

AMENDMENT NO. _____ Calendar No. _____

Purpose: To direct the Secretary of Labor to establish alternate standards for measuring the progress of State and local performance for entrepreneurial training services under the Workforce Investment Act of 1998.

IN THE SENATE OF THE UNITED STATES—113th Cong., 2d Sess.

H. R. 3979

To amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by

Viz:

1 At the end, insert the following:

2 **SEC. ____ . ENTREPRENEURIAL TRAINING.**

3 (a) **SHORT TITLE.**—This section may be cited as the

4 “Entrepreneurial Training Improvement Act of 2014”.

5 (b) **FINDINGS.**—Congress finds the following:

6 (1) Entrepreneurship represents an important

7 part of the economic recovery. According to the

8 2012 Kauffman Index of Entrepreneurial Activity,

1 adults in the United States created an average of
2 543,000 new businesses each month in 2011, among
3 the highest levels of entrepreneurship in the last 16
4 years.

5 (2) Of the estimated 27,500,000 small busi-
6 nesses in the United States, 21,400,000 had no em-
7 ployees in 2008, according to the Office of Advocacy
8 of the Small Business Administration.

9 (3) According to a January 2010 report enti-
10 tled “Think Entrepreneurs: A Call to Action” pre-
11 pared by the Consortium for Entrepreneurship Edu-
12 cation for the Employment and Training Adminis-
13 tration of the Department of Labor, “Entrepreneur-
14 ship is not well established in Federal and statewide
15 policy and execution strategies.” The report con-
16 tinues to state that Workforce Investment Board
17 staff “lacks information and training about self-em-
18 ployment as a career option, including accessibility
19 to resources, technical assistance, outreach efforts,
20 available partnerships, assessment processes, and co-
21 ordination of available funding options” and that the
22 Boards report that “self-employment outcomes are
23 hard to document for [Department of Labor] regula-
24 tions; entrepreneurship does not fit into current
25 methods for measuring performance.”

1 (4) In Training and Employment Guidance Let-
2 ter No. 12–10, issued November 15, 2010, the Em-
3 ployment and Training Administration noted that
4 “Certain types of employment, particularly self-em-
5 ployment, are generally not covered by state [unem-
6 ployment insurance] wage records, and the system
7 has noted this as a challenge in providing entrepre-
8 neurship training. However, supplemental data op-
9 tions for some performance measures, combined with
10 performance target negotiations, offer flexibility to
11 accommodate entrepreneurship training within the
12 workforce system.”

13 (5) There are many existing supplemental data
14 sources and authorities that can be used to better
15 measure the success of an entrepreneurial training
16 program.

17 (6) All reasonable effort should be made by the
18 Secretary of Labor to reduce regulatory barriers and
19 disincentives that discourage local workforce invest-
20 ment boards from offering entrepreneurial training
21 programs.

22 (c) RULEMAKING.—

23 (1) IN GENERAL.—Not later than 60 days after
24 the date of enactment of this Act, the Secretary of
25 Labor shall establish alternate standards for meas-

1 uring the progress of State and local performance
2 for entrepreneurial training services, as authorized
3 in section 134(d)(4)(D)(vi) of the Workforce Invest-
4 ment Act of 1998 (29 U.S.C. 2864(d)(4)(D)(vi)),
5 and provide the State and local workforce invest-
6 ment boards with specific guidance on successful ap-
7 proaches to collecting performance information on
8 entrepreneurial training services.

9 (2) CONSIDERATIONS.—In determining the al-
10 ternate standards, the Secretary shall consider using
11 standards based, for participants in such services,
12 on—

13 (A) obtaining a State license, or a Federal
14 or State tax identification number, for a cor-
15 responding business;

16 (B) documenting income from a cor-
17 responding business; or

18 (C) filing a Federal or State tax return for
19 a corresponding business.

20 (3) AUTHORITIES.—In determining the alter-
21 nate standards, the Secretary shall consider utilizing
22 authorities granted under the Workforce Investment
23 Act of 1998 (29 U.S.C. 2801 et seq.), including a
24 State’s waiver authority, as authorized in section
25 189(i)(4) of such Act (29 U.S.C. 2939(i)(4)).

1 (4) REPORT.—The Secretary shall prepare a re-
2 port on the progress of State and local workforce in-
3 vestment boards in implementing new programs of
4 entrepreneurial training services and any ongoing
5 challenges to offering such programs, with rec-
6 ommendations on how best to address those chal-
7 lenges. Not later than 12 months after publication
8 of the final regulations establishing the alternate
9 standards, the Secretary shall submit the report to
10 the Committee on Education and the Workforce and
11 the Committee on Small Business of the House of
12 Representatives and the Committee on Health, Edu-
13 cation, Labor, and Pensions and the Committee on
14 Small Business and Entrepreneurship of the Senate.