

112TH CONGRESS
1ST SESSION

S. 1243

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 21 (legislative day, JUNE 16), 2011

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 demand in
21 the local area served and listed in the reg-
22 istry 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 demand in the local area
 8 served and listed in the registry described
 9 in section 3(b) of the AMERICA Works
 10 Act, if the local board determines that
 11 such programs are available and appro-
 12 priate);”.

13 (b) CAREER AND TECHNICAL EDUCATION.—

14 (1) STATE PLAN.—Section 122(c)(1)(B) of the
 15 Carl D. Perkins Career and Technical Education
 16 Act of 2006 (20 U.S.C. 2342(c)(1)(B)) is amended
 17 by striking the semicolon at the end and inserting
 18 the following: “and, with respect to programs of
 19 study leading to an industry-recognized credential or
 20 certificate, will give priority consideration to pro-
 21 grams of study that—

22 “(i) lead to an appropriate (as deter-
 23 mined by the eligible agency) skills creden-
 24 tial (which may be a certificate) that is in
 25 demand in the area served and listed in

1 the registry described in section 3(b) of the
2 AMERICA Works Act; and

3 “(ii) may provide a basis for addi-
4 tional credentials, certificates, or degrees;”.

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

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

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

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

13 “(13) describe the career and technical edu-
14 cation activities supporting the attainment of indus-
15 try-recognized credentials or certificates, and how
16 the eligible recipient, in selecting such activities,
17 gave priority consideration to activities supporting
18 in-demand registry skill credentials described in sec-
19 tion 122(c)(1)(B)(i).”.

20 (3) TECH-PREP PROGRAMS.—Section
21 203(c)(2)(E) of the Carl D. Perkins Career and
22 Technical Education Act of 2006 (20 U.S.C.
23 2373(c)(2)(E)) is amended by striking “industry-
24 recognized credential, a certificate,” and inserting
25 “industry-recognized credential or certificate (such

1 as an in-demand registry skill credential described in
2 section 122(c)(1)(B)(i),”.

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

15 **SEC. 3. SKILL CREDENTIAL REGISTRY.**

16 (a) DEFINITIONS.—In this section:

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

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

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

8 (B) is endorsed by a nationally recognized
9 trade association or organization representing a
10 significant part of the industry sector.

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

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

21 (b) REGISTRY.—

22 (1) IN GENERAL.—Not later than 120 days
23 after the date of enactment of this Act, the Sec-
24 retary of Labor (referred to in this section as the
25 “Secretary”) shall create a registry of skill creden-

1 tials (which may be certificates), for purposes of en-
2 abling programs that lead to such a credential to re-
3 ceive priority under a covered provision.

4 (2) REGISTRY.—The Secretary shall—

5 (A) list a credential in the registry if the
6 credential is—

7 (i) required by Federal law for an oc-
8 cupation; or

9 (ii) required by State law for an occu-
10 pation (such as a credential required by
11 State law regarding qualifications for a
12 health care occupation) and submitted to
13 the Secretary by a State or appropriate en-
14 tities within a State pursuant to a request
15 made by the Secretary, no less frequently
16 than biennially, for the identification of
17 such a credential;

18 (B) list the credential in the registry if the
19 credential is a credential from the Manufac-
20 turing Institute-Endorsed Manufacturing Skills
21 Certification System; and

22 (C) list the credential, and list an updated
23 credential, in the registry if the credential in-
24 volved is an industry-recognized, nationally
25 portable credential that is consistent with the

1 Secretary's established industry competency
2 models and is consistently updated to reflect
3 changing industry competencies.

4 (c) **RULE OF CONSTRUCTION.**—Nothing in this Act
5 shall be construed to require an entity with responsibility
6 for selecting or approving an education, training, or work-
7 force investment activities program with regard to a cov-
8 ered provision, to select a program with a credential listed
9 in the registry described in subsection (b).

10 **SEC. 4. EFFECTIVE DATE.**

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

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