SEC. ___. REVISION TO QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS.

Section 2015(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking "is accredited by an accreditation body that" and all that follows and inserting "meets one of the requirements specified in paragraph (2)."; and

(2) by striking paragraph (2) and inserting the following new paragraph:

"(2) The requirements for a credentialing program specified in this paragraph are that the credentialing program—

"(A) is accredited by a nationally-recognized third-party personnel certification program accreditor;

"(B)(i) is sought or accepted by employers within the industry or sector involved as a recognized, preferred, or required credential for recruitment, screening, hiring, retention, or advancement purposes; and

"(ii) where appropriate, is endorsed by a nationally-recognized trade association or organization representing a significant part of the industry or sector;

"(C) grants licenses that are recognized by the Federal Government or a State government; or

"(D) meets credential standards of a Federal agency.".

Section-by-Section Analysis

The Secretaries of the Military Departments are concerned with overly restrictive language in section 559 of the FY16 NDAA, which is intended to provide a minimum requirement for Service credentialing programs. The restrictive language has the effect that less than one-quarter of the credentials linked to enlisted military occupational specialties currently meet the standards as written, thus severely limiting the number of valid credentials available to Service members. Specifically, of the 1,226 unique credentials currently linked to enlisted

military occupational specialties, only 269 (22 percent) have been accredited by an accrediting agency that meets the criteria now specified in legislation. Additionally, many commonly recognized credentials would not be recognized under the current language. Excluded in current language are both state and federal licenses that are required in order to practice in certain occupations, such as those required by the Federal Aviation Administration (FAA) (i.e. air traffic controller and airframe and powerplant mechanic), Federal Communications Commission (FCC) (i.e. radio operators), and the U.S. Coast Guard (i.e. commercial maritime licenses). The current language also excludes certifications that are widely recognized by industry or are recognized by state licensing agencies for licensing purposes, such as those offered by the National Institute for Automotive Service Excellence (ASE) (i.e. automotive mechanics), the American Registry for Radiologic Technologists, and the majority of credentials endorsed by the National Association of Manufacturers. This revision outlines five options for the Secretaries of the Departments concerned to ensure the quality of certification programs meets one of several recognized standards.

Budget Implications: This proposal has no budgetary impact as the Secretaries of the Departments concerned already use one or several of the standards outlined in paragraph (2).

Changes to Existing Law: This proposal makes the following change to subsection (c) of section 2015 of title 10, United States Code:

(c) QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS.—(1) Commencing not later than three years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, each Secretary concerned shall ensure that any credentialing program used in connection with the program under subsection (a) ~~is accredited by an accreditation body that meets the requirements specified in paragraph (2)~~ meets one of the requirements specified in paragraph (2).

~~(2) The requirements for accreditation bodies specified in this paragraph are requirements that an accreditation body—~~

~~(A) be an independent body that has in place mechanisms to ensure objectivity and impartiality in its accreditation activities;~~

~~(B) meet a recognized national or international standard that directs its policy and procedures regarding accreditation;~~

~~(C) apply a recognized national or international certification standard in making its accreditation decisions regarding certification bodies and programs;~~

~~(D) conduct on-site visits, as applicable, to verify the documents and records submitted by credentialing bodies for accreditation;~~

~~(E) have in place policies and procedures to ensure due process when addressing complaints and appeals regarding its accreditation activities;~~

~~(F) conduct regular training to ensure consistent and reliable decisions among reviewers conducting accreditations; and~~

~~(G) meet such other criteria as the Secretary concerned considers appropriate in order to ensure quality in its accreditation activities.~~

(2) The requirements for a credentialing program specified in this paragraph are that the credentialing program—

(A) is accredited by a nationally-recognized third-party personnel certification program accreditor;

(B)(i) is sought or accepted by employers within the industry or sector involved as a recognized, preferred, or required credential for recruitment, screening, hiring, retention, or advancement purposes; and

(ii) where appropriate, is endorsed by a nationally-recognized trade association or organization representing a significant part of the industry or sector;

(C) grants licenses that are recognized by the Federal Government or a State government; or

(D) meets credential standards of a Federal agency.