

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 4297
OFFERED BY MR. SCOTT**

Amendment #10

Insert after subtitle F of title I the following new subtitle (and conform the table of contents accordingly):

1 **Subtitle G—Employment Opportu-**
2 **nities for Low-income and Dis-**
3 **connected Youth**

4 **SEC. 151. EMPLOYMENT OPPORTUNITIES FOR LOW-INCOME**
5 **AND DISCONNECTED YOUTH.**

6 Insert after subtitle F of title I the following new sub-
7 title:

8 **“Subtitle G—Employment Opportu-**
9 **nities for Low-income and Dis-**
10 **connected Youth**

11 **“SEC. 199B. ESTABLISHMENT OF PATHWAYS BACK TO**
12 **WORK FUND.**

13 “(a) ESTABLISHMENT.—There is established in the
14 Treasury of the United States an account, which shall be
15 known as the Pathways Back to Work Fund (referred to
16 in this Act as ‘the Fund’), consisting of the amounts as
17 are paid to the Fund under subsection (b).

1 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Secretary of
3 Labor \$1,500,000,000 to carry out section 199C.

4 **“SEC. 199C. SUMMER EMPLOYMENT AND YEAR-ROUND EM-**
5 **PLOYMENT OPPORTUNITIES FOR LOW-IN-**
6 **COME AND DISCONNECTED YOUTH.**

7 “(a) IN GENERAL.—From the funds available under
8 section 199B(b), the Secretary of Labor shall make an
9 allotment under subsection (c) to each State that has a
10 modification to a State plan approved under section 112
11 of the Workforce Investment Act of 1998 (29 U.S.C.
12 2822) (referred to in this section as a ‘State plan modi-
13 fication’) (or other State request for funds specified in
14 guidance under subsection (b)) approved under subsection
15 (d) and to each outlying area and recipient under section
16 166(c) of the Workforce Investment Act of 1998 (29
17 U.S.C. 2911(c)) (referred to in this section as a ‘Native
18 American grantee’) that meets the requirements of this
19 section, for the purpose of providing summer employment
20 and year-round employment opportunities to low-income
21 youth.

22 “(b) GUIDANCE AND APPLICATION OF REQUIRE-
23 MENTS.—

24 “(1) GUIDANCE.—Not later than 20 days after
25 the date of enactment of this Act, the Secretary of

1 Labor shall issue guidance regarding the implemen-
2 tation of this section.

3 “(2) PROCEDURES.—Such guidance shall, con-
4 sistent with this section, include procedures for—

5 “(A) the submission and approval of State
6 plan modifications, for such other forms of re-
7 quests for funds by the State as may be identi-
8 fied in such guidance, for modifications to local
9 plans approved under section 118 of the Work-
10 force Investment Act of 1998 (29 U.S.C. 2833)
11 (referred to individually in this section as a
12 ‘local plan modification’), or for such other
13 forms of requests for funds by local workforce
14 investment areas as may be identified in such
15 guidance, that promote the expeditious and ef-
16 fective implementation of the activities author-
17 ized under this section; and

18 “(B) the allotment and allocation of funds,
19 including reallocation and reallocation of such
20 funds that promote such implementation.

21 “(3) REQUIREMENTS.—Except as otherwise
22 provided in the guidance described in paragraph (1)
23 and in this section and other provisions of this Act,
24 the funds provided for activities under this section
25 shall be administered in accordance with the provi-

1 sions of subtitles B and E of title I of the Workforce
2 Investment Act of 1998 (29 U.S.C. 2811 et seq.,
3 2911 et seq.) relating to youth activities.

4 “(c) STATE ALLOTMENTS.—

5 “(1) RESERVATIONS FOR OUTLYING AREAS AND
6 TRIBES.—Of the funds described in subsection (a),
7 the Secretary shall reserve—

8 “(A) not more than $\frac{1}{4}$ of 1 percent to pro-
9 vide assistance to outlying areas to provide
10 summer employment and year-round employ-
11 ment opportunities to low-income youth; and

12 “(B) 1.5 percent to provide assistance to
13 Native American grantees to provide summer
14 employment and year-round employment oppor-
15 tunities to low-income youth.

16 “(2) STATES.—After determining the amounts
17 to be reserved under paragraph (1), the Secretary of
18 Labor shall allot the remainder of the funds de-
19 scribed in subsection (a) among the States in ac-
20 cordance with the following formula:

21 “(A) one-third shall be allotted on the
22 basis of the relative number of unemployed in-
23 dividuals in areas of substantial unemployment
24 in each State, compared to the total number of

1 unemployed individuals in areas of substantial
2 unemployment in all States;

3 “(B) one-third shall be allotted on the
4 basis of the relative excess number of unem-
5 ployed individuals in each State, compared to
6 the total excess number of unemployed individ-
7 uals in all States; and

8 “(C) one-third shall be allotted on the
9 basis of the relative number of disadvantaged
10 adults and youth in each State, compared to
11 the total number of disadvantaged adults and
12 youth in all States.

13 “(d) STATE PLAN MODIFICATION.—

14 “(1) IN GENERAL.—For a State to be eligible
15 to receive an allotment of funds under subsection
16 (c), the Governor of the State shall submit to the
17 Secretary of Labor a State plan modification, or
18 other State request for funds specified in guidance
19 under subsection (b), in such form and containing
20 such information as the Secretary may require. At
21 a minimum, such State plan modification or request
22 shall include—

23 “(A) a description of the strategies and ac-
24 tivities to be carried out to provide summer em-
25 ployment opportunities and year-round employ-

1 ment opportunities, including linkages to train-
2 ing and educational activities, consistent with
3 subsection (f);

4 “(B) a description of the requirements the
5 States will apply relating to the eligibility of
6 low-income youth, for summer employment op-
7 portunities and year-round employment oppor-
8 tunities, which requirements may include cri-
9 teria to target assistance to particular cat-
10 egories of such low-income youth, such as youth
11 with disabilities, consistent with subsection (f);

12 “(C) a description of the performance out-
13 comes to be achieved by the State through the
14 activities carried out under this section and the
15 processes the State will use to track perform-
16 ance, consistent with guidance provided by the
17 Secretary of Labor regarding such outcomes
18 and processes;

19 “(D) a description of the timelines for im-
20 plementation of the activities described in sub-
21 paragraph (A), and the number of low-income
22 youth expected to be placed in summer employ-
23 ment opportunities, and year-round employment
24 opportunities, respectively, by calendar quarter;

1 “(E) assurances that the State will report
2 such information as the Secretary may require
3 relating to fiscal, performance, and other mat-
4 ters as the Secretary determines is necessary to
5 effectively monitor the activities carried out
6 under this section;

7 “(F) assurances that the State will ensure
8 compliance with the applicable requirements, re-
9 strictions, and labor standards; and

10 “(G) for any employment opportunity that
11 will provide participants with an industry-recog-
12 nized credential, a description of the credential.

13 “(2) SUBMISSION AND APPROVAL OF STATE
14 PLAN MODIFICATION OR REQUEST.—

15 “(A) SUBMISSION.—The Governor shall
16 submit the State plan modification or other
17 State request for funds specified in guidance
18 under subsection (b) to the Secretary of Labor
19 not later than 30 days after the issuance of
20 such guidance. The State plan modification or
21 other State request for funds may be submitted
22 in conjunction with the State plan required
23 under subsection (d).

24 “(B) APPROVAL.—The Secretary of Labor
25 shall approve the State plan modification or re-

1 quest submitted under subparagraph (A) within
2 30 days after submission, unless the Secretary
3 determines that the plan or request is incon-
4 sistent with the requirements of this section. If
5 the Secretary has not made a determination
6 within that 30-day period, the plan or request
7 shall be considered to be approved. If the plan
8 or request is disapproved, the Secretary may
9 provide a reasonable period of time in which the
10 plan or request may be amended and resub-
11 mitted for approval. If the plan or request is
12 approved, the Secretary shall allot funds to the
13 State under subsection (e) within 30 days after
14 such approval.

15 “(3) MODIFICATIONS TO STATE PLAN OR RE-
16 QUEST.—The Governor may submit further modi-
17 fications to a State plan modification or other State
18 request for funds specified under subsection (b),
19 consistent with the requirements of this section.

20 “(e) WITHIN-STATE ALLOCATION AND ADMINISTRA-
21 TION.—

22 “(1) IN GENERAL.—Of the funds allotted to the
23 State under subsection (e), the Governor—

1 “(A) may reserve not more than 5 percent
2 of the funds for administration and technical
3 assistance; and

4 “(B) shall allocate the remainder of the
5 funds among local workforce investment areas
6 within the State in accordance with subsection
7 (c)(2), except that for purposes of such alloca-
8 tion references to a State in such subsection
9 shall be deemed to be references to a local
10 workforce investment area and references to all
11 States shall be deemed to be references to all
12 local workforce investment areas in the State
13 involved. Not more than 10 percent of the
14 funds so allocated to a local workforce invest-
15 ment area may be used for the costs of admin-
16 istration of this section.

17 “(2) LOCAL PLAN.—

18 “(A) SUBMISSION.—In order to receive an
19 allocation under paragraph (1)(B), the local
20 workforce investment board, in partnership with
21 the chief elected official for the local workforce
22 investment area involved, shall submit to the
23 Governor a local plan modification, or such
24 other request for funds by local workforce in-
25 vestment areas as may be specified in guidance

1 under subsection (b), not later than 30 days
2 after the submission by the State of the State
3 plan modification or other State request for
4 funds specified in guidance under subsection
5 (b), describing the strategies and activities to be
6 carried out under this section.

7 “(B) APPROVAL.—The Governor shall ap-
8 prove the local plan modification or other local
9 request for funds submitted under subpara-
10 graph (A) within 30 days after submission, un-
11 less the Governor determines that the plan or
12 request is inconsistent with requirements of this
13 section. If the Governor has not made a deter-
14 mination within that 30-day period, the plan
15 shall be considered to be approved. If the plan
16 or request is disapproved, the Governor may
17 provide a reasonable period of time in which the
18 plan or request may be amended and resub-
19 mitted for approval. If the plan or request is
20 approved, the Governor shall allocate funds to
21 the local workforce investment area within 30
22 days after such approval.

23 “(3) REALLOCATION.—If a local workforce in-
24 vestment board and chief elected official do not sub-
25 mit a local plan modification (or other local request

1 for funds specified in guidance under subsection (b))
2 by the date specified in paragraph (2), or the Gov-
3 ernor disapproves a local plan, the amount the local
4 workforce investment area would have been eligible
5 to receive pursuant to the formula under paragraph
6 (1)(B) shall be allocated to local workforce invest-
7 ment areas that receive approval of their local plan
8 modifications or local requests for funds under para-
9 graph (2). Each such local workforce investment
10 area shall receive a share of the total amount avail-
11 able for reallocation under this subparagraph, in ac-
12 cordance with the area's share of the total amount
13 allocated under paragraph (1)(B) to such local work-
14 force investment areas.

15 “(f) USE OF FUNDS.—

16 “(1) IN GENERAL.—The funds made available
17 under this section shall be used—

18 “(A) to provide summer employment op-
19 portunities for low-income youth, with direct
20 linkages to academic and occupational learning,
21 and may be used to provide supportive services,
22 such as transportation or child care, that is
23 necessary to enable the participation of such
24 youth in the opportunities; and

1 “(B) to provide year-round employment
2 opportunities, which may be combined with
3 other activities authorized under section 129 of
4 the Workforce Investment Act of 1998 (29
5 U.S.C. 2854), to low-income youth, giving pri-
6 ority to out-of-school youth who are—

7 “(i) high school dropouts; or

8 “(ii) recipients of a secondary school
9 diploma or its recognized equivalent but
10 who are basic skills deficient, unemployed,
11 or underemployed.

12 “(2) PROGRAM PRIORITIES.—In administering
13 the funds under this section, the local board and
14 chief elected official shall give priority to—

15 “(A) identifying employment opportunities
16 that are—

17 “(i) in emerging or in-demand occupa-
18 tions in the local workforce investment
19 area; or

20 “(ii) in the public or nonprofit sector
21 and meet community needs; and

22 “(B) linking participants in year-round
23 employment opportunities to training and edu-
24 cational activities that will provide such partici-
25 pants with an industry-recognized credential.

1 “(3) PERFORMANCE ACCOUNTABILITY.—For
2 activities funded under this section, in lieu of meet-
3 ing the requirements described in section 136 of the
4 Workforce Investment Act of 1998 (29 U.S.C.
5 2871), States and local workforce investment areas
6 shall provide such reports as the Secretary of Labor
7 may require regarding performance outcomes.”.

