

Introduction

The *Federal Legislative Update*, published several times a year by the Texas Workforce Investment Council (Council), informs stakeholders about developments in federal legislation that impacts workforce policy. This update, the fourth of 2013, focuses on recent activity in Congress.

Each United States Congress is two years in length and is made up of two sessions. The first session convenes on January 3 of odd-numbered years and subsequently adjourns on January 3 of the following year. The second session convenes from January 3 of even-numbered years, and continues to the following January 3. The 113th session of Congress began on January 3, 2013.

The current Congress is led by Senate President Joe Biden, Senate President Pro Tempore Patrick Leahy, and House Speaker John Boehner. There are 100 senators, 435 house representatives, and six non-voting members.

Budget Negotiations

As has been widely reported by the media, a partial shutdown of the federal government began on October 1 as Congress debated issues related to funding the budget for the new fiscal year. Negotiations generally revolved around the funding of the new health insurance mandate, the borrowing limit of the federal government, and how long to fund federal programs at current levels. The last issue is related to the second round of automatic sequestration budget reductions that are scheduled for January. As the negotiation process continued, almost all other congressional activity was on hold.

On October 17, the President signed the temporary spending bill that both chambers of Congress passed the day before. The legislation maintains funding at current levels through January 15 and extends the government's borrowing authority through February 7.

WIA Reauthorization

As was highlighted in the last update, a bill to reauthorize the Workforce Investment Act (WIA) has been introduced as Senate bill (S) 1356, the *Workforce Investment Act of 2013*. This bill was favorably voted upon by the Senate Health, Education, Labor, and Pensions (HELP) Committee on July 31, but has yet to be debated on the Senate floor. The bill is similar to a draft reauthorization bill that was circulated in 2011, which was based on legislation passed by the Senate in 2006.

The bill maintains the basic structure of the current system, particularly as it relates to the one-stop workforce centers, while allowing for streamlining and improving alignment of program operations and outcomes. For Texas, the grandfathering provisions that are in the current WIA

legislation remain, allowing the state and local workforce boards to retain their current membership makeup as well as their duties.

The bill would replace the current WIA legislation. One of the most noticeable changes is the addition of a title. The new Title I regulates the makeup of state and local boards and includes provisions to strengthen program alignment with some changes to board membership, state and local plans, and accountability measures. Adult and dislocated workers services would be moved to the new Title II. Title III would become the adult education and literacy program, Title IV would include amendments to the Wagner-Peyser Act, Title V would include Rehabilitation Act amendments, and Title VI would include general provisions.

Other Workforce-Related Legislation

No further action has been taken on the following bills that were listed in last quarter's update:

House of Representatives bill (HR) 803, the *Supporting Knowledge and Investing in Lifelong Skills Act*, awaits a committee hearing in the Senate.

S 804, the *Careers Through Responsive, Efficient, and Effective Retraining Act*, awaits a committee hearing in the Senate.

S 882, the *Workforce Investments through Local Libraries Act*, awaits a committee hearing in the Senate.

HR 5, the *Student Success Act*, which reauthorizes the Elementary and Secondary Education Act (ESEA) and was passed by the House, has been referred to the Senate HELP Committee but has not received a hearing. The Senate version of ESEA reauthorization, the *Strengthening America's Schools Act of 2013*, S 1094, was recently placed on the Senate calendar but has yet to be taken up for debate on the floor. This bill would remove some of the corrective action requirements in the current legislation and allow states additional flexibility to develop performance standards as well as assessments. The bill also uses the term "English learners" in place of "limited English proficient students."

Additional bills introduced recently include:

HR 2821, the *American Jobs Act*, which is a package of job creation, workforce development, and economic security initiatives. The measure extends unemployment benefits, provides new tax credits to firms that hire workers who have been out of work for six months or longer, appropriates funds for training grants, and bars employers from discriminating against the long-term unemployed in hiring decisions. It would also fund an infrastructure bank and would cancel the budget sequester. The bill has yet to receive a committee hearing.

HR 3102, the *Nutrition Reform and Work Opportunity Act*, reauthorizes the Supplemental Nutrition Assistance Program (SNAP), making changes to associated workforce development and self-sufficiency programs. The legislation removes from this program its authority to grant states waivers of work requirements and time limits for able-bodied childless adults. The bill also

limits SNAP employment and training programs to college students enrolled in specific career and technical education courses, and those enrolled in adult education or English literacy. This bill passed the House on September 19.

S 1357, the *Trade Adjustment Assistance (TAA) Extension Act*, would extend the TAA program in its current state through 2020. The program's 2011 amendments expire at the end of 2013. Congress reauthorized TAA through the American Recovery and Reinvestment Act of 2009, and expanded the program in terms of eligibility and benefits, but those changes were authorized for only two years and expired in February 2011. In October 2011, Congress reinstated some of the enhancements, but some of the expanded benefits were scaled back at that time. S 1357 would continue the program as it is currently. Without this extension, there would be a reduction in the funding for training, and service sector workers would no longer be eligible for benefits. The bill awaits a committee hearing.

S 1562, the *Older Americans Act Reauthorization Act of 2013*, would reauthorize programs for seniors through 2018. The bill maintains the Senior Community Service Employment Program at the Department of Labor. The bill has been referred to the Senate HELP Committee.

Federal Agency News

As noted in the last update, on March 19 the president nominated Thomas Perez to replace Hilda Solis as secretary of the U.S. Department of Labor (DOL). On July 18, the Senate voted to confirm Mr. Perez, who previously served as the director of the U.S. Justice Department's Civil Rights Division.

Eric Seleznow is continuing to serve as acting assistant secretary of the Employment and Training Administration (ETA) at DOL until a new assistant secretary is nominated by the president and confirmed by the Senate. Prior to his recent appointment as deputy assistant secretary of ETA, Mr. Seleznow served as state policy director for the National Skills Coalition. Prior to that position, he served as director of the Governor's Workforce Investment Board for the State of Maryland.