

WIA, Rehabilitation Act Legislation Unlikely this Year

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(Washington, D.C. December 19, 2005) With only one week left before Congress is scheduled to adjourn the First Session of the 109th Congress, it appears increasingly unlikely that legislation reauthorizing the Workforce Investment & Rehabilitation Acts will happen this year. It had been reported that the Senate was poised to bring the **“Workforce Investment Act Amendments of 2005”** (S.1021) to the floor for a vote, followed by the appointment of a conference committee to reconcile differences with the House-passed bill.

The House approved its version of WIA-Rehab authorization earlier this year in March largely along party lines, 224-200. The bill, which largely mirrored what the White House proposed, garnered the support of 220 Republicans and 4 Democrats. The House bill revises State plan requirements to provide for a two-year (currently five-year) planning cycle, with respect to strategies and modifications. Includes among those whose employment and training needs must be addressed in such plans: (1) formerly self-employed and transitioning farmers, ranchers, and fishermen; (2) homeless individuals; and (3) ex-offenders. Requires plan information on how the State will serve the employment and training needs of individuals with disabilities, consistent with specified WIA-I requirements and a specified Executive Order relating to community-based alternatives, and including outreach, intake, assessments, and service delivery, performance measures development, and staff training.

It also consolidates, under a formula grant for comprehensive programs for adults, funding for adult job training, dislocated worker retraining, the employment service system, and reemployment grants. The House bill allows a Governor to reserve for statewide activities up to 50 percent of the funds allocated to a State for adult activities. The Senate legislation does not include language consolidating adult, dislocated workers, and employment services funding into one \$3 billion block grant.

As it relates to the Rehab Act provisions, it directs the Secretary of Education (the Secretary under this title) to appoint an RSA Director (Currently the President appoints an RSA Commissioner). Requires State plans to include an assessment of how transitional services, provided under RA and coordinated with such services under the Individuals with Disabilities Education Act (IDEA), are meeting the needs of special education students moving from school to post-school activities, as well as a description of the methods to be used to improve such coordination and services. Unlike the House bill, the Senate’s version preserves the status of the RSA Commissioner – but it does include transition language.

Neither bill includes the controversial WIA-Plus demonstration waiver. Observers expect reauthorizing legislation to be re-introduced early next year.