

Introduction

The Texas Workforce Investment Council's *Federal Legislative Update* is published on a quarterly basis and informs stakeholders about developments in federal legislation that impact workforce policy for Texas. This update, the fourth of 2015, focuses on recent activity in Congress.



U.S. House of Representatives

Recent Highlights from Congress

Continuing Resolution

The legislative branch is responsible for passing legislation to fund the government. From funding national defense to investing in job training and public infrastructure to maintaining government operations, Congress decides how to appropriate taxpayer dollars each fiscal year. If Congress fails to pass legislation to fund the government before a new fiscal year begins, they can pass legislation to keep federal operations going at the current spending levels. This type of legislation is called a Continuing Resolution (CR).

If a CR is passed, the temporary legislation lasts until December 11. In the meantime, Congress is working to reach a budget agreement that will fund the government for the remainder of the fiscal year.

The President submitted a budget request to Congress on February 2, 2015 that proposed substantial new investments for workforce training under the Workforce Innovation and Opportunity Act (WIOA), and expanded opportunities for job-seekers and workers to improve their skills through initiatives designed to increase access toward middle-skill credential attainment.

The President's proposed budget provides a course of action intended to accelerate economic growth and ensure fiscal responsibility. The proposed budget also reflects the choices he would make within the spending levels that Congress agreed to in the Bipartisan Budget Act.

On September 30, 2015, the President signed the Continuing Appropriations Act of 2016 to fund the government at the current year levels through December 11, 2015. The House passed the bill with a vote of 277-151 followed by a 78-20 vote in the Senate.

The legislation will continue funding at the FY 2015 levels with a less than 1% cut across the board to all programs. The CR extends several programs that were scheduled to expire at the end of FY 2015. However, Congress still has to negotiate and pass a budget that President Obama will sign in December.

Apprenticeship

The Department of Labor announced \$175 million in American Apprenticeship Grants to 46 applicants in 25 states for the expansion and hiring of at least 34,000 new apprentices across a range of industries.

Grantees of this initiative will engage employers, labor unions, and public sector representatives to work collaboratively with community colleges, training providers, members of the workforce investment system, and state apprenticeship agencies to expand and develop new apprenticeship programs. A requirement of the initiative is to increase the opportunities for underrepresented populations that include women, ethnic minorities, people with disabilities, and veterans.

Under the grants, recipients can engage in the following activities to accelerate apprenticeship expansion:

- New and expand existing sector partnerships and career pathways
- On-the-job learning
- Job-related technical instruction
- Pre-apprenticeship training
- Partnership building activities
- Awareness building

Houston Community College (HCC) was awarded \$4.2 million of the American Apprenticeship Grant. HCC will partner with Dallas County Community College District to develop and provide pre-apprenticeship and apprenticeship programs in high demand occupations for which H1B visas are currently disproportionately being requested. The H1B industries are information technology and healthcare. The occupations are pharmacy technologist, computer support analyst, systems engineer, and infrastructure engineer. The grant will serve 620 apprentices.

Workforce Innovation and Opportunity Act

On August 6, 2015 the U.S. Departments of Labor, Education, Health and Human Services, Agriculture, and Housing and Urban Development released a request for comments on a proposed Information Collection Request that outlines the required elements for unified and combined state plans under the *Workforce Innovation and Opportunity Act (WIOA)*.

The WIOA requires the Governor to submit a state plan to the U.S. Department of Labor that will outline a four-year plan for the workforce investment system.

There are two types of state plans—a unified state plan or a combined state plan. A unified plan includes the strategic and the operational elements for the WIOA's four titles: *Title I – Workforce Development Activities; Title II – Adult Education and Literacy; Title III – Wagner-Peyser Act of 1933; and Title IV – Rehabilitation Act of 1973.*

A combined plan additionally includes operational elements that are required by federal agencies for other programs such as Supplemental Nutrition Assistance Program Employment and Training and Temporary Assistance for Needy Families.

The WIOA statute identifies the structure required for the unified state plan. The plan must be composed of strategic and operational planning elements. The strategic elements of the plan should

describe the state's vision, goals, and strategies for preparing an educated and skilled workforce to close the skills gap and meet employer needs. The operational planning elements in the unified state plan must describe each program and the operating systems and policies that support the program and implementation strategies.

All comments were due to the U.S. Department of Labor by October 5, 2015. Those comments will be analyzed and the final rules for implementing the WIOA should be released in early 2016.

Other Workforce-Related Legislation — Introduced

The following bills were recently introduced and will continue to be monitored throughout the 114th Congress.

HR 3180 – *The Flexible Pell Grant Act*, would allow the U.S. Department of Education to award college students a second Pell grant in a single award year. This is often referred to as an "accelerated Pell award," aimed at paying for school during summer or winter holiday sessions for students that are trying to complete programs as quickly as possible.

HR 3258 – *The Workers Opportunity and Retraining Competitive Grant Program*, would authorize, within the WIOA, a competitive grant program for states to provide scholarships, of up to \$2,000 per year for two years, to dislocated workers and other unemployed individuals, enabling them to enroll in manufacturing training programs.

HR 3346 – *The Middle School Technical Education Program Act*, would authorize a competitive grant program to help school districts, working in concert with technical schools and organizations representing employers, establish programs that allow middle school students to explore technical education opportunities.

HR 3406 – *The Second Chance Reauthorization Act*, would extend the Second Chance Act offender reentry grant program through 2020, reducing its funding authority from \$165 million to \$100 million to reflect current appropriations levels. The bill would open some Second Chance grant programs to nonprofits.

HR 3554 – *The Jobs Now Act*, would authorize a \$1 billion per year, two year competitive grant program designed to help local governments and community-based organizations to retain public service jobs and to generate subsidized public service jobs for veterans, individuals with disabilities, unemployment insurance claimants and dislocated workers.

HR 3594 – *The Higher Education Act*, would extend the Perkins Loan Program as well as other higher education provisions that expired on September 30, 2015. The bill extends the Perkins Loan Program through Fiscal Year 2016, allows participating colleges and universities to continue serving new borrowers, reforms the Perkins Loan Program to ensure the legislation is fully paid for at no additional cost to taxpayers, and allows students, who receive a Perkins loan during the 2015-2016 academic year and remain in the same academic program, to be eligible to receive those funds through March 31, 2018.

SB 1542 – *The Manufacturing Skills Act*, would authorize a grant program, managed jointly by the U.S. Departments of Commerce, Education, Labor, and Defense and the National Science Foundation, that would award grants to five states and five metropolitan areas that present plans for reforming job training and workforce development for the manufacturing sector.

SB 1900 – *The Jumpstart Our Businesses by Supporting Students Act*, would amend the Higher Education Act of 1965 and extend Pell grant eligibility to students enrolled in short-term training programs. The Higher Education Act requires that programs eligible for Pell grants cover at least 600 clock hours or be at least 15 weeks in length. This bill would provide awards of half of the maximum Pell award in any year to income-eligible students attending job training programs with at least 150 clock hours of instruction over at least eight weeks. Qualifying programs would lead to an industry-recognized credential.
