

111TH CONGRESS
2D SESSION

S. 3529

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

IN THE SENATE OF THE UNITED STATES

JUNE 24, 2010

Mrs. HAGAN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To require that certain Federal job training and career education programs give priority to programs that provide 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 the “AMERICA Works Act”.

1 **SEC. 2. INDUSTRY-RECOGNIZED AND NATIONALLY PORT-**
 2 **ABLE CREDENTIALS FOR JOB TRAINING PRO-**
 3 **GRAMS.**

4 (a) WORKFORCE INVESTMENT ACT OF 1998.—

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

9 “(iv) PRIORITY FOR PROGRAMS THAT
 10 PROVIDE AN INDUSTRY-RECOGNIZED AND
 11 NATIONALLY PORTABLE CREDENTIAL.—In
 12 selecting and approving training services,
 13 or programs of training services, under
 14 this section, a one-stop operator and em-
 15 ployees of a one-stop center referred to in
 16 subsection (c) shall give priority consider-
 17 ation to services and programs (approved
 18 by the appropriate State agency and local
 19 board in conjunction with section 122) that
 20 lead to a credential that is in high demand
 21 in the local area served and listed in the
 22 registry described in section 3(b) of the
 23 AMERICA Works Act.”.

24 (2) YOUTH ACTIVITIES.—Section 129(c)(1)(C)
 25 of the Workforce Investment Act of 1998 (29 U.S.C.
 26 2854(c)(1)(C)) is amended—

1 (A) by redesignating clauses (ii) through
 2 (iv) as clauses (iii) through (v), respectively;
 3 and

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

5 “(ii) training (with priority consider-
 6 ation given to programs that lead to a cre-
 7 dential that is in high demand in the local
 8 area served and listed in the registry de-
 9 scribed in section 3(b) of the AMERICA
 10 Works Act, if the local board determines
 11 that such programs are available and ap-
 12 propriate);”.

13 (b) CAREER AND TECHNICAL EDUCATION.—

14 (1) CORE POSTSECONDARY INDICATORS.—Sec-
 15 tion 113(b)(2)(B) of the Carl D. Perkins Career and
 16 Technical Education Act of 2006 (20 U.S.C.
 17 2323(b)(2)(B)) is amended—

18 (A) by redesignating clauses (iii) through
 19 (vi) as clauses (iv) through (vii), respectively;
 20 and

21 (B) by inserting after clause (ii) the fol-
 22 lowing:

23 “(iii) Student attainment of a high-
 24 demand registry skills credential described
 25 in section 122(c)(1)(B)(i).”.

(2) 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 by striking the semicolon at the end and inserting the following: “and, with respect to programs of study leading to an industry-recognized credential or certificate, will give priority consideration to programs of study that—

“(i) lead to an appropriate (as determined by the eligible agency) skills credential (which may be a certificate) that is in high demand in the area served and listed in the registry described in section 3(b) of the AMERICA Works Act; and

“(ii) may provide a basis for additional credentials, certificates, or degrees;”.

(3) 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

(C) by adding at the end the following:

“(13) describe the career and technical education activities supporting the attainment of industry-recognized credentials or certificates, and how the eligible recipient, in selecting such activities, gave priority consideration to activities supporting high-demand registry skill credentials described in section 122(c)(1)(B)(i).”.

(4) TECH-PREP PROGRAMS.—Section 203 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2373) is amended—

(A) in subsection (c)(2)(E), by striking “industry-recognized credential, a certificate,” and inserting “industry-recognized credential or certificate (such as a high-demand registry skill credential described in section 122(c)(1)(B)(i)),”; and

(B) in subsection (e)(1)(B)—

(i) by redesignating clauses (iv) and (v) as clauses (v) and (vi), respectively; and

(ii) by inserting after clause (iii) the following:

“(iv) complete a high-demand registry skill credential described in section 122(c)(1)(B)(i);”.

1 (c) TRAINING PROGRAMS UNDER TAA.—Section
 2 236(a)(5) of the Trade Act of 1974 (19 U.S.C.
 3 2296(a)(5)) is amended by inserting after the sentence
 4 that follows subparagraph (H)(ii) the following: “In ap-
 5 proving training programs under paragraph (1), the Sec-
 6 retary shall give priority consideration to programs that
 7 lead to a credential that is in high demand in the local
 8 area (defined for purposes of title I of the Workforce In-
 9 vestment Act of 1998 (29 U.S.C. 2801 et seq.)) served
 10 by the corresponding one-stop delivery system under that
 11 title for the training programs, and that is listed in the
 12 registry described in section 3(b) of the AMERICA Works
 13 Act.”.

14 **SEC. 3. SKILL CREDENTIAL REGISTRY.**

15 (a) DEFINITIONS.—In this section:

16 (1) COVERED PROVISION.—The term “covered
 17 provision” means any of sections 129 and 134 of the
 18 Workforce Investment Act of 1998 (29 U.S.C. 2854,
 19 2864), section 122(c)(1)(B) of the Carl D. Perkins
 20 Career and Technical Education Act of 2006 (20
 21 U.S.C. 2342(c)(1)(B)), and section 236 of the Trade
 22 Act of 1974 (19 U.S.C. 2296).

23 (2) INDUSTRY-RECOGNIZED.—The term “indus-
 24 try-recognized”, used with respect to a credential,
 25 means a credential that—

1 (A) is sought or accepted by companies
 2 within the industry sector involved as recog-
 3 nized, preferred, or required for recruitment,
 4 screening, or hiring; and

5 (B) is endorsed by a nationally recognized
 6 trade association or organization representing a
 7 significant part of the industry sector.

8 (3) **NATIONALLY PORTABLE.**—The term “na-
 9 tionally portable”, used with respect to a credential,
 10 means a credential that is sought or accepted by
 11 companies within the industry sector involved, across
 12 multiple States, as recognized, preferred, or required
 13 for recruitment, screening, or hiring.

14 (4) **WORKFORCE INVESTMENT ACTIVITIES.**—
 15 The term “workforce investment activities” has the
 16 meaning given the term in section 101 of the Work-
 17 force Investment Act of 1998 (29 U.S.C. 2801).

18 (b) **REGISTRY.**—

19 (1) **IN GENERAL.**—Not later than 120 days
 20 after the date of enactment of this Act, the Sec-
 21 retary of Labor (referred to in this section as the
 22 “Secretary”) shall create a registry of skill creden-
 23 tials (which may be certificates), for purposes of en-
 24 abling programs that lead to such a credential to re-
 25 ceive priority under a covered provision.

1 (2) REGISTRY.—The Secretary—

2 (A) shall list the credential in the registry
3 if the credential is—

4 (i) required by Federal or State law
5 for an occupation (such as a credential re-
6 quired by a State law regarding qualifica-
7 tions for a health care occupation); or

8 (ii) a credential from the Manufac-
9 turing Institute-Endorsed Manufacturing
10 Skills Certification System; and

11 (B) may list the credential in the registry
12 if the credential is an industry-recognized, na-
13 tionally portable credential that is consistent
14 with the Secretary's established industry com-
15 petency models and the model for the American
16 College Test National Career Readiness Certifi-
17 cation.

18 (c) RULE OF CONSTRUCTION.—Nothing in this Act
19 shall be construed to require an entity with responsibility
20 for selecting or approving an education, training, or work-
21 force investment activities program with regard to a cov-
22 ered provision, to select a program with a credential listed
23 in the registry described in subsection (b).

1 **SEC. 4. EFFECTIVE DATE.**

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

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