry out this section, the Sec-
 9 retary of Labor shall submit to the Committee on
 10 Education and the Workforce of the House of Rep-
 11 resentatives and the Committee on Health, Edu-
 12 cation, Labor, and Pensions of the Senate, a report
 13 that details the progress made under this section in
 14 establishing Urban Jobs Programs through national
 15 or regional intermediaries.

16 “(2) INAPPLICABILITY OF SECTION 172.—The
 17 program shall not be subject to evaluations required
 18 under section 172.

19 “(e) NATIONAL JOBS COUNCIL ADVISORY COM-
 20 MITTEE.—

21 “(1) ESTABLISHMENT.—The Secretary of
 22 Labor shall establish a committee to be known as
 23 the National Jobs Council Advisory Committee (re-
 24 ferred to in this subsection as the ‘Committee’).

1 “(2) MEMBERSHIP.—The Committee shall be
2 comprised of 12 members, appointed by the Sec-
3 retary, consisting of—

4 “(A) 3 individuals from the private sector,
5 who are senior human resources or diversity
6 employees with national or regional responsibil-
7 ities, and who have experience in oversight that
8 includes hiring, employee training, or overseeing
9 employee relations;

10 “(B) 5 representatives of employers in
11 high-impact, high-growth industries, as defined
12 by the Secretary;

13 “(C) 1 national intermediary staff member;

14 “(D) 1 regional intermediary staff mem-
15 ber; and

16 “(E) 2 representatives from the Depart-
17 ment of Labor.

18 “(3) PERIOD OF APPOINTMENT; VACANCIES.—
19 Members shall be appointed for the life of the Com-
20 mittee. Any vacancy in the Committee shall not af-
21 fect the powers of the Committee, but shall be filled
22 in the same manner as the original appointment was
23 made.

24 “(4) DUTIES.—

1 “(A) ANALYSIS.—The Committee shall
2 analyze, and prepare recommendations for the
3 Secretary concerning—

4 “(i) the design and operation of the
5 program carried out under this section;

6 “(ii) long-term strategic priorities for
7 the program; and

8 “(iii) the formulation and application
9 of guidelines related to activities carried
10 out under the program.

11 “(B) REPORTS.—The Committee shall pre-
12 pare and submit to the Secretary periodic re-
13 ports containing the recommendations described
14 in subparagraph (A).

15 “(5) PERSONNEL.—

16 “(A) TRAVEL EXPENSES.—The members
17 of the Committee shall not receive compensa-
18 tion for the performance of services for the
19 Committee, but shall be allowed travel expenses,
20 including per diem in lieu of subsistence, at
21 rates authorized for employees of agencies
22 under subchapter I of chapter 57 of title 5,
23 United States Code, while away from their
24 homes or regular places of business in the per-
25 formance of services for the Committee. Not-

1 withstanding section 1342 of title 31, United
 2 States Code, the Secretary may accept the vol-
 3 untary and uncompensated services of members
 4 of the Committee.

5 “(B) DETAIL OF GOVERNMENT EMPLOY-
 6 EES.—Any Federal Government employee may
 7 be detailed to the Committee without reim-
 8 bursement, and such detail shall be without
 9 interruption or loss of civil service status or
 10 privilege.

11 “(6) PERMANENT COMMITTEE.—Section 14 of
 12 the Federal Advisory Committee Act (5 U.S.C.
 13 App.) shall not apply to the Committee.

14 “(f) SENSE OF CONGRESS REGARDING LOCAL ADVI-
 15 SORY COMMITTEES.—It is the sense of Congress that—

16 “(1) a community-based affiliate receiving fund-
 17 ing under this section should establish a local jobs
 18 council advisory committee to aid in establishing
 19 support from the local community for and guiding
 20 the local implementation of the program; and

21 “(2) not less than $\frac{1}{3}$ of the members the com-
 22 mittee should be employers in high-impact, high-
 23 growth industries in the locality.”.

1 (b) FUNDING.—Section 174 of the Workforce Invest-
 2 ment Act of 1998 (29 U.S.C. 2919) is amended by adding
 3 at the end the following:

4 “(d) URBAN JOBS PROGRAMS.—There is authorized
 5 to be appropriated to carry out section 173B—

6 “(1) \$20,000,000 for fiscal year 2012;

7 “(2) \$30,000,000 for fiscal year 2013;

8 “(3) \$40,000,000 for fiscal year 2014;

9 “(4) \$50,000,000 for fiscal year 2015; and

10 “(5) \$60,000,000 for fiscal year 2016.”.

11 (c) CONFORMING AMENDMENT.—The table of con-
 12 tents in section 1(b) of the Workforce Investment Act of
 13 1998 is amended—

14 (1) by inserting a period at the end of the item
 15 relating to section 173A; and

16 (2) by inserting after the item relating to sec-
 17 tion 173A the following:

“Sec. 173B. Urban jobs programs.”.

○