

118TH CONGRESS
2D SESSION

S. _____

To amend the Workforce Innovation and Opportunity Act to improve the Act.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To amend the Workforce Innovation and Opportunity Act
to improve the Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “_____ Act of _____”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—WORKFORCE DEVELOPMENT ACTIVITIES

Subtitle A—Introductory Provisions

Sec. 101. Purposes.

Sec. 102. Definitions.

2

Subtitle B—System Alignment

CHAPTER 1—STATE PROVISIONS

- Sec. 111. State workforce development boards.
- Sec. 112. Unified State plan.

CHAPTER 2—LOCAL PROVISIONS

- Sec. 115. Workforce development areas.
- Sec. 116. Local workforce development boards.
- Sec. 117. Local plan.
- Sec. 118. Funding of State and local boards.

CHAPTER 3—PERFORMANCE ACCOUNTABILITY

- Sec. 119. Performance accountability system.

Subtitle C—Workforce Investment Activities and Providers

CHAPTER 1—ONE-STOP DELIVERY SYSTEMS AND PROVIDERS

- Sec. 121. Establishment of one-stop delivery systems.
- Sec. 122. Identification of eligible providers of training services.
- Sec. 123. Eligible providers of youth workforce investment activities.

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES

- Sec. 131. State allotments.
- Sec. 132. Within State allocations.
- Sec. 133. Use of funds for youth workforce investment activities.

CHAPTER 3—ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES

- Sec. 141. State allotments.
- Sec. 142. Reservations for State activities; within State allocations.
- Sec. 143. Use of funds for employment and training activities.

CHAPTER 4—GENERAL WORKFORCE INVESTMENT PROVISIONS

- Sec. 149. Authorization of appropriations.

Subtitle D—Job Corps

- Sec. 151. Purposes.
- Sec. 152. Definitions.
- Sec. 153. Individuals eligible for the Job Corps.
- Sec. 154. Recruitment, screening, selection, and assignment of enrollees.
- Sec. 155. Job Corps campuses.
- Sec. 156. Program activities.
- Sec. 157. Counseling and job placement.
- Sec. 158. Support.
- Sec. 159. Operations.
- Sec. 160. Standards of conduct.
- Sec. 161. Community participation.
- Sec. 162. Workforce councils.
- Sec. 163. Advisory committees.
- Sec. 164. Experimental projects and technical assistance.

3

- Sec. 165. Special provisions.
- Sec. 166. Management information.
- Sec. 167. Job Corps oversight and reporting.
- Sec. 168. Authorization of appropriations.

Subtitle E—National Programs

- Sec. 171. Native American programs.
- Sec. 172. Migrant and seasonal farmworker programs.
- Sec. 173. Evaluations and research.
- Sec. 174. National dislocated worker grants.
- Sec. 175. YouthBuild program.
- Sec. 176. Reentry employment opportunities.
- Sec. 177. Youth apprenticeship readiness grant program.
- Sec. 178. Authorization of appropriations.

Subtitle F—Administration

- Sec. 191. Requirements and restrictions.
- Sec. 192. Fiscal controls.
- Sec. 193. Secretarial administrative authorities and responsibilities.
- Sec. 194. State flexibility pilot program.

TITLE II—ADULT EDUCATION AND LITERACY

- Sec. 201. Purpose.
- Sec. 202. Definitions.
- Sec. 203. Authorization of appropriations.
- Sec. 204. Special rule.
- Sec. 205. Performance accountability system.
- Sec. 206. Matching requirement.
- Sec. 207. State leadership activities.
- Sec. 208. Education programs for justice-involved individuals and other institutionalized individuals.
- Sec. 209. Grants and contracts for eligible providers.
- Sec. 210. Local application.
- Sec. 211. Local administrative cost limits.
- Sec. 212. Prompt allocation of funds.
- Sec. 213. National leadership activities.
- Sec. 214. Integrated English literacy and civics education.

TITLE III—GENERAL PROVISIONS

Subtitle A—Data Provisions

- Sec. 301. Report on data capability of Federal and State databases and data exchange agreements.
- Sec. 302. Data exchange standardization for improved interoperability.

Subtitle B—Transition Provisions

- Sec. 311. Transition.
- Sec. 312. Effective date.

Subtitle C—Amendments to Other Laws

- Sec. 321. Amendments to the Wagner-Peyser Act.

Sec. 322. Amendment to the American Competitiveness and Workforce Improvement Act.

Sec. 323. Access to National Directory of New Hires.

1 **TITLE I—WORKFORCE**
2 **DEVELOPMENT ACTIVITIES**
3 **Subtitle A—Introductory**
4 **Provisions**

5 **SEC. 101. PURPOSES.**

6 Section 2 of the Workforce Innovation and Oppor-
7 tunity Act (29 U.S.C. 3101) is amended—

8 (1) in paragraph (1), by striking “support serv-
9 ices” and inserting “supportive services”;

10 (2) in paragraph (2), by inserting “for youth
11 and adults” after “development systems”;

12 (3) in paragraph (6), by striking “reduce wel-
13 fare dependency,” and inserting “provide upward
14 economic mobility, reduce dependency on public as-
15 sistance programs,”; and

16 (4) by adding at the end the following:

17 “(7) To prepare a globally competitive work-
18 force by developing robust education and training
19 programs for youth to access high-quality career
20 pathways that will lead such youth into in-demand
21 industry sectors and occupations.”.

1 **SEC. 102. DEFINITIONS.**

2 (a) IN GENERAL.—Section 3 of the Workforce Inno-
3 vation and Opportunity Act (29 U.S.C. 3102) is amend-
4 ed—

5 (1) by striking paragraphs (5) and (14);

6 (2) in paragraph (7)(F), by striking “secondary
7 school diploma” and inserting “regular high school
8 diploma”;

9 (3) in paragraph (15)(B)—

10 (A) in clause (i), by inserting “, including
11 such a closure or layoff due to advances in au-
12 tomation technology” before the semicolon; and

13 (B) in clause (iii), by striking “section
14 134(c)(2)(A)(xii)” and inserting “section
15 134(c)(2)(B)(xii)”.

16 (4) in paragraph (18), by striking “out-of-
17 school youth” and inserting “opportunity youth”;

18 (5) in paragraph (21), by striking “(21)” and
19 all that follows through “has” and inserting the fol-
20 lowing:

21 “(21) ENGLISH LEARNER.—The term ‘English
22 learner’ has”;

23 (6) in paragraph (24)—

24 (A) in subparagraph (F), by striking “Ex-
25 offenders.” and inserting “Justice-involved indi-
26 viduals.”;

6

1 (B) in subparagraph (G), by striking
2 “Homeless” and all that follows through
3 “41403(6)” and inserting “Individuals experi-
4 encing homelessness (meaning homeless individ-
5 uals as defined in section 41403(6))”;

6 (C) by redesignating subparagraphs (I)
7 through (N) as subparagraphs (J) through (O),
8 respectively;

9 (D) by inserting after subparagraph (H)
10 the following:

11 “(I) Opportunity youth.”; and

12 (E) in subparagraph (J), as so redesign-
13 ated, by striking “English language” and in-
14 serting “English”;

15 (7) in paragraph (26)—

16 (A) in subparagraph (A)—

17 (i) in clause (ii), by striking “or an-
18 other” and all that follows and inserting
19 “and another labor representative, to the
20 extent practicable; and”; and

21 (ii) in clause (iii), by striking “with,
22 or another provider of,” and inserting “, or
23 an area career and technical education
24 school, with”; and

25 (B) in subparagraph (B)—

1 (i) by redesignating clauses (iii)
2 through (xi) as clauses (vi) through (xiv);

3 (ii) by striking clause (xiv), as so re-
4 designated; and

5 (iii) by striking “(B)” and all that fol-
6 lows through clause (ii) and inserting the
7 following:

8 “(B) may include representatives of other
9 organizations, as determined to be necessary by
10 the partners comprising the industry or sector
11 partnership, such as—

12 “(i) State educational agencies or
13 local educational agencies;

14 “(ii) State systems of higher edu-
15 cation, including statewide systems of com-
16 munity colleges and public 4-year institu-
17 tions of higher education;

18 “(iii) State higher education agencies,
19 as defined in section 103 of the Higher
20 Education Act of 1965 (20 U.S.C. 1003),
21 including agencies that administer student
22 financial assistance for postsecondary edu-
23 cation;

1 “(iv) State higher education gov-
2 erning, policy, or coordinating boards (if a
3 State has such a board);

4 “(v) State or local government agen-
5 cies or State or local economic development
6 agencies;”;

7 (8) by striking paragraph (34) and inserting
8 the following:

9 “(34) LOCAL EDUCATIONAL AGENCY; STATE
10 EDUCATIONAL AGENCY.—The terms ‘local edu-
11 cational agency’ and ‘State educational agency’ have
12 the meanings given the terms in section 8101 of the
13 Elementary and Secondary Education Act of 1965
14 (20 U.S.C. 7801).”;

15 (9) in paragraph (36)(A)(iii), by striking “is a”
16 and all that follows through “41403(6)” and insert-
17 ing “is an individual experiencing homelessness
18 (meaning a homeless individual as defined in section
19 41403(6))”;

20 (10) by striking paragraph (38);

21 (11) in paragraph (40), by striking “section
22 121(e)(2)” and inserting “section 121(e)(2)(A)(i)”;

23 (12) by striking paragraph (46) and inserting
24 the following:

1 “(46) OPPORTUNITY YOUTH.—The term ‘op-
2 portunity youth’ means a youth described in section
3 129(a)(1)(B).”;

4 (13) in paragraph (47)(A), by striking “that is
5 eligible under section 122 or 123” and inserting
6 “that is eligible under section 123 or is an eligible
7 provider of training services”;

8 (14) in paragraph (51)—

9 (A) in the matter preceding subparagraph
10 (A), by inserting “through a rapid response
11 unit” after “provided by a State”;

12 (B) in subparagraph (B), by inserting “,
13 including access through individual training ac-
14 counts under subsection (c)(3)(F)(iii) or (e)(2)
15 of section 134” before the semicolon;

16 (C) in subparagraph (D), by striking
17 “and” at the end; and

18 (D) by striking subparagraph (E) and in-
19 serting the following:

20 “(E) assistance in identifying dislocated
21 workers eligible for assistance through pro-
22 grams authorized under section 134 or section
23 170, including workers who work a majority of
24 their time offsite or remotely;

1 “(F) the provision of assistance to the
2 local community in developing a coordinated re-
3 sponse and in obtaining access to State eco-
4 nomic development assistance;

5 “(G) the provision of business engagement
6 or layoff aversion strategies and other activities
7 designed to prevent or minimize the duration of
8 unemployment, such as—

9 “(i) connecting employers to short-
10 term compensation or other programs de-
11 signed to prevent layoffs;

12 “(ii) conducting worker skill assess-
13 ment programs, and programs to match
14 workers with different occupations;

15 “(iii) facilitating business support ac-
16 tivities, such as connecting employers to
17 programs that offer access to credit, finan-
18 cial support, and business consulting; and

19 “(iv) partnering or contracting with
20 business-focused organizations to assess
21 risks to businesses, and to propose, imple-
22 ment, and measure the impact of strategies
23 and services to address such risks.”;

1 (15) in paragraph (54), by striking “secondary
2 school diploma” and inserting “regular high school
3 diploma”;

4 (16) in paragraph (59), by striking “housing,”
5 and inserting “assistive technology, housing, food as-
6 sistance,”;

7 (17) in paragraph (71), by striking
8 “129(a)(3)(A)” and inserting “129(a)(4)(A)”;

9 (18) by adding at the end the following:

10 “(72) CO-ENROLLMENT.—The term ‘co-enroll-
11 ment’ means simultaneous enrollment in more than
12 1 of the programs or activities carried out by a one-
13 stop partner under section 121(b)(1)(B).

14 “(73) DIGITAL LITERACY SKILLS.—The term
15 ‘digital literacy skills’ has the meaning given the
16 term in section 202 of the Museum and Library
17 Services Act (20 U.S.C. 9101).

18 “(74) ELIGIBLE PROVIDER.—The term ‘eligible
19 provider’, used with respect to training services
20 (other than a type of training services described in
21 section 122(j)), means a provider that is eligible to
22 provide training services under subsection (b) or (c)
23 of section 122.

1 “(iii) 50 percent of the cost, in the
2 case of an employer with more than 100
3 employees.

4 “(76) EVIDENCE-BASED.—The term ‘evidence-
5 based’, when used with respect to an activity, serv-
6 ice, strategy, intervention, or program, or materials,
7 means an activity, service, strategy, intervention, or
8 program, or materials, respectively, that—

9 “(A) demonstrates a statistically signifi-
10 cant effect on improving participant outcomes
11 or other relevant outcomes based on—

12 “(i) strong evidence from at least 1
13 well-designed and well-implemented experi-
14 mental study;

15 “(ii) moderate evidence from at least
16 1 well-designed and well-implemented
17 quasi-experimental study; or

18 “(iii) promising evidence from at least
19 1 well-designed and well-implemented cor-
20 relational study with statistical controls for
21 selection bias; or

22 “(B)(i) demonstrates a rationale based on
23 high-quality research findings or positive eval-
24 uation that such activity, service, strategy, or

1 intervention is likely to improve participant out-
2 comes or other relevant outcomes; and

3 “(ii) includes ongoing efforts to examine
4 the effects of such activity, service, strategy, or
5 intervention.

6 “(77) FOUNDATIONAL SKILL NEEDS.—The
7 term ‘foundational skill needs’ means, with respect
8 to an individual who is a youth or adult—

9 “(A) an individual who has English read-
10 ing, writing, or computing skills at or below the
11 8th grade level on a generally accepted stand-
12 ardized test; or

13 “(B) an individual who is unable, at a level
14 necessary to be successful in the individual’s
15 education or occupation, in the individual’s
16 family, or in society, to—

17 “(i) compute or solve problems;

18 “(ii) read, write, or speak English; or

19 “(iii) demonstrate proficiency in dig-
20 ital literacy skills.

21 “(78) JUSTICE-INVOLVED INDIVIDUAL.—The
22 term ‘justice-involved individual’ means an adult or
23 juvenile—

24 “(A) who is or has been subject to any
25 stage of the criminal justice process, and for

1 whom services under this Act may be beneficial;

2 or

3 “(B) who requires assistance in over-
4 coming artificial barriers to employment result-
5 ing from a record of arrest or conviction.

6 “(79) LABOR ORGANIZATION.—The term ‘labor
7 organization’ includes a labor organization as de-
8 fined in section 2(5) of the National Labor Relations
9 Act (29 U.S.C. 152(5)) and an organization rep-
10 resenting public sector employees.

11 “(80) REGULAR HIGH SCHOOL DIPLOMA.—The
12 term ‘regular high school diploma’ has the meaning
13 given the term in section 8101 of the Elementary
14 and Secondary Education Act of 1965 (20 U.S.C.
15 7801).

16 “(81) UNIVERSAL DESIGN FOR LEARNING.—
17 The term ‘universal design for learning’ has the
18 meaning given the term in section 103 of the Higher
19 Education Act of 1965 (20 U.S.C. 1003).

20 “(82) WORK-BASED LEARNING.—The term
21 ‘work-based learning’ has the meaning given the
22 term in section 3 of the Carl D. Perkins Career and
23 Technical Education Act of 2006 (20 U.S.C.
24 2302).”.

1 (b) REALPHABETIZATION.—Section 3 of the Work-
2 force Innovation and Opportunity Act (29 U.S.C. 3102),
3 as amended by subsection (a), is further amended—

4 (1) by redesignating paragraphs (6) through
5 (9), (72), (73), (74), (18), (75), (19) through (21),
6 (76), (77), (22) through (29), (78), (30), (79), (31)
7 through (37), (39) through (44), (45), (46), (47)
8 through (53), (80), (54) through (62), (81), (63),
9 (64), (82), and (65) through (71) as paragraphs (5)
10 through (8), (9), (14), (18), (19), (20), (21) through
11 (23), (24), (25), (26) through (33), (34), (35), (36),
12 (37) through (43), (44) through (49); (51), (50),
13 (52) through (58), (59), (60) through (68), (69),
14 (70), (71), (72), and (73) through (79), respectively;
15 and

16 (2) by transferring the paragraphs described in
17 paragraph (1) to be in numerical order based on
18 paragraph designation.

19 **Subtitle B—System Alignment**

20 **CHAPTER 1—STATE PROVISIONS**

21 **SEC. 111. STATE WORKFORCE DEVELOPMENT BOARDS.**

22 Section 101 of the Workforce Innovation and Oppor-
23 tunity Act (29 U.S.C. 3111) is amended—

24 (1) in subsection (b)(1)(C)—

17

1 (A) in clause (ii)(IV), by striking “out-of-
2 school youth” and inserting “opportunity
3 youth”; and

4 (B) in clause (iii)(II)—

5 (i) in item (cc), by striking “; and”
6 and inserting a semicolon;

7 (ii) in item (dd)—

8 (I) by striking “, including” and
9 inserting “and”; and

10 (II) by striking the period at the
11 end and inserting “; and”; and

12 (iii) by adding that the end the fol-
13 lowing:

14 “(ee) representatives, to the
15 extent practicable, from a histori-
16 cally Black college or university
17 (meaning a part B institution as
18 defined in section 322 of the
19 Higher Education Act of 1965
20 (20 U.S.C. 1061)), a minority-
21 serving institution (meaning an
22 institution defined in any of
23 paragraphs (1) through (7) of
24 section 371(a) of such Act (20
25 U.S.C. 1067q(a)), or a Tribal

1 college or university (as such
2 term is defined in section 316(b)
3 of such Act (20 U.S.C.
4 1059c(b))).”;

5 (2) in subsection (d)—

6 (A) in paragraph (3)(B), by striking “low-
7 skilled adults” and inserting “adults with
8 foundational skill needs”;

9 (B) in paragraph (5)(A), by inserting
10 “(such as the principles of universal design for
11 learning)” after “including strategies”; and

12 (C) in paragraph (7)(A), by striking “(as”
13 and all that follows through the semicolon at
14 the end and inserting a semicolon; and

15 (3) in subsection (h)(1), by striking
16 “134(a)(3)(B)(i)” and inserting “134(a)(3)(C)(i)”.

17 **SEC. 112. UNIFIED STATE PLAN.**

18 Section 102 of the Workforce Innovation and Oppor-
19 tunity Act (29 U.S.C. 3112) is amended—

20 (1) in subsection (a), by striking “4-year” and
21 inserting “5-year”;

22 (2) in subsection (b)—

23 (A) in paragraph (1)—

24 (i) in subparagraph (C), by inserting
25 “the extent to which such activities are evi-

1 dence-based,” after “weaknesses of such
2 activities,”;

3 (ii) by redesignating subparagraphs
4 (D) and (E) as subparagraphs (H) and
5 (I);

6 (iii) by inserting after subparagraph
7 (C) the following:

8 “(D) an analysis of the opportunity youth
9 population in the State, including the estimated
10 number of opportunity youth, demographics of
11 those receiving services, and any gaps in serv-
12 ices provided to such opportunity youth by
13 other existing workforce development activities,
14 as identified under subparagraph (C);

15 “(E) a description of any activities the
16 State is conducting to expand economic oppor-
17 tunity for individuals and reduce barriers to
18 labor market entry by—

19 “(i) developing, in cooperation with
20 employers, education and training pro-
21 viders, and other stakeholders, statewide
22 skills-based initiatives that promote the use
23 of demonstrated skills and competencies
24 and that use the principles of universal de-
25 sign for learning, as an alternative to the

1 exclusive use of degree attainment as a re-
2 quirement for employment or advancement
3 in a career; and

4 “(ii) evaluating the existing occupa-
5 tional licensing policies in the State and
6 identifying potential changes to recommend
7 to the appropriate State entity to—

8 “(I) remove or streamline such
9 occupational licensing requirements,
10 as appropriate and allowable under
11 relevant State and local laws; and

12 “(II) improve the reciprocity of
13 occupational licensing, including
14 through participating in interstate li-
15 censing compacts;

16 “(F) a description of the availability of ap-
17 prenticeship and pre-apprenticeship programs
18 in the State and the providers of such pro-
19 grams, including any that serve youth;

20 “(G) a description of how the State in-
21 tends to prioritize the funding of evidence-based
22 programs for which evidence from a rigorous
23 evaluation of the programs shows a positive ef-
24 fect on the target population for the pro-
25 grams;”;

1 (iv) in subparagraph (H), as so redesi-
2 gnated, by striking “and for meeting the
3 skilled workforce needs of employers,” and
4 inserting “and for preparing workers to
5 meet the skilled workforce needs of em-
6 ployers and to enter and remain in unsub-
7 sidized employment,”; and

8 (v) in subparagraph (I), as so redesi-
9 gnated—

10 (I) by striking “(A) through (C)”
11 and inserting “(A) through (D) and
12 the descriptions under subparagraphs
13 (E), (F), and (G)”;

14 (II) by striking “subparagraph
15 (D)” and inserting “subparagraph
16 (H)”;

17 (B) in paragraph (2)—

18 (i) in subparagraph (B)(iv), by strik-
19 ing “State’s community colleges” and in-
20 serting “State’s institutions of higher edu-
21 cation, including, to the extent practicable,
22 community colleges, historically Black col-
23 leges and universities (as such term is de-
24 fined in section 101(b)(1)(C)(iii)(II)(ee)),
25 minority-serving institutions (as such term

1 is defined in such section), model com-
2 prehensive transition and postsecondary
3 programs for students with intellectual dis-
4 abilities (as such term is defined in section
5 760 of the Higher Education Act of 1965
6 (20 U.S.C. 1140)),”;

7 (ii) in subparagraph (C)—

8 (I) in clause (vii), by striking “;
9 and” and inserting a semicolon;

10 (II) in clause (viii), by striking
11 the period at the end and inserting “;
12 and”; and

13 (III) by adding at the end the
14 following:

15 “(ix) how the State will prioritize the
16 funding of evidence-based programs for
17 which evidence from a rigorous evaluation
18 of the programs shows a positive effect on
19 the target population for the programs.”;

20 (iii) in subparagraph (D)(i)(III), by
21 striking “106(b)(6)” and inserting
22 “106(b)(5)”; and

23 (iv) in subparagraph (E)(iv), by strik-
24 ing “section 116(i)” and inserting “section
25 116(j)”; and

1 (3) in subsection (c)—

2 (A) by striking “4-year” each place it ap-
3 pears and inserting “5-year”; and

4 (B) in paragraph (3)(A), by striking “2-
5 year” and inserting “3-year”.

6 **CHAPTER 2—LOCAL PROVISIONS**

7 **SEC. 115. WORKFORCE DEVELOPMENT AREAS.**

8 Section 106 of the Workforce Innovation and Oppor-
9 tunity Act (29 U.S.C. 3121) is amended—

10 (1) in subsection (a), by adding at the end the
11 following:

12 “(3) REVIEW.—Before the beginning of the
13 third full program year after the date of enactment
14 of the [_____ Act of _____], in order for a State
15 to receive an allotment under section 127(b) or
16 132(b) and as part of the process for developing the
17 State plan, a State shall—

18 “(A) review each region in the State iden-
19 tified under this subsection (as such subsection
20 was in effect on the day before the date of en-
21 actment of the [_____ Act of _____]); and

22 “(B) after consultation with the local
23 boards and chief elected officials in the local
24 areas and consistent with the considerations de-

1 scribed in subsection (b)(1)(B), for each such
2 region—

3 “(i) revise the region and any other
4 region impacted by such revision; or

5 “(ii) make a determination to main-
6 tain the region with no revision.”;

7 (2) in subsection (b)—

8 (A) in paragraph (1)—

9 (i) in subparagraph (A), in the matter
10 preceding clause (i), by striking “(2) and
11 (3)” and inserting “(2), (3), (4), and (5)”;
12 and

13 (ii) in subparagraph (B), in the mat-
14 ter preceding clause (i), by striking “para-
15 graphs (2) and (3)” and inserting “para-
16 graph (2)”;

17 (B) by striking paragraphs (2) through (7)
18 and inserting the following:

19 “(2) CONTINUATION PERIOD.—The Governor of
20 a State shall maintain the designations of local areas
21 in the State under this subsection (as in effect on
22 the day before the date of enactment of the [_____
23 Act of _____])—

24 “(A) until the date determined by the Gov-
25 ernor under paragraph (3)(B); or

1 “(B) as provided in accordance with an ap-
2 peal under paragraph (5).

3 “(3) INITIAL ALIGNMENT REVIEW.—

4 “(A) IN GENERAL.—Before the fourth full
5 program year after the date of enactment of the
6 **【_____ Act of _____】**, the Governor of a
7 State—

8 “(i) shall review the designations of
9 local areas in the State (as in effect on the
10 day before the date of enactment of the
11 **【_____ Act of _____】**); and

12 “(ii) may, based on the considerations
13 in paragraph (1)(B), issue proposed redesi-
14 gnations of local areas in the State
15 through the process described in paragraph
16 (1)(A), which—

17 “(I) shall include an explanation
18 of the strategic goals and objectives
19 that the State intends to achieve
20 through such redesignations;

21 “(II) shall be subject to the ap-
22 proval of the chief elected officials of
23 the local areas in the State in accord-
24 ance with the process described in
25 subparagraph (C); and

1 “(III) may include redesignations
2 affecting only portions of the State,
3 allowing subsequent realignment re-
4 views and redesignations to address
5 additional portions or the remainder
6 of the State.

7 “(B) DESIGNATION OF LOCAL AREAS.—A
8 proposed redesignation of local areas in a State
9 issued under subparagraph (A)(ii) that is ap-
10 proved by a majority of the chief elected offi-
11 cials of the local areas in the State through the
12 process described in subparagraph (C) shall
13 take effect on a date determined by the Gov-
14 ernor that is on or after the first day of the
15 fifth full program year after the date of enact-
16 ment of the **【_____ Act of _____】**.

17 “(C) PROCESS TO REACH MAJORITY AP-
18 PROVAL.—To approve a designation of local
19 areas in the State under subparagraph
20 (A)(ii)(II), the chief elected officials of the local
21 areas in the State shall comply with the fol-
22 lowing:

23 “(i) INITIAL VOTE.—Not later than
24 60 days after the Governor issues proposed
25 redesignations under subparagraph (A)(ii),

1 the chief elected officials shall review the
2 proposed redesignations and submit the re-
3 sults of a vote to the Governor either ap-
4 proving or rejecting the proposed redesi-
5 gnations.

6 “(ii) RESULTS OF INITIAL VOTE.—If
7 a majority of the chief elected officials of
8 the local areas in the State vote under
9 clause (i)—

10 “(I) to approve such proposed re-
11 designations, such redesignations shall
12 take effect in accordance with sub-
13 paragraph (B); or

14 “(II) to disapprove such proposed
15 redesignations, the chief elected offi-
16 cials of the local areas in the State
17 shall comply with the requirements of
18 clause (iii).

19 “(iii) ALTERNATE REDESIGNA-
20 TIONS.—In the case of the disapproval de-
21 scribed in clause (ii)(II), not later than 60
22 days after the results of the initial votes
23 were submitted under clause (i), the chief
24 elected officials of the local areas in the
25 State shall—

1 “(I) select 2 alternate redesigna-
2 tions of the relevant local areas—

3 “(aa) one of which aligns
4 with the regional economic devel-
5 opment areas in the State; and

6 “(bb) one of which aligns
7 with the regions described in sub-
8 paragraph (A) or (B) of sub-
9 section (a)(2); and

10 “(II) conduct a vote to approve,
11 by majority vote, 1 of the 2 alternate
12 redesignations described in subclause
13 (I).

14 “(iv) EFFECTIVE DATE OF ALTER-
15 NATE REDESIGNATION.—The alternate re-
16 designation approved pursuant to clause
17 (iii)(II) shall take effect in accordance with
18 subparagraph (B).

19 “(4) SUBSEQUENT ALIGNMENT REVIEWS.—

20 “(A) IN GENERAL.—After the initial redesi-
21 gnation alignment review under paragraph (3),
22 the Governor of a State may, in accordance
23 with subparagraphs (B) and (C), conduct addi-
24 tional alignment reviews and propose subse-
25 quent redesignations of local areas in the State.

1 “(B) TIMING.—The Governor may not
2 propose a redesignation of the boundaries of a
3 local area that has been redesignated, under
4 paragraph (3) or under this paragraph, within
5 the preceding 6 program years unless approved
6 by the chief elected officials in such area.

7 “(C) PROCEDURE.—The Governor’s review
8 under subparagraph (A) shall be based on the
9 considerations described in paragraph (1)(B)
10 and any proposed redesignation shall be carried
11 out in accordance with paragraph (3)(A)(ii), ex-
12 cept that such redesignation shall take effect on
13 a date determined by the Governor that is on
14 or after the first day of the first full program
15 year after the date of the approval of such pro-
16 posed redesignation.

17 “(5) APPEALS.—

18 “(A) IN GENERAL.—The chief elected offi-
19 cial of a local area that is subject to a redesi-
20 gnation of such local area under paragraph (3)
21 or (4) may submit an appeal to maintain the
22 existing designation of the local area to the
23 State board under an appeal process established
24 in the State plan as specified in section
25 102(b)(2)(D)(i)(III).

1 “(B) STATE BOARD REQUIREMENTS.—The
2 State board shall grant an appeal to maintain
3 an existing designation of a local area described
4 in subparagraph (A) only if the chief elected of-
5 ficial of the local area demonstrates that the
6 process for redesignation of such local area
7 under paragraph (3) or (4), as applicable, has
8 not been followed.

9 “(C) SECRETARIAL REQUIREMENTS.—If
10 an appeal under subparagraph (A) is not grant-
11 ed, the Secretary, after receiving a request for
12 review from the chief elected official of the local
13 area and determining that the local area was
14 not accorded procedural rights under the ap-
15 peals process under subparagraph (A), shall—

16 “(i) review the process for the redesi-
17 gnation of the local area under paragraph
18 (3) or (4), as applicable; and

19 “(ii) upon determining that the appli-
20 cable process has not been followed, re-
21 quire that the local area’s existing designa-
22 tion be maintained.

23 “(6) REDESIGNATION SUPPORT.—On request of
24 a local area, the State shall provide funding, from

1 amounts made available under sections 128(a)(1)
2 and 133(a)(1), to provide payments to support—

3 “(A) a group of local areas to request to
4 be redesignated as a single local area under
5 paragraph (4)(A);

6 “(B) multiple local boards in a planning
7 region to develop an agreement to operate as a
8 regional consortium under subsection (c)(3); or

9 “(C) effective and equitable provision of
10 services to individuals served by the local area,
11 including individuals with barriers to employ-
12 ment.”;

13 (3) in subsection (c)—

14 (A) in paragraph (1)—

15 (i) by redesignating subparagraphs
16 (F), (G), and (H) as subparagraphs (G),
17 (H), (I), respectively;

18 (ii) by inserting after subparagraph
19 (E) the following:

20 “(F) the establishment of cost arrange-
21 ments for services and activities described in
22 subsections (c) and (d) of section 134, including
23 the pooling of funds for such services and ac-
24 tivities, as appropriate, for the region;”;

1 (iii) in subparagraph (G), as so reded-
2 igned, by inserting “, child care” after
3 “transportation”;

4 (B) in paragraph (2), by inserting “, in-
5 cluding to assist with establishing administra-
6 tive cost arrangements or cost arrangements for
7 services and activities under subparagraphs (F)
8 and (G) of such paragraph” after “delivery ef-
9 forts”;

10 (C) by redesignating paragraph (3) as
11 paragraph (4); and

12 (D) by inserting after paragraph (2) the
13 following:

14 “(3) REGIONAL CONSORTIUMS.—

15 “(A) IN GENERAL.—The local boards and
16 chief elected officials of any local area in a
17 planning region described in subparagraph (B)
18 or (C) of subsection (a)(2) may develop an
19 agreement to receive funding under section
20 128(b) and section 133(b) as a single consor-
21 tium for the planning region.

22 “(B) FISCAL AGENT.—If the local boards
23 and chief elected officials develop such an
24 agreement—

1 “(i) the chief elected officials of the
2 local areas in the planning region shall be
3 responsible for designating the fiscal agent
4 for the consortium;

5 “(ii) the local boards, working with
6 such chief elected officials, shall develop a
7 memorandum of understanding to jointly
8 administer the activities for the consor-
9 tium; and

10 “(iii) provisions concerning the re-
11 quired activities for local areas under this
12 Act (including the required functions of
13 the local boards described in section
14 107(d)) shall apply to such a consortium
15 as a whole and may not be applied sepa-
16 rately or differently to the local areas or
17 local boards within such consortium.”; and

18 (4) in subsection (d)—

19 (A) by redesignating paragraph (2) as
20 paragraph (3); and

21 (B) inserting after paragraph (1) the fol-
22 lowing:

23 “(2) NEW DESIGNATION.—

24 “(A) IN GENERAL.—The Governor of a
25 State—

1 “(i) through a review under para-
2 graph (3) or (4) of subsection (b) and in
3 accordance with subsection (b)(1)(A), may
4 designate a State as a single local area
5 if—

6 “(I) the State had a population
7 of less than 5,000,0000, as deter-
8 mined by data from most recent de-
9 cennial census as of such designation,
10 or contains 5 or fewer local areas; and

11 “(II) the Governor receives the
12 consent of the legislature of the State;
13 and

14 “(ii) if the State is so designated,
15 shall identify the State as a local area in
16 the State plan under this title.

17 “(B) REESTABLISHMENT OF SEVERAL
18 LOCAL AREAS.—

19 “(i) IN GENERAL.—If, after a 5-year
20 period during which a local area is des-
21 ignated as a single State local area under
22 subparagraph (A), the Secretary decides
23 that during that 5-year period the State’s
24 average negotiated local levels of perform-
25 ance for the indicators of performance de-

1 scribed in section 116(b)(2) have fallen
2 below the average levels for the 5 years
3 preceding the State’s designation as a sin-
4 gle State local area, the State shall, in ac-
5 cordance with this section and section 107,
6 reestablish the local areas and local boards
7 that existed before the State’s designation
8 as a single State local area.

9 “(ii) APPEAL.—A State that disputes
10 the Secretary’s decision under clause (i)
11 may appeal such decision in accordance
12 with sections 186 and 187, as if such deci-
13 sion was a determination described under
14 section 186(a).”.

15 **SEC. 116. LOCAL WORKFORCE DEVELOPMENT BOARDS.**

16 Section 107 of the Workforce Innovation and Oppor-
17 tunity Act (29 U.S.C. 3122) is amended—

18 (1) in subsection (b)—

19 (A) in subparagraph (2)—

20 (i) in subparagraph (B)(iv), by strik-
21 ing “may” and inserting “shall”; and

22 (ii) in subparagraph (C)—

23 (I) in clause (i), by inserting
24 “(including activities through correc-

1 tions education programs under such
2 title)” after “title II”;

3 (II) in clause (ii), by inserting
4 “and, to the extent practicable, his-
5 torically Black colleges and univer-
6 sities (as such term is defined in sec-
7 tion 101(b)(1)(C)(iii)(II)(ee)), minor-
8 ity-serving institutions (as such term
9 is defined in such section), and Tribal
10 colleges or universities (as such term
11 is defined in such section) and com-
12 prehensive transition and postsec-
13 ondary programs for students with in-
14 tellectual disabilities (as such term is
15 defined in section 760 of the Higher
16 Education Act of 1965 (20 U.S.C.
17 1140))” after “colleges”; and

18 (III) in clause (iii), by inserting
19 “, incarcerated individuals, and jus-
20 tice-involved individuals” after “with
21 barriers to employment”;

22 (B) by striking paragraph (4) and insert-
23 ing the following:

24 “(4) STANDING COMMITTEES.—

1 “(A) IN GENERAL.—The local board shall
2 designate and direct the activities of standing
3 committees to provide information and to assist
4 the local board in carrying out activities under
5 this section. Such standing committees shall be
6 chaired by a member of the local board, may in-
7 clude other members of the local board, and
8 shall include other individuals appointed by the
9 local board who are not members of the local
10 board and who the local board determines have
11 appropriate experience and expertise. At a min-
12 imum, the local board may designate each of
13 the following:

14 “(i) A standing committee to provide
15 information and assist with operational
16 and other issues relating to the one-stop
17 delivery system, which may include as
18 members representatives of the one-stop
19 partners.

20 “(ii) A standing committee to provide
21 information and to assist with planning,
22 operational, and other issues relating to
23 the provision of services to youth, which
24 shall include—

1 “(I) representatives from commu-
2 nity-based organizations and other
3 representatives with professional ex-
4 pertise in youth workforce develop-
5 ment programs and with a dem-
6 onstrated record of success in serving
7 eligible youth;

8 “(II) opportunity youth, includ-
9 ing youth who are individuals with
10 disabilities;

11 “(III) at least one representative
12 of a public or nonprofit agency that
13 serves youth, including juvenile justice
14 and child welfare agencies, and at
15 least one representative of a local pub-
16 lic housing authority;

17 “(IV) for a local area in which a
18 Job Corps campus (as such term is
19 defined in section 142) is located, at
20 least one representative of that cam-
21 pus; and

22 “(V) for a local area in which a
23 center for a YouthBuild program (as
24 such term is defined in section

1 tions or joint labor-management orga-
2 nizations, including at least one rep-
3 resentative of either of such organiza-
4 tions with special interest or expertise
5 in youth workforce readiness or ap-
6 prenticeship and pre-apprenticeship
7 programs that serve youth; and

8 “(II) may include, in a local area
9 with a significant number of dis-
10 located workers (as determined by the
11 local board), at least one representa-
12 tive with special interest or expertise
13 in providing supports for finding edu-
14 cation, training, and employment op-
15 portunities for dislocated workers.

16 “(v) A standing committee to provide
17 information and to assist with planning,
18 operational, and other issues relating to
19 the engagement of educational entities in
20 the local area, which shall include, at a
21 minimum—

22 “(I) at least one representative of
23 a local educational agency that serves
24 students residing in such local area;

1 (B) in paragraph (5), by inserting “and
2 which shall be aligned with career and technical
3 education programs of study offered within the
4 local area” after “barriers to employment”;

5 (C) in paragraph (6)—

6 (i) in subparagraph (A)—

7 (I) by striking “proven” and in-
8 serting “evidence-based”;

9 (II) by inserting “and covered
10 veterans (as defined in section
11 4212(a)(3)(A) of title 38, United
12 States Code)” after “barriers to em-
13 ployment”; and

14 (III) by inserting “and prioritize
15 covered veterans (as defined in section
16 4212(a)(3)(A) of title 38, United
17 States Code)” after “delivery system”;
18 and

19 (ii) in subparagraph (B), by striking
20 “proven” and inserting “evidence-based”;

21 (D) in paragraph (10)—

22 (i) in subparagraph (C), by inserting
23 “that operate in or are accessible to indi-
24 viduals” after “training services”; and

25 (ii) in subparagraph (E)—

1 (I) by striking “types of pro-
2 viders” and inserting “types of eligible
3 providers”; and

4 (II) by inserting “and individuals
5 with barriers to employment” after
6 “in assisting individuals with disabil-
7 ities”; and

8 (E) in paragraph (12)(A), by inserting
9 “funds allocated to the local area under section
10 128(b) and section 133(b) for the youth work-
11 force investment activities described in section
12 129 and local employment and training activi-
13 ties described in section 134(b), and the” after
14 “budget for the”; and

15 (3) in subsection (g)(1)(D), by inserting “, the
16 local board is failing to meet the requirements de-
17 scribed in subparagraph (B) of paragraph (1) or (2)
18 of section 122(f) for eligible providers of training
19 services under section 122,” after “needed”.

20 **SEC. 117. LOCAL PLAN.**

21 Section 108 of the Workforce Innovation and Oppor-
22 tunity Act (29 U.S.C. 3123) is amended—

23 (1) in subsection (a)—

24 (A) by striking “4-year” each place it ap-
25 pears and inserting “5-year”; and

1 (B) by striking “2-year” and inserting “3-
2 year”; and

3 (2) in subsection (b)—

4 (A) in paragraph (1)—

5 (i) by redesignating subparagraphs
6 (D), (E), and (F) as subparagraphs (E),
7 (F), and (H), respectively;

8 (ii) by inserting after subparagraph
9 (C) the following:

10 “(D) a description of—

11 “(i) how the local area will use real-
12 time labor market information to contin-
13 ually assess the economic conditions, em-
14 ployment needs, and workforce trends de-
15 scribed in subparagraphs (A), (B), and
16 (C); and

17 “(ii) how changes in such conditions,
18 employment needs, or trends will be com-
19 municated to jobseekers, education and
20 training providers, and employers in the
21 local area;”;

22 (iii) in subparagraph (F), as so redesi-
23 gnated, by striking “; and” and inserting
24 a semicolon;

1 (iv) by inserting after subparagraph
2 (F), as so redesignated, the following:

3 “(G) an analysis of the opportunity youth
4 population in the local area, including the esti-
5 mated number of such youth and any gaps in
6 services for such population from other existing
7 workforce investment activities, as identified
8 under paragraph (9); and”;

9 (v) in subparagraph (H), as so redesi-
10 gnated, by striking “subparagraphs (A)
11 through (D)” and inserting subparagraphs
12 (A), (B), (C), (E), and (G);

13 (B) in paragraph (4)—

14 (i) in subparagraph (A)—

15 (I) in clause (iii), by striking “;
16 and” and inserting a semicolon; and

17 (II) by adding after clause (iv)
18 the following:

19 “(v) carry out any statewide skills-
20 based initiatives identified in the State
21 plan under section 102(b)(1)(E)(i) that
22 promote the use of demonstrated skills and
23 competencies and that use the principles of
24 universal design for learning, as an alter-
25 native to the exclusive use of degree attain-

1 ment as a requirement for employment or
2 advancement in a career; and”;

3 (ii) in subparagraph (B), by striking
4 “customized training” and inserting “em-
5 ployer-directed skills development”;

6 (C) in paragraph (6)(B), by inserting “,
7 such as the use of affiliated sites” after “other
8 means”;

9 (D) in paragraph (9), by striking “includ-
10 ing activities” and all that follows through the
11 semicolon at the end and inserting the fol-
12 lowing: “including—

13 “(i) the availability of community-
14 based organizations that serve youth pri-
15 marily during after-school and out-of-
16 school-time hours to carry out activities
17 under section 129;

18 “(ii) the type and availability activities
19 for youth who are individuals with disabil-
20 ities, which description and assessment
21 shall include an identification of successful,
22 evidence-based models of such youth work-
23 force investment activities; and

1 “(iii) the availability of apprenticeship
2 and pre-apprenticeship programs serving
3 youth in the local area;” and

4 (E) in paragraph (13), by inserting “and
5 promote the co-enrollment of eligible youth en-
6 rolled in adult education and literacy activities
7 under title II in youth workforce investment ac-
8 tivities carried out by the local board” before
9 the semicolon.

10 **SEC. 118. FUNDING OF STATE AND LOCAL BOARDS.**

11 Section 111(a)(1) of the Workforce Innovation and
12 Opportunity Act (29 U.S.C. 3131(a)(1)) is amended by
13 striking “134(a)(3)(B)” and inserting “134(a)(3)(C)”.

14 **CHAPTER 3—PERFORMANCE**

15 **ACCOUNTABILITY**

16 **SEC. 119. PERFORMANCE ACCOUNTABILITY SYSTEM.**

17 (a) STATE PERFORMANCE ACCOUNTABILITY MEAS-
18 URES.—Section 116(b) of the Workforce Innovation and
19 Opportunity Act (29 U.S.C. 3141(b)) is amended—

20 (1) in paragraph (2)—

21 (A) in subparagraph (A)—

22 (i) in the matter preceding subclause
23 (I) of clause (i), by striking “subclauses
24 (IV) and (V)” and inserting “subclauses
25 (V) and (VI)”;

1 (ii) in clause (i), by striking all that
2 follows “of—” and inserting the following:

3 “(I) the percentage of program
4 participants who are in unsubsidized
5 employment (related to the training or
6 services received) during the second
7 quarter after exit from the program;

8 “(II) the percentage of program
9 participants who are in unsubsidized
10 employment (related to the training or
11 services received) during the second
12 quarter after exit from the program
13 and remain in unsubsidized employ-
14 ment (so related) during the fourth
15 quarter after exit from the program;

16 “(III) the median earnings of
17 program participants who are in un-
18 subsidized employment (related to the
19 training or services received) during
20 the second quarter after exit from the
21 program;

22 “(IV) the median earnings of
23 program participants who are in un-
24 subsidized employment (related to the
25 training or services received) during

1 the second quarter after exit from the
2 program, as a percentage of the me-
3 dian earnings of a high school grad-
4 uate in the State during the most re-
5 cent year for which data is available;

6 “(V) the percentage of program
7 participants who obtain a recognized
8 postsecondary credential, or a regular
9 high school diploma or its recognized
10 equivalent (subject to clause (iii)),
11 during participation in or within 1
12 year after exit from the program;

13 “(VI) the percentage, of program
14 participants enrolled in the program
15 for at least 2 quarters, who enter into
16 an education or training program that
17 leads to a recognized postsecondary
18 credential or employment and who are
19 achieving measurable skill gains to-
20 ward such a credential or employment
21 during the program year in which the
22 participants entered the education or
23 training program; and

24 “(VII) of the program partici-
25 pants who received training services

1 and who exited the program during a
2 program year, the percentage of such
3 program participants who completed,
4 prior to such exit, on-the-job training,
5 employer-directed skills development,
6 incumbent worker training, or an ap-
7 prenticeship.”;

8 (iii) in clause (ii)—

9 (I) in subclause (I), by striking
10 “unsubsidized employment” and all
11 that follows and inserting “unsub-
12 sidized employment (related to the
13 training or services received), during
14 the second quarter after exit from the
15 program;”;

16 (II) in subclause (II), by striking
17 “unsubsidized employment” and all
18 that follows and inserting “unsub-
19 sidized employment (related to the
20 training or services received), during
21 the fourth quarter after exit from the
22 program;”;

23 (III) in subclause (III)—

24 (aa) by striking “(VI)” and
25 inserting “(VII)”; and

1 (bb) by striking the period
2 at the end and inserting “; and”;
3 and

4 (IV) by adding at the end the fol-
5 lowing:

6 “(IV) the percentage of program
7 participants who, during a program
8 year, participate in a paid work expe-
9 rience, or unpaid work experience, for
10 which academic credit was awarded as
11 described in section 129(c)(2)(C).”;
12 and

13 (iv) in clause (iii)—

14 (I) by striking “For purposes of
15 clause (i)(IV), or clause (ii)(III) with
16 respect to clause (i)(IV)” and insert-
17 ing “For purposes of clause (i)(V), or
18 clause (ii)(III) with respect to clause
19 (i)(V)”; and

20 (II) by striking “secondary school
21 diploma” and inserting “regular high
22 school diploma”; and

23 (B) in subparagraph (B), by inserting “,
24 including indicators from criteria described in
25 section 122(b)(3) to determine eligibility for

1 qualified providers on the standard provider
2 list” before the period; and

3 (2) in paragraph (3)(A)—

4 (A) by redesignating clauses (iv) through
5 (viii) as clauses (vi) through (x), respectively;

6 (B) by striking clause (iii) and inserting
7 the following:

8 “(iii) ROLE OF SECRETARIES.—

9 “(I) PROPOSED EXPECTED LEV-
10 ELS.—For each State submitting a
11 State plan, the Secretaries of Labor
12 and Education shall, not later than
13 December 1 of the year prior to the
14 year in which such State plan is sub-
15 mitted, for the first 2 program years
16 covered by the State plan, and not
17 later than December 1 of the year
18 prior to the third program year cov-
19 ered by the State plan, for the third
20 and fourth program years covered by
21 the State plan, propose to the State
22 expected levels of performance for
23 each of the corresponding primary in-
24 dicators of performance for each of
25 the programs described in clause (ii)

1 for such State. In proposing the lev-
2 els, the Secretaries shall consider the
3 factors listed in clause (vii), and en-
4 sure the levels reflect the levels of per-
5 formance for similar indicators for eli-
6 gible providers of training services, as
7 described in section 122.

8 “(II) TIMING.—The Secretaries
9 shall propose the levels for a State in
10 a manner that ensures that the State
11 has sufficient time to evaluate and re-
12 spond to such proposals.

13 “(III) PUBLICATION.—The Sec-
14 retary of Labor shall publish, on a
15 public website of the Department of
16 Labor, the statistical model developed
17 under clause (x) and the methodology
18 used to develop each such expected
19 level of performance.

20 “(iv) ROLE OF STATE.—Each State
21 shall—

22 “(I) evaluate each of the expected
23 levels of performance proposed under
24 clause (iii) with respect to such State;

1 “(II) based on such evaluation of
2 each such expected level of perform-
3 ance—

4 “(aa) accept the expected
5 level of performance as so pro-
6 posed; or

7 “(bb) provide a counter-
8 proposal for such expected level
9 of performance, including an
10 analysis of how the counter-
11 proposal addresses factors or cir-
12 cumstances unique to the State
13 that may not have been ac-
14 counted for in the proposed ex-
15 pected level of performance; and

16 “(III) include in the State plan,
17 with respect to each of the cor-
18 responding primary indicators of per-
19 formance for each of the programs de-
20 scribed in clause (ii) for such State—

21 “(aa) the expected level of
22 performance proposed under
23 clause (iii);

24 “(bb) the counterproposal to
25 such expected level, if any; and

1 “(cc) the State adjusted
2 level of performance that is
3 agreed to under clause (vi), in-
4 corporated as described in that
5 clause.

6 “(v) CONTINUOUS IMPROVEMENT.—In
7 reaching an agreement with the State on
8 levels of performance for each indicator de-
9 scribed in clause (iii) for each of the pro-
10 grams described in clause (ii), the Sec-
11 retary shall identify the 3 States with lev-
12 els of performance, as of the date of the
13 agreement, that are the furthest below the
14 State adjusted levels of performance
15 agreed to under clause (vi) and require
16 that each such State incorporate (as de-
17 scribed in that clause) in its State plan an
18 analysis of how such State adjusted levels
19 of performance promote continuous im-
20 provement of the State’s performance for
21 each such indicator for each such pro-
22 gram.”;

23 (C) in clause (vi) (as so redesignated)—

24 (i) in subclause (I)—

1 (I) by striking “(I)” and all that
2 follows through “The State” and in-
3 serting the following:

4 “(I) FIRST 3 YEARS.—The
5 State”; and

6 (II) by striking “first 2” and in-
7 serting “first 3”; and

8 (ii) in subclause (II)—

9 (I) by striking “(II)” and all that
10 follows through “The State” and in-
11 serting the following:

12 “(II) FOURTH AND FIFTH
13 YEARS.—The State”;

14 (II) by striking “third program”
15 and inserting “fourth program”; and

16 (III) by striking “third and
17 fourth” and inserting “fourth and
18 fifth”; and

19 (iii) by striking “clause (v)” each
20 place it appears and inserting “clause
21 (vii)”;

22 (D) in clause (vii) (as so redesignated)—

23 (i) in the matter preceding subclause
24 (I), by striking “clause (iv)” and inserting
25 “clause (vi)”;

1 (ii) in subclause (II)—

2 (I) in the matter preceding item
3 (aa), by striking “clause (viii), based
4 on” and inserting “clause (x), based
5 on (for each, of the factor described in
6 item (aa) and the factor described in
7 item (bb), that is found to be pre-
8 dictive of performance on an indicator
9 for a program)”;

10 (II) in item (aa), by inserting “,
11 wages,” after “unemployment rates”;
12 and

13 (III) in item (bb), by striking
14 “ex-offender status, and welfare de-
15 pendency;” and inserting “status as a
16 justice-involved individual, foster care
17 status, school enrollment status, edu-
18 cation level, highest grade level com-
19 pleted, low-income status, and receipt
20 of public assistance, and other indica-
21 tors the Secretaries determine to be
22 relevant;” ; and

23 (iii) in subclause (IV), by striking
24 “clause (vi)” and inserting “clause (viii)”;

1 (E) in clause (viii) (as so redesignated), by
2 striking “clause (iv)” and inserting “clause
3 (vi)”;

4 (F) in clause (ix) (as so redesignated)—

5 (i) by striking “clause (viii)” and in-
6 serting “clause (x)”;

7 (ii) by striking “clause (v)(II)” and
8 inserting “clause (vii)(II)”;

9 (G) in clause (x) (as so redesignated)—

10 (i) by striking “The” and inserting
11 “Not later than 12 months after the date
12 of enactment of [the _____ Act,] the”;
13 and

14 (ii) by striking “clauses (v) and (vii)”
15 and inserting “clauses (vii) and (ix)”.

16 (b) LOCAL PERFORMANCE ACCOUNTABILITY MEAS-
17 URES.—Section 116(c) of the Workforce Innovation and
18 Opportunity Act (29 U.S.C. 3141(c)) is amended—

19 (1) in paragraph (1)(A)—

20 (A) in clause (i), by striking “and” at the
21 end;

22 (B) by redesignating clause (ii) as clause
23 (iii); and

24 (C) by inserting after clause (i) the fol-
25 lowing:

1 “(ii) indicators of performance described in
2 section 122(b)(3) for eligible providers of train-
3 ing services on the standard provider list; and”;
4 and

5 (2) in paragraph (3), by striking “subsection
6 (b)(3)(A)(viii)” and inserting “subsection
7 (b)(3)(A)(x)”.

8 (c) PERFORMANCE REPORTS.—Section 116(d) of the
9 Workforce Innovation and Opportunity Act (29 U.S.C.
10 3141(d)) is amended—

11 (1) by striking paragraph (1) and inserting the
12 following:

13 “(1) IN GENERAL.—

14 “(A) TEMPLATES FOR PERFORMANCE RE-
15 PORTS.—Not later than 24 months after the
16 date of enactment of **【the _____ Act】**, the
17 Secretary of Labor, in conjunction with the Sec-
18 retary of Education, shall develop, or review
19 and modify, as appropriate to comply with the
20 requirements of this subsection, the templates
21 for performance reports to be used by States
22 (including by States on behalf of eligible pro-
23 viders of training services under section 122)
24 and local boards to produce a report on out-
25 comes achieved by the core programs. In devel-

1 oping, or reviewing and modifying, such tem-
2 plates, the Secretary of Labor, in conjunction
3 with the Secretary of Education, shall take into
4 account the need to maximize the value of the
5 information reported through such templates
6 for workers, jobseekers, youth and adult learn-
7 ers, employers, local elected officials, State offi-
8 cials, Federal policymakers, and other key
9 stakeholders.

10 “(B) STANDARDIZED REPORTING.—In de-
11 veloping, or reviewing and modifying, the tem-
12 plates under subparagraph (A), the Secretary of
13 Labor, in conjunction with the Secretary of
14 Education, shall ensure that States and local
15 boards, in producing performance reports for
16 core programs and eligible providers of training
17 services, provide for data collection and report,
18 in a comparable and uniform format through
19 individual participant records collection, infor-
20 mation on standardized data elements, which
21 use data definitions that are assigned identical
22 meanings across all such reports.

23 “(C) PRIVACY.—The Secretary of Labor,
24 in conjunction with the Secretary of Education,
25 shall ensure subparagraph (B) is carried out in

1 a manner that protects and promotes individual
2 privacy and data security, in accordance with
3 applicable Federal, State, and local privacy
4 laws.

5 “(D) DATA COLLECTION ENTITY.—The
6 Secretary of Labor shall, subject to subpara-
7 graph (E), assign an appropriate entity to con-
8 duct data collection for reports under para-
9 graphs (2), (3), and (4).

10 “(E) DATA COLLECTED.—

11 “(i) UNEMPLOYMENT COMPENSATION
12 DATA.—A State that receives an allotment
13 under this subtitle shall facilitate access
14 for local boards in the State to unemploy-
15 ment compensation data, at the individual
16 level, for participants, to enable the local
17 boards to meet the requirements of this
18 section and section 122.

19 “(ii) WAGE DATA.—A State that re-
20 ceives an allotment under this subtitle shall
21 facilitate access for eligible providers of
22 training services in the State to wage data
23 for participants in training services, to en-
24 able the providers to meet the require-
25 ments of this section and section 122.

1 “(iii) PRIVACY.—In facilitating access
2 under this subparagraph, a State shall not
3 reduce any protections required of or af-
4 forded by the State concerning privacy of
5 information on the participants in the data
6 involved.

7 “(F) ADDITIONAL REPORTING.—The Sec-
8 retary of Labor, in conjunction with the Sec-
9 retary of Education—

10 “(i) in addition to information on the
11 standardized data elements described in
12 subparagraph (B), may require a core pro-
13 gram to provide additional information as
14 necessary for effective reporting under this
15 subsection and the improvement of pro-
16 gram performance measures; and

17 “(ii) shall periodically review any such
18 requirement for additional information to
19 ensure the requirement is necessary for ef-
20 fective reporting under this subsection and
21 the improvement of program performance
22 measures.”;

23 (2) in paragraph (2)—

24 (A) in subparagraph (B)—

1 (i) by striking “specifying the levels”

2 and inserting the following: “specifying—

3 “(i) the levels”;

4 (ii) by striking the semicolon at the

5 end and inserting “, and identifying gaps

6 in performance on such indicators between

7 such individuals and individuals without

8 barriers to employment; and”;

9 (iii) by adding at the end the fol-

10 lowing:

11 “(ii) the levels of performance

12 achieved with respect to the primary indi-

13 cators of performance described in sub-

14 clauses (I) through (V) of clause (i), and

15 subclauses (I) and (II) of clause (ii), of

16 subsection (b)(2)(A) for each program,

17 disaggregated by whether the participants

18 completed the program involved;”;

19 (B) in subparagraphs (D), (E), and (F),

20 by striking “3 preceding” and inserting “4 pre-

21 ceding”; and

22 (C) in subparagraph (D), by striking “ca-

23 reer and training services, respectively,” and in-

24 serting “career services, training services, and

25 supportive services, respectively;”;

1 (D) in subparagraph (F), by striking “ca-
2 reer and training services, respectively,” and in-
3 serting “career services, training services, and
4 supportive services, respectively”;

5 (E) in subparagraph (H), by striking
6 “disaggregated by each subpopulation of such
7 individuals” and inserting “and the percentage
8 of total participants served by each of such pro-
9 grams who are individuals with barriers to em-
10 ployment, disaggregated by each subpopulation
11 of such individuals with barriers to employ-
12 ment”;

13 (F) by redesignating subparagraphs (J)
14 through (L) as subparagraphs (K) through (M),
15 respectively; and

16 (G) by inserting after subparagraph (I) the
17 following:

18 “(J) the median earnings gain of partici-
19 pants who received training services, calculated
20 as the difference between—

21 “(i) median participant earnings in
22 unsubsidized employment during the sec-
23 ond quarter after program exit; and

24 “(ii) median participant earnings in
25 unsubsidized employment in the second

1 quarter prior to entering the program;”;

2 and

3 (3) in paragraph (3)—

4 (A) in subparagraph (A), by striking “(L)”
5 and inserting “(M)”;

6 (B) in subparagraph (B), by striking
7 “and” at the end;

8 (C) by redesignating subparagraph (C) as
9 subparagraph (E); and

10 (D) by inserting after subparagraph (B)
11 the following:

12 “(C) the percentage of the local area’s allo-
13 cation under section 133(b) that the local area
14 spent on services paid for through an individual
15 training account described in section
16 134(c)(3)(F)(iii) or a training contract de-
17 scribed in section 134(c)(3)(G)(ii);

18 “(D) the percentage of the local area’s al-
19 location under section 133(b) that the local
20 area spent on supportive services; and”;

21 (4) by striking paragraph (4) and inserting the
22 following:

23 “(4) CONTENTS OF ELIGIBLE TRAINING PRO-
24 VIDERS PERFORMANCE REPORT.—The State shall
25 use the information submitted by the eligible pro-

1 individuals, disaggregated by whether
2 such individuals completed the pro-
3 gram; and

4 “(ii) the total number of individuals
5 exiting from the program (including the
6 equivalent), disaggregated by whether such
7 individuals completed the program;

8 “(B) with respect to all such providers—

9 “(i) the total number of participants
10 who received training services through each
11 of the adult program, and the dislocated
12 worker program, authorized under chapter
13 3 of subtitle B, disaggregated by the type
14 of entity that provided the training, during
15 the most recent program year and the 4
16 preceding program years;

17 “(ii) the total number of participants
18 who exited from training services,
19 disaggregated by the type of entity that
20 provided the training and whether such
21 participants completed the training, during
22 the most recent program year and the 4
23 preceding program years;

24 “(iii) the ratio, disaggregated by the
25 type of entity that provided the training, of

1 the median earnings increase for program
2 completers, in the aggregate, to the total
3 cost of the program, calculated as the ratio
4 of—

5 “(I) the difference between—
6 “(aa) the median earnings
7 of participants from unsubsidized
8 employment during the second
9 quarter after program exit; and
10 “(bb) the median earnings
11 of participants during the quar-
12 ter prior to entering the pro-
13 gram; to

14 “(II) the total cost of the pro-
15 gram, as described in section
16 122(b)(4)(D)(i);

17 “(iv) the number of individuals with
18 barriers to employment served by each of
19 the adult program, and the dislocated
20 worker program, authorized under chapter
21 3 of subtitle B, disaggregated by each sub-
22 population of such individuals, and by
23 race, ethnicity, gender, disability, and age;
24 and

1 “(v) other information submitted by
2 such providers under subsection (b)(1) or
3 (c)(1) of section 122; and

4 “(C) with respect to each type of recog-
5 nized postsecondary credential on the list of
6 credentials awarded by the eligible providers in
7 the State described in section 122(f)—

8 “(i) information specifying the levels
9 of performance achieved with respect to
10 the primary indicators of performance de-
11 scribed in subclauses (I) through (IV) and
12 subclauses (VI) and (VII) of subsection
13 (b)(2)(A)(i) for all participants in the
14 State receiving such credential;

15 “(ii) information specifying the levels
16 of performance achieved with respect to
17 the primary indicators of performance de-
18 scribed in subclauses (I) through (IV) and
19 subclauses (VI) and (VII) of subsection
20 (b)(2)(A)(i) for participants in the State
21 receiving such credential who are individ-
22 uals with barriers to employment,
23 disaggregated by each subpopulation of
24 such individuals, and by race, ethnicity,
25 sex, and age; and

1 “(iii) information to facilitate the de-
2 velopment of the credential navigation fea-
3 ture described in section 122(f)(3).”; and
4 (5) in paragraph (6), by striking subparagraphs
5 (A) and (B) and inserting the following:

6 “(A) STATE PERFORMANCE REPORTS.—
7 The Secretary of Labor and the Secretary of
8 Education shall annually make available the
9 performance reports for States containing the
10 information described in paragraph (2), which
11 shall include making such reports available—

12 “(i) digitally using transparent,
13 linked, open, and interoperable data for-
14 mats (that are accessible to individuals
15 with disabilities, and machine-readable)
16 such that the data from these reports—

17 “(I) is easily understandable;

18 “(II) can be easily included in
19 web-based tools and services sup-
20 porting search, discovery, comparison,
21 analysis, navigation, and guidance;
22 and

23 “(III) is available in multiple lan-
24 guages, to the extent practicable; and

25 “(ii) in a printable format.

1 (B) in the second sentence, by striking
2 “the evaluations” and inserting “such evalua-
3 tions, and related analyses,”; and

4 (2) in paragraph (2), by adding at the end the
5 following: “A State may use other forms of analysis,
6 such as machine learning or other advanced ana-
7 lytics, in conducting the evaluations.”.

8 (e) SANCTIONS FOR STATE FAILURE TO MEET
9 MEASURES.—Section 116 of the Workforce Innovation
10 and Opportunity Act (29 U.S.C. 3141) is amended by
11 striking subsection (f) and inserting the following:

12 “(f) SANCTIONS FOR STATE FAILURE TO MEET
13 STATE PERFORMANCE ACCOUNTABILITY MEASURES.—

14 “(1) TARGETED SUPPORT AND ASSISTANCE.—

15 “(A) IN GENERAL.—For the core pro-
16 grams, if a State fails to meet 80 percent of the
17 State adjusted level of performance for a single
18 corresponding indicator of performance de-
19 scribed in subsection (b)(2)(A) for a single pro-
20 gram for any program year, the Secretary of
21 Labor and the Secretary of Education, as ap-
22 propriate, shall provide technical assistance, in-
23 cluding assistance in identifying and developing
24 specific strategies to improve such State’s per-
25 formance on such indicator.

1 the case of a failure described in sub-
2 paragraph (C)(ii); or

3 “(II) has submitted the report
4 under subsection (d) for the appro-
5 priate program year, in the case of a
6 failure described in subparagraph
7 (C)(i).

8 “(C) FAILURES.—A State shall be subject
9 to subparagraph (B)—

10 “(i) if (except in the case of excep-
11 tional circumstances as determined by the
12 Secretary of Labor or the Secretary of
13 Education, as appropriate), such State
14 fails to submit a report under subsection
15 (d) for the appropriate program year; or

16 “(ii) for a failure described in sub-
17 paragraph (A) that continues for a second
18 consecutive program year.

19 “(2) COMPREHENSIVE SUPPORT AND ASSIST-
20 ANCE.—

21 “(A) IN GENERAL.—If a State fails to
22 meet an average of 90 percent of the State ad-
23 justed levels of performance for a single pro-
24 gram across all corresponding indicators of per-
25 formance described in subsection (b)(2)(A) for

1 any program year (referred to in this subsection
2 as a ‘multi-indicator average’), or if a State
3 fails to meet an average of 90 percent of the
4 State adjusted level of performance for a single
5 corresponding indicator of performance de-
6 scribed in subsection (b)(2)(A) across all core
7 programs for any program year (referred to in
8 this subsection as a ‘multi-program average’),
9 the Secretary of Labor and the Secretary of
10 Education shall provide technical assistance, as
11 described and authorized under section 168, in-
12 cluding assistance in the development of a com-
13 prehensive performance improvement plan.

14 “(B) SECOND CONSECUTIVE YEAR FAIL-
15 URE.—

16 “(i) FAILURE.—Subject to paragraph
17 (4), if a failure described in subparagraph
18 (A) continues for a second consecutive pro-
19 gram year, the Governor may reserve not
20 more than 93 percent of the sum the Gov-
21 ernor would otherwise be allowed to reserve
22 under section 128(a)(1), for the program
23 year immediately succeeding the deter-
24 mination of that continued failure.

1 “(ii) RETURN OF AMOUNT.—An
2 amount equivalent to the difference (be-
3 tween that sum and the amount the Gov-
4 ernor reserves under clause (i)) shall be re-
5 turned to the Secretary of Labor until
6 such date as the Secretary of Labor or the
7 Secretary of Education, as appropriate, de-
8 termines that the State meets each multi-
9 indicator average or multi-program average
10 that the State failed to meet in the second
11 consecutive program year.

12 “(3) RULE.—If a State fails in the manner de-
13 scribed in paragraph (1)(C)(ii) (including the con-
14 tinuation for a second consecutive program year)
15 and fails in a manner described in paragraph (2)(A)
16 for the same second consecutive program year, the
17 Secretary of Labor shall not apply paragraph (1)(B)
18 and shall apply paragraph (2)(B).

19 “(4) REALLOTMENT OF REDUCTIONS.—Any
20 amount returned to the Secretary of Labor under
21 paragraph (1)(B) or (2)(B) shall be retained by the
22 Secretary and, within 1 fiscal year of receipt from
23 the State sanctioned under that paragraph, reallo-
24 cated to at least 2, but not more than 4, other
25 States under a competitive process to be determined

1 by the Secretary of Labor. Such process shall, at a
2 minimum—

3 “(A) include an application and procedures
4 for completing and submitting such application
5 for any State seeking to receive a reallocation
6 grant;

7 “(B) assign priority to any State submit-
8 ting an application under subparagraph (A)
9 that serves a higher percentage of individuals
10 with barriers to employment than the average
11 State; and

12 “(C) require that any State submitting
13 such an application, at a minimum, meet the
14 multi-indicator average for the most recent pro-
15 gram year.”.

16 (f) SANCTIONS FOR LOCAL AREA FAILURE TO MEET
17 MEASURES.—Section 116(g) of the Workforce Innovation
18 and Opportunity Act (29 U.S.C. 3141(g)) is amended—

19 (1) in paragraph (1), by striking “fails to meet
20 local performance accountability measures” and in-
21 serting “fails to meet 80 percent of the local level
22 of performance for a single corresponding indicator
23 of performance described in clause (i) or (ii) of sub-
24 section (c)(1)(A) for a single program, an average of
25 90 percent of the local level of performance across

1 all corresponding indicators of performance for a
2 single program, or an average of 90 percent of the
3 local level of performance for a single corresponding
4 indicator of performance across all programs,”; and

5 (2) in paragraph (2)—

6 (A) by striking subparagraph (A) and in-
7 serting the following:

8 “(A) IN GENERAL.—If such failure con-
9 tinues, the Governor shall take corrective ac-
10 tions, which shall include—

11 “(i) in the case of such failure, as de-
12 scribed in paragraph (1), for a second con-
13 secutive year, on any single indicator,
14 across indicators for a single program, or
15 on a single indicator across programs, a 5-
16 percentage point reduction in the amount
17 that would have otherwise been allocated
18 (in the absence of this clause) to the local
19 area for the immediately succeeding pro-
20 gram year under chapter 2 or 3 of subtitle
21 B for the program subject to the perform-
22 ance failure;

23 “(ii) in the case of such failure, as de-
24 scribed in paragraph (1), for a third con-
25 secutive year, the development of a reorga-

1 nization plan through which the Governor
2 shall—

3 “(I) require the appointment and
4 certification of a new local board, con-
5 sistent with the criteria established
6 under section 107(b); and

7 “(II) prohibit the use of one-stop
8 partners identified as achieving a poor
9 level of performance, and of providers
10 of training services (so identified)
11 through the process described in sec-
12 tion 122(b)(5); or

13 “(iii) taking another significant action
14 determined to be appropriate by the Gov-
15 ernor.”;

16 (B) in subparagraph (B)(i), by striking
17 “plan under subparagraph (A)” and inserting
18 “plan under the significant actions described in
19 subparagraph (A)(ii)”; and

20 (C) by adding at the end the following:

21 “(D) REALLOTMENT OF REDUCTIONS.—

22 “(i) IN GENERAL.—Any amount not
23 allocated to a local area for a program
24 year, pursuant to subparagraph (A)(i),
25 shall be reallocated to the Governor’s re-

1 served amounts, as described in section
2 128(a)(1), and used to make reallocation
3 grants under this subparagraph.

4 “(ii) PROCEDURE FOR REALLOCATION
5 TO LOCAL AREAS.—The Governor shall es-
6 tablish a competitive process for eligible
7 local areas in the State to receive a reallo-
8 tment grant. Such process shall, at a min-
9 imum—

10 “(I) include an application and
11 procedures for completing and submit-
12 ting such application for any local
13 area seeking to receive a reallocation
14 grant;

15 “(II) assign priority to any local
16 area submitting an application under
17 subclause (I) that serves a higher per-
18 centage of individuals with barriers to
19 employment than the average local
20 area in the State; and

21 “(III) require that any local area
22 submitting such an application, at a
23 minimum, meet the local levels of per-
24 formance for all corresponding indica-
25 tors of performance described in

1 clauses (i) and (ii) of subsection
2 (c)(1)(A) across all programs for the
3 most recent program year.

4 “(iii) ELIGIBLE LOCAL AREA.—For
5 the purpose of reallocation under this sub-
6 paragraph, an eligible local area means a
7 local area that meets the criteria under
8 clause (ii)(III).”.

9 (g) INFORMATION AND TECHNICAL ASSISTANCE.—
10 Section 116 of the Workforce Innovation and Opportunity
11 Act (29 U.S.C. 3141) is amended—

12 (1) by redesignating subsections (h) and (i) as
13 subsections (i) and (j), respectively; and

14 (2) by inserting after subsection (g) the fol-
15 lowing:

16 “(h) INFORMATION AND TECHNICAL ASSISTANCE.—
17 Not later than 12 months after the date of enactment of
18 the [_____ Act], the Secretary shall begin hold-
19 ing meetings with State boards to provide information and
20 technical assistance concerning the performance account-
21 ability measures established in accordance with subsection
22 (b), and related requirements for States under this sec-
23 tion.”.

24 (h) FISCAL AND MANAGEMENT ACCOUNTABILITY IN-
25 FORMATION SYSTEMS.—Subsection (j) (as so redesign-

1 nated) of section 116 of the Workforce Innovation and Op-
2 portunity Act (29 U.S.C. 3141) is amended—

3 (1) in paragraph (2), in the first sentence, by
4 inserting “and consistent with subparagraphs (D)
5 and (E) of subsection (d)(1), and may use informa-
6 tion from the National Directory of New Hires, in
7 accordance with section 453(j)(8) of the Social Secu-
8 rity Act (42 U.S.C. 653(j)(8))” before the period;

9 (2) by redesignating paragraph (3) as para-
10 graph (4); and

11 (3) by inserting after paragraph (2) the fol-
12 lowing:

13 “(3) DESIGNATED ENTITY.—The Governor
14 shall designate a State agency (or appropriate State
15 entity) to assist in carrying out the performance re-
16 porting requirements of this section for core pro-
17 grams and eligible providers of training services.
18 The designated State agency (or appropriate State
19 entity) shall be responsible for—

20 “(A) facilitating data matches using quar-
21 terly wage record information, including wage
22 record information made available by other
23 States, to measure employment and earnings
24 outcomes;

1 “(B) data validation and reliability, as de-
2 scribed in subsection (d)(5); and

3 “(C) protection against disaggregation that
4 would violate applicable standards prohibiting
5 the release of personally identifiable informa-
6 tion, as described in subsection (d)(6)(C).”.

7 (i) IMPLEMENTATION OF PERFORMANCE ACCOUNT-
8 ABILITY MEASURES.—Not later than 12 months after the
9 date of enactment of this Act, the Secretary shall fully
10 implement the requirements of section 116 of the Work-
11 force Innovation and Opportunity Act (29 U.S.C. 3141),
12 for programs described in subclauses (I) through (VI) of
13 section 116(b)(3)(A)(ii) of that Act, including—

14 (1) finalizing the objective statistical adjust-
15 ment model described in section 116(b)(3)(A)(x) of
16 that Act and using the model to calculate State ad-
17 justed levels of performance under section 116(b)(3)
18 of that Act for each of those programs; and

19 (2) notifying the entities carrying out such pro-
20 grams of performance accountability measures estab-
21 lished under this section, reporting and evaluation
22 requirements for such programs, and sanctions for
23 such programs that fail to meet State adjusted levels
24 of performance under section 116(b)(3)(A)(vi) of
25 that Act.

1 **Subtitle C—Workforce Investment**
2 **Activities and Providers**

3 **CHAPTER 1—ONE-STOP DELIVERY**

4 **SYSTEMS AND PROVIDERS**

5 **SEC. 121. ESTABLISHMENT OF ONE-STOP DELIVERY SYS-**
6 **TEMS.**

7 Section 121 of the Workforce Innovation and Oppor-
8 tunity Act (29 U.S.C. 3151) is amended—

9 (1) in subsection (b)—

10 (A) in paragraph (1)(B)—

11 (i) in clause (xii), by striking “and”
12 at the end;

13 (ii) in clause (xiii), by striking the pe-
14 riod and inserting a semicolon; and

15 (iii) by adding at the end the fol-
16 lowing:

17 “(xiv) programs authorized under sec-
18 tion 6(d)(4) of the Food and Nutrition Act
19 of 2008 (7 U.S.C. 2015(d)(4)); and

20 “(xv) work programs authorized under
21 section 6(o) of the Food and Nutrition of
22 2008 (7 U.S.C. 2015(o)).”; and

23 (B) in paragraph (2)—

1 (i) in subparagraph (A), by striking
2 “With” and “At the direction of the Gov-
3 ernor or with”; and
4 (ii) in subparagraph (B)—
5 (I) by striking clauses (iii) and
6 (iv);
7 (II) by redesignating clauses (v)
8 and (vi) as clauses (iii) and (iv);
9 (III) by inserting after clause (iv)
10 (as so redesignated) the following:
11 “(v) workforce and economic develop-
12 ment programs carried out under Public
13 Law 117–167 (commonly known as the
14 ‘CHIPS and Science Act of 2022’);
15 “(vi) workforce development programs
16 carried out under the Infrastructure In-
17 vestment and Jobs Act (Public Law 117–
18 58); and”]; and
19 (IV) in clause (vii), by striking
20 “and training programs provided by
21 public libraries” and inserting “oppor-
22 tunity youth services, and training
23 programs provided by public libraries,
24 by community-based organizations,”];

1 (2) in subsection (c)(2)(A)(iv), by striking “and
2 materials,” and inserting “, materials, and other
3 supportive services,”;

4 (3) in subsection (d)—

5 (A) in paragraph (1), by striking “para-
6 graphs (2) and (3)” and inserting “paragraphs
7 (2) and (4)”;

8 (B) in paragraph (2)(B)—

9 (i) in the matter preceding clause (i),
10 by inserting “in serving individuals with
11 barriers to employment” after “effective-
12 ness”;

13 (ii) by redesignating clauses (ii)
14 through (vi) as clauses (iii) through (vi)
15 and clause (viii), respectively;

16 (iii) by inserting after clause (i) the
17 following:

18 “(ii) an area career and technical edu-
19 cation school;”;

20 (iv) in clause (vi), as so redesignated,
21 by striking “and” at the end; and

22 (v) by inserting after clause (vi), as so
23 redesignated, the following:

24 “(vii) a public library; and”;

1 (C) by redesignating paragraphs (3) and
2 (4) as paragraphs (4) and (5), respectively;

3 (D) by inserting after paragraph (2) the
4 following:

5 “(3) RESPONSIBILITIES.—

6 “(A) IN GENERAL.—In operating a one-
7 stop delivery system referred to in subsection
8 (e), a one-stop operator—

9 “(i) shall—

10 “(I) manage the physical and vir-
11 tual infrastructure and operations of
12 the one-stop delivery system in the
13 local area;

14 “(II) facilitate coordination
15 among one-stop partners; and

16 “(III) take the necessary steps to
17 ensure efficient and effective service
18 delivery for individuals served by such
19 one-stop delivery system, with a focus
20 on individuals with barriers to employ-
21 ment; and

22 “(ii) may, subject to the requirements
23 under subparagraph (B), directly provide
24 services to employers and individuals
25 served by such one-stop delivery system, in

1 which case the one-stop operator shall also
2 be considered to be a one-stop partner for
3 purposes of this title.

4 “(B) INTERNAL CONTROLS.—In a case in
5 which a one-stop operator seeks to operate as a
6 service provider pursuant to subparagraph
7 (A)(ii), the local board shall establish internal
8 controls, which shall include written policies
9 and procedures—

10 “(i) describing the competitive process
11 to select a service provider;

12 “(ii) describing the subsequent over-
13 sight, monitoring, and evaluation of the
14 performance of such one-stop operator as
15 such service provider;

16 “(iii) requiring compliance with Fed-
17 eral and State conflict of interest policies;
18 and

19 “(iv) prohibiting a one-stop operator
20 from developing or managing a selection
21 process in which the operator intends to be
22 selected as a service provider.”; and

23 (E) in paragraph (4), as so redesignated—

24 (i) by inserting before “Elementary”
25 the following:

- 1 “(A) IN GENERAL.—”;
- 2 (ii) by striking “operators,” and in-
- 3 sserting “operators.”; and
- 4 (iii) by striking “except that” and in-
- 5 sserting the following:
- 6 “(B) ELIGIBLE SCHOOLS.—Notwith-
- 7 standing subparagraph (A) and subject to para-
- 8 graph (2)(B),”;
- 9 (4) in subsection (e)—
- 10 (A) in paragraph (1)—
- 11 (i) by redesignating subparagraphs
- 12 (D) and (E) as subparagraphs (E) and
- 13 (F), respectively; and
- 14 (ii) by inserting after subparagraph
- 15 (C) the following:
- 16 “(D) provide referrals to supportive serv-
- 17 ices, to the extent practicable;”;
- 18 (B) in paragraph (2)—
- 19 (i) by amending subparagraph (A) to
- 20 read as follows:
- 21 “(A) at a minimum, shall make each of the
- 22 programs, services, and activities described in
- 23 paragraph (1) accessible and available in-person
- 24 or virtually—

1 “(i) at not less than one physical or
2 virtual center (which physical center may
3 be located at a public institution of higher
4 education) for each local area of the State,
5 except that, in the case of one or more
6 local areas that share at least one common
7 border, each such local area may share—

8 “(I) a virtual center if the local
9 area complies with subparagraph (E);
10 or

11 “(II) a physical center if such
12 center is located in a location that
13 maximizes accessibility to services for
14 individuals residing in all such local
15 areas served by the center; and

16 “(ii) in a manner that improves effi-
17 ciency, coordination, quality, and accessi-
18 bility for individuals with barriers to em-
19 ployment in the delivery of one-stop part-
20 ner services;”;

21 (ii) in subparagraph (B)(i), by insert-
22 ing “, which sites may be at the physical
23 location of an entity described in sub-
24 section (d)(2)(B),” after “affiliated sites”;

25 (iii) in subparagraph C)—

1 (I) by inserting “physical or vir-
2 tual” before “centers”; and

3 (II) by striking “; and” and in-
4 serting a semicolon;

5 (iv) in subparagraph (D)—

6 (I) by striking “as applicable
7 and” and inserting “to the extent”;

8 (II) by striking “and quality”
9 and inserting “quality, and accessi-
10 bility”; and

11 (III) by striking “one-stop part-
12 ner services.” and inserting “one-stop
13 partner services, including by permit-
14 ting local areas that share at least one
15 common border to coordinate in mak-
16 ing such programs, services, and ac-
17 tivities accessible through electronic
18 means; and”;

19 (v) by adding at the end the following:

20 “(E) shall ensure that, in the case of a
21 local area without a physical center under sub-
22 paragraph (A)(i), such local area shall have not
23 fewer than 3 affiliated sites, which sites shall be
24 at the physical location of an entity described in
25 subsection (d)(2)(B) or shall be mobile one-step

1 centers, with a physical location where individ-
2 uals can access, virtually, each of the programs,
3 services, and activities described in paragraph
4 (1) that are accessible and available virtually.”;

5 (C) in paragraph (4), by adding after the
6 first sentence the following: “The system identi-
7 fier shall be prominently and visibly displayed
8 at each comprehensive and specialized one-stop
9 center operated by the one-stop delivery system,
10 including physical and virtual centers identified
11 in paragraph (2)(A) and the sites and centers
12 described in subparagraphs (B) through (E) of
13 paragraph (2).”; and

14 (D) by adding at the end the following:

15 “(5) VIRTUAL CENTER.—In this subsection, the
16 term ‘virtual’, used with respect to a one-stop center,
17 means a terminal, a website, or other equipment
18 that provides access to each of the programs, serv-
19 ices, and activities described in paragraph (1), in-
20 cluding providing—

21 “(A) access to such programs, services,
22 and activities in a manner that is accessible to
23 individuals with disabilities;

1 “(B) information regarding such programs,
2 services, and activities in multiple languages, to
3 the extent practicable; and

4 “(C) for local areas sharing a virtual one-
5 stop center, comprehensive information about
6 the required and additional partners, training
7 services, career services, supportive services,
8 and other services accessible through that one-
9 stop center.”;

10 (5) in subsection (h)—

11 (A) in paragraph (1)—

12 (i) by striking subparagraph (A);

13 (ii) by striking “(1)” and all that fol-
14 lows through “In addition” and inserting
15 the following:

16 “(1) IN GENERAL.—In addition”;

17 (iii) by striking “under subparagraph
18 (A)(i)(I)”;

19 (iv) by redesignating clauses (i) and
20 (ii) as subparagraphs (A) and (B), respec-
21 tively, and adjusting the margins of the
22 subparagraphs accordingly;

23 (B) in paragraph (2)—

24 (i) in subparagraph (A)—

1 (I) by inserting after “subsection
2 (b)(1)” the first place it appears the
3 following: “(or in subsection (b)(2) for
4 purposes of funding described in sub-
5 paragraph (D)(ii)(III))”; and

6 (II) by striking “described in
7 subsection (b)(1)” the second place it
8 appears;

9 (ii) in subparagraph (B)—

10 (I) by striking “that are not cov-
11 ered by paragraph (1)(A)(i)(I)”;

12 (II) by striking “subsection
13 (b)(1)” and inserting “subsection
14 (b)(1) (and subsection (b)(2) to the
15 extent provided in subparagraph
16 (D)(ii)(III))”; and

17 (III) by striking “not adequately
18 funded under the option described in
19 paragraph (1)(A)(i)(I)”;

20 (iii) in subparagraph (C)(i)—

21 (I) by striking “for funding pur-
22 suant to clause (i)(II) or (ii) of para-
23 graph (1)(A) by each partner,”; and

24 (II) by striking the third sen-
25 tence;

1 (iv) in subparagraph (D)—

2 (I) in clause (ii)—

3 (aa) in the matter preceding
4 subclause (I), by striking “that
5 are not covered by paragraph
6 (1)(A)(i)(I)”;

7 (bb) in subclause (I), by
8 striking “(I)” and all that follows
9 through “The” and inserting the
10 following:

11 “(I) WIOA FORMULA PROGRAMS
12 AND EMPLOYMENT SERVICE.—The”;
13 and

14 (cc) by striking subclause
15 (III) and inserting the following:

16 “(III) ADDITIONAL PARTNERS.—
17 The portion of funds related to adver-
18 tising a program at a one-stop center
19 required to be contributed under this
20 paragraph from a program described
21 in subsection (b)(2) in local areas
22 where such programs are adminis-
23 tered by one-stop partners shall not
24 exceed 1.5 percent of the amount of
25 Federal funds provided to carry out

1 that program in those local areas of
2 the State for a fiscal year.

3 “(IV) VOCATIONAL REHABILITA-
4 TION.—Notwithstanding subclauses
5 (I) and (II), an entity administering a
6 program described in subsection
7 (b)(1)(B)(iv) shall not be required to
8 provide from that program, under this
9 paragraph, a portion that exceeds 1.5
10 percent of the amount of Federal
11 funds provided to carry out such pro-
12 gram in the State for the program
13 year.”; and

14 (II) in clause (iii), by striking
15 “that are not covered by paragraph
16 (1)(A)(i)(I)”;

17 (v) in subparagraph (E), by inserting
18 “(or in subsection (b)(2) for purposes of
19 funding described in subparagraph
20 (D)(ii)(III))” after “subsection (b)(1)”.

21 (C) in paragraph (3), by striking subpara-
22 graph (B) and inserting the following:

23 “(B) ALLOCATION FORMULA.—The State
24 board shall develop a formula to be used by the
25 Governor to allocate the funds provided under

1 paragraph (1) to local areas. In developing the
2 formula, the State board shall consider factors
3 including the number of one-stop centers in a
4 local area, the population designated to be
5 served by such centers and whether a signifi-
6 cant portion of such population faces barriers
7 to employment, the services provided by such
8 centers and the intensity of such services, the
9 number and types of one-stop partners engaged
10 by such centers, and other factors relating to
11 the performance of such centers that the State
12 board determines are appropriate.”;

13 (D) by redesignating paragraph (4) as
14 paragraph (5);

15 (E) by inserting after paragraph (3) the
16 following:

17 “(4) SUPPLEMENTAL INFRASTRUCTURE FUND-
18 ING.—For any fiscal year in which the allocation re-
19 ceived by a local area under paragraph (3) is insuffi-
20 cient to cover the total costs of infrastructure of
21 one-stop centers in such local area, the local board,
22 the chief elected official, and the one-stop partners
23 that have entered into the local memorandum of un-
24 derstanding with the local board under subsection
25 (c) may agree to fund any remainder of such costs

1 using a method described in such memorandum.”;

2 and

3 (F) in paragraph (5), as so redesignated,

4 by inserting “(for in-person or virtual service

5 delivery)” after “operation of the one-stop cen-

6 ter”; and

7 (6) in subsection (i)(2), by striking “assessment

8 of needs, appraisal of basic skills,” and inserting

9 “case management, assessment of needs, appraisal

10 of foundational skill needs,”.

11 **SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF**

12 **TRAINING SERVICES.**

13 (a) IN GENERAL.—Section 122 of the Workforce In-

14 novation and Opportunity Act (29 U.S.C. 3152) is amend-

15 ed to read as follows:

16 **“SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF**

17 **TRAINING SERVICES.**

18 “(a) ELIGIBILITY.—

19 “(1) IN GENERAL.—Except as provided in sub-

20 section (j), the Governor, after consultation with the

21 State board, and considering the State’s adjusted

22 levels of performance described in section

23 116(b)(3)(A)(vi), shall establish—

24 “(A) criteria, information requirements,

25 and procedures regarding the eligibility of pro-

1 providers of training services to receive funds pro-
2 vided under section 133(b) for the provision of
3 training services through programs with stand-
4 ard eligibility, on a list of such programs and
5 providers described in subsection (f)(1) (in this
6 section referred to as the ‘standard provider
7 list’) in the State;

8 “(B) the minimum levels of performance
9 on the criteria for the provider of a program to
10 establish and maintain such standard eligibility
11 for the standard provider list; and

12 “(C) penalties for providers with standard
13 eligibility that have eligible programs failing to
14 meet the minimum levels of performance de-
15 scribed in subparagraph (B), consistent with
16 subsection (b)(5).

17 “(2) PROVIDERS.—Subject to the provisions of
18 this section, to be eligible under this section to re-
19 ceive those funds provided under section 133(b) for
20 the provision of training services, the provider shall
21 be—

22 “(A) an institution of higher education,
23 other than a community college, that carries
24 out a program that leads to a recognized post-
25 secondary credential;

1 “(B) a community college that carries out
2 a program that leads to a recognized postsec-
3 ondary credential;

4 “(C) a labor organization that carries out
5 a program that leads to a recognized postsec-
6 ondary credential;

7 “(D) an entity that carries out programs
8 registered under the Act of August 16, 1937
9 (commonly known as the ‘National Apprentice-
10 ship Act’; 50 Stat. 664, chapter 663; 29 U.S.C.
11 50 et seq.); or

12 “(E) another public or private provider of
13 a program of training services, which may in-
14 clude joint labor-management organizations, in-
15 dustry or sector partnerships, groups of employ-
16 ers, trade or professional associations, eligible
17 providers of adult education and literacy activi-
18 ties under title II if such activities are provided
19 in combination with occupational skills training,
20 and adult high schools.

21 “(3) INCLUSION ON STANDARD PROVIDER
22 LIST.—

23 “(A) GENERAL INSTITUTIONS OF HIGHER
24 EDUCATION AND OTHER PROVIDERS.—A pro-
25 vider (for the provider and the program offered

1 by such provider) described in subparagraph
2 (A) or (E) of paragraph (2)—

3 “(i) shall comply with the criteria (in-
4 cluding levels of performance), information
5 requirements, and procedures described in
6 subsection (b) to be included on the stand-
7 ard provider list; and

8 “(ii) shall be maintained on the stand-
9 ard provider list for so long as the cor-
10 responding program of the provider meets
11 the minimum levels of performance under
12 subsection (b)(3) and the provider meets
13 the information requirements under sub-
14 section (b)(4) to remain on such list.

15 “(B) COMMUNITY COLLEGES AND LABOR
16 ORGANIZATIONS.—A provider (and the program
17 offered by such provider) described in subpara-
18 graph (B) or (C) of paragraph (2) shall be in-
19 cluded and maintained on the standard provider
20 list, except during any period in which the pro-
21 vider is included on the Workforce Innovation
22 Leaders list, a list of programs and providers
23 described in subsection (f)(2) (in this section
24 referred to as the ‘WIL provider list’).

1 “(C) PROVIDERS OF REGISTERED APPREN-
2 TICESHIP PROGRAMS.—A provider (and the pro-
3 gram offered by such provider) described in
4 paragraph (2)(D) shall be included and main-
5 tained on the standard provider list so long as
6 the corresponding program of the provider re-
7 mains registered as described in paragraph
8 (2)(D), except during any period in which the
9 provider is included on the WIL provider list.

10 “(4) WIL PROVIDER LIST.—A provider (for the
11 provider and the program offered by such provider)
12 that has established and maintained eligibility for
13 the standard provider list may establish eligibility
14 for the WIL provider list, if such provider complies
15 with the criteria (including levels of performance),
16 information requirements, and procedures described
17 in subsection (c) for the WIL provider list.

18 “(5) ADULT HIGH SCHOOL.—In this subsection,
19 the term ‘adult high school’ means a school that
20 grants regular high school diplomas and at which a
21 majority of students enrolled with the school—

22 “(A) belong to a graduation cohort that
23 has already graduated; or

1 “(B) were over 18 years of age at the time
2 the student involved was first enrolled with the
3 school.

4 “(b) CRITERIA FOR STANDARD ELIGIBILITY.—

5 “(1) GENERAL CRITERIA TO ESTABLISH STAND-
6 ARD ELIGIBILITY.—In seeking to establish eligibility
7 for the standard provider list under this section,
8 pursuant to the criteria (including levels of perform-
9 ance) referred to in subsection (a), each provider
10 shall demonstrate to the Governor that—

11 “(A) the provider—

12 “(i) has a valid business license issued
13 by the State or local government;

14 “(ii) has been in business for not less
15 than 2 years; and

16 “(iii) has a Federal employer identi-
17 fication number issued by the Internal
18 Revenue Service; and

19 “(B) each program for which the provider
20 seeks standard eligibility—

21 “(i) prepares participants to meet the
22 hiring requirements of potential employers
23 in the State or in a local area in the State
24 for employment that—

1 “(I) is high-skill and high-wage
2 employment; or

3 “(II) is in an in-demand industry
4 sector or occupation;

5 “(ii) leads to a recognized postsec-
6 ondary credential in the occupation for
7 which that program prepares individuals;

8 “(iii) has, over a span of at least 2
9 years prior to the eligibility determination
10 under this subsection, a credential attain-
11 ment rate of program completers (cal-
12 culated as the percentage of program
13 completers who obtain the recognized post-
14 secondary credential that the program pre-
15 pares participants to earn within 1 year
16 after exit from the program) of not less
17 than 60 percent; and

18 “(iv) has, over a span of at least 2
19 years prior to the eligibility determination
20 under this subsection, a job placement rate
21 in the field of study of program completers
22 (calculated as the percentage of program
23 completers in unsubsidized employment in
24 that field during the second quarter after

1 exit from the program) of not less than 60
2 percent.

3 “(2) ADDITIONAL CRITERIA TO ESTABLISH
4 STANDARD ELIGIBILITY.—In addition to meeting the
5 criteria under paragraph (1), pursuant to the cri-
6 teria (including levels of performance) referred to in
7 subsection (a), each provider seeking to establish
8 standard eligibility shall—

9 “(A) specify the occupation for which the
10 recognized postsecondary credential offered by
11 each program for which the provider seeks
12 standard eligibility prepares individuals;

13 “(B) specify the competencies achieved by
14 individuals participating in each program for
15 which the provider seeks standard eligibility;

16 “(C) specify the degree to which each such
17 program of such provider relates to employment
18 described in paragraph (1)(B)(i);

19 “(D) describe the ability of the providers
20 to provide training services to individuals who
21 are employed and individuals with barriers to
22 employment; and

23 “(E) provide information on such other
24 factors as the Governor determines are appro-
25 priate to ensure—

1 “(i) the accountability of the providers
2 of training services in the State;

3 “(ii) that the local boards in the State
4 will ensure that such providers meet the
5 needs of local employers and participants;

6 “(iii) the informed choice of partici-
7 pants among training services providers in
8 the State; and

9 “(iv) that the collection of information
10 required to demonstrate compliance with
11 the criteria described in this paragraph is
12 not unduly burdensome or costly to the
13 providers.

14 “(3) GENERAL CRITERIA TO MAINTAIN STAND-
15 ARD ELIGIBILITY.—Pursuant to the criteria referred
16 to in subsection (a), a provider seeking to remain on
17 the standard provider list (for the program and an
18 eligible program offered by such provider) under this
19 section shall annually demonstrate to the Governor
20 through the information submitted under paragraph
21 (4)(C) that the program meets performance criteria
22 consisting of—

23 “(A) a credential attainment rate of pro-
24 gram completers (calculated as the percentage
25 of program completers who obtain the recog-

1 nized postsecondary credential that the program
2 prepares participants to earn within 1 year
3 after exit from the program) of not less than 60
4 percent;

5 “(B) a job placement rate in the field of
6 study of program completers (calculated as the
7 percentage of program completers in unsub-
8 sidized employment in that field during the sec-
9 ond quarter after exit from the program) of not
10 less than 60 percent;

11 “(C) median earnings of program
12 completers that are not less than 20 percent
13 greater than the median earnings of a high
14 school graduate in the local area in which the
15 program is located or the median earnings for
16 such a graduate in the local area in which the
17 participant obtains employment, whichever is
18 greater; and

19 “(D) a ratio of median earnings increase
20 for program completers, in the aggregate, to the
21 total cost of the program, of greater than 1.5,
22 calculated as the ratio of—

23 “(i) the difference between—

24 “(I) the median earnings of par-
25 ticipants from unsubsidized employ-

1 ment during the second quarter after
2 program exit; and

3 “(II) the median earnings of par-
4 ticipants during the quarter prior to
5 entering the program; to

6 “(ii) the total cost of the program (as
7 described in paragraph (4)(D)(i)).

8 “(4) INFORMATION REQUIREMENTS TO MAIN-
9 TAIN STANDARD ELIGIBILITY.—

10 “(A) IN GENERAL.—The Governor shall
11 establish under subsection (a) information re-
12 quirements for each provider that seeks to
13 maintain standard eligibility under this section
14 to submit information (for each eligible pro-
15 gram offered by such provider).

16 “(B) TIMING.—Each provider shall submit
17 to the Governor (for each eligible program of-
18 fered by such provider), on an annual basis,
19 performance information in accordance with
20 subparagraph (C), total cost information in ac-
21 cordance with subparagraph (D)(i), and other
22 information as the Governor may reasonably re-
23 quire.

24 “(C) SUBMISSION OF PERFORMANCE IN-
25 FORMATION.—Each provider (for each eligible

1 program offered by such provider) shall submit
2 performance information on indicators that
3 shall consist of—

4 “(i) the credential attainment rate of
5 program completers (calculated as the per-
6 centage of program completers who obtain
7 the recognized postsecondary credential
8 that the program prepares participants to
9 earn within 1 year after of exit from the
10 program);

11 “(ii) the job placement rate in the
12 field of study of program completers (cal-
13 culated as the percentage of program
14 completers in unsubsidized employment in
15 that field during the second quarter after
16 exit from the program);

17 “(iii) median earnings of program
18 completers compared to the median earn-
19 ings of a high school graduate in the local
20 area in which the program is located and
21 the median earnings for such a graduate in
22 the local area in which the participant ob-
23 tains employment; and

24 “(iv) the ratio of median earnings in-
25 crease for program completers, in the ag-

1 gregate, to the total cost of the program,
2 calculated as the ratio of—

3 “(I) the difference between—

4 “(aa) the median earnings
5 of participants from unsubsidized
6 employment during the second
7 quarter after program exit; and

8 “(bb) the median earnings
9 of participants during the quar-
10 ter prior to entering the pro-
11 gram; to

12 “(II) the total cost of the pro-
13 gram (as described in subparagraph
14 (D)(i)).

15 “(D) ADDITIONAL INFORMATION REQUIRE-
16 MENTS.—Each provider (for each eligible pro-
17 gram offered by such provider) shall submit to
18 the Governor, on an annual basis, information
19 regarding—

20 “(i) the total cost of the program, in-
21 cluding the costs of the published tuition
22 and fees, supplies, and books, and any
23 other costs required by the provider for
24 participants in the program; and

1 “(ii) the recognized postsecondary cre-
2 dentials received by such participants, in-
3 cluding, in relation to each such credential,
4 the issuing entity, any third-party endorse-
5 ments, the occupations for which the cre-
6 dential prepares individuals, the com-
7 petencies achieved, the level of mastery of
8 such competencies (including how mastery
9 is assessed), and any transfer value or
10 value in permitting articulation into a
11 higher level or other degree or credential
12 program.

13 “(5) REVOCATION OF STANDARD ELIGI-
14 BILITY.—

15 “(A) IN GENERAL.—Upon annual review
16 of the performance information submitted
17 under paragraph (4)(C), if the Governor deter-
18 mines that an eligible program of a provider
19 with standard eligibility has failed to meet lev-
20 els of performance on criteria under paragraph
21 (3) for a given year, the Governor shall revoke
22 standard eligibility for the failing program and
23 remove the program from the standard provider
24 list and (if the provider has no other program
25 on that list) revoke standard eligibility for such

1 provider and remove the provider from the
2 standard provider list.

3 “(B) ELIGIBILITY ON-RAMP.—If the Gov-
4 ernor so revokes standard eligibility for a pro-
5 vider or a program offered by such provider, a
6 provider (for the provider or the program) may,
7 not sooner than 1 year after the date of revoca-
8 tion, after 1 year of losing such eligibility, re-
9 apply for the standard provider list, provided
10 that such provider and eligible program offered
11 by such provider meet the requirements under
12 paragraphs (1) and (2).

13 “(C) REPEATED FAILURE.—A provider or
14 program for which the Governor revokes stand-
15 ard eligibility under subparagraph (A)—

16 “(i) 2 times shall be determined ineli-
17 gible by the Governor for standard eligi-
18 bility for a period of at least 3 years;

19 “(ii) 3 times shall be determined ineli-
20 gible by the Governor for standard eligi-
21 bility for a period of at least 5 years; and

22 “(iii) more than 3 times shall be de-
23 termined by the Governor to be perma-
24 nently ineligible under this section.

1 “(D) APPLICATION.—This paragraph shall
2 not be construed to apply to a provider de-
3 scribed in subparagraph (B), (C), or (D) of
4 subsection (a)(2).

5 “(6) APPLICABLE PROCEDURES.—In meeting
6 the requirements of this subsection, a provider shall
7 comply with the provisions of paragraphs (1)(A),
8 (2)(A), and (as applicable) (5) of subsection (e).

9 “(c) CRITERIA FOR WIL ELIGIBILITY.—

10 “(1) GENERAL CRITERIA TO ESTABLISH WIL
11 ELIGIBILITY.—A provider on the standard provider
12 list for a State, including a provider described in
13 subparagraph (B), (C), or (D) of subsection (a)(2),
14 that seeks to become eligible to receive funds pro-
15 vided under section 133(b) for the provision of train-
16 ing services, with respect to a program, on the WIL
17 provider list, shall request that the Governor submit
18 to the Secretary information on the program’s levels
19 of performance on the indicators described in sub-
20 section (b)(4)(C), to demonstrate that the program
21 meets minimum levels of performance by—

22 “(A) having a credential attainment rate of
23 program completers (calculated as the percent-
24 age of program completers who obtain the rec-
25 ognized postsecondary credential that the pro-

1 ment during the second quarter after
2 program exit; and

3 “**(II)** the median earnings of par-
4 ticipants during the quarter prior to
5 entering the program; to

6 “(ii) the total cost of the program (as
7 described in subsection (b)(4)(D)(i)).

8 “(2) **ADDITIONAL INFORMATION REQUIRE-**
9 **MENTS.**—In seeking to maintain eligibility for the
10 WIL provider list, a provider (for the eligible pro-
11 gram on the list offered by the provider) shall sub-
12 mit to the Governor the information required under
13 subsection (b)(4)(D).

14 “(3) **DETERMINATION.**—The Secretary shall de-
15 termine eligibility for the WIL provider list for a
16 provider and an eligible program offered by the pro-
17 vider by evaluating the information submitted under
18 paragraphs (1) and (2). The Secretary shall subse-
19 quently determine whether the provider has dem-
20 onstrated that the eligible program offered by such
21 provider has met the minimum levels of performance
22 under paragraph (1) and the provider has (if seeking
23 to maintain that eligibility) submitted the informa-
24 tion under paragraph (2). The Secretary may also
25 review any additional information submitted by the

1 provider, for the provider or the eligible program of-
2 fered by such provider. Upon determining that a
3 provider has made that demonstration, the Secretary
4 shall notify the Governor of the State in which the
5 provider is located of such determination. The Gov-
6 ernor shall subsequently remove the provider and
7 program from the standard provider list. The Sec-
8 retary shall include the provider and program on the
9 WIL provider list.

10 “(4) SEAL.—A provider or eligible program of-
11 fered by such provider for which the provider dem-
12 onstrates exceptional performance in providing train-
13 ing services by demonstrating that program meets
14 the minimum levels of performance under paragraph
15 (1), as determined by the Secretary under paragraph
16 (3) using the information submitted under para-
17 graph (1) and any additional information submitted
18 by the provider, may display a special seal for excep-
19 tional performance, of such design as the Secretary
20 may approve, for display on all public materials.

21 “(5) MAINTAINING WIL PROVIDER STATUS.—

22 “(A) IN GENERAL.—A provider shall re-
23 main on the WIL provider list for as long as
24 the eligible program of the provider meets the
25 minimum levels of performance under para-

1 graph (1) and the provider meets additional in-
2 formation requirements under paragraph (2).

3 “(B) PROVIDER NOT MEETING REQUIRE-
4 MENTS.—In a given program year—

5 “(i) if a provider fails to meet the re-
6 quirements for the WIL provider list (as
7 determined by the Secretary), due to a fail-
8 ure of the provider or a program of the
9 provider, the Secretary shall remove the
10 provider and program from the WIL pro-
11 vider list; and

12 “(ii) if a provider who is so re-
13 moved—

14 “(I) meets the requirements for
15 the standard provider list (as deter-
16 mined by the Governor), the Governor
17 shall include the provider and pro-
18 gram on the standard provider list; or

19 “(II) does not meet those re-
20 quirements due to a failure of the pro-
21 vider or a program of the provider,
22 the provider and the program shall be
23 determined by the Governor to be in-
24 eligible under this section.

1 “(C) CONSTRUCTION.—Nothing in this
2 paragraph shall be construed to require the
3 Secretary to remove a provider from the WIL
4 list if the provider offers at least one program
5 that meets the minimum levels of performance
6 under paragraph (1) and meets the additional
7 information requirements of paragraph (2).

8 “(6) APPLICABLE PROCEDURES.—In meeting
9 the requirements of this subsection, a provider shall
10 comply with the provisions of paragraphs (1)(B),
11 (2)(B), and (as applicable) (5) of subsection (e).

12 “(d) EMPLOYER-SPONSORED TRAINING OR INDUS-
13 TRY OR SECTOR PARTNERSHIP DESIGNATION.—

14 “(1) IN GENERAL.—The Governor shall estab-
15 lish procedures and criteria for eligible providers of
16 training services to apply to the State for an
17 employer- or institution of higher education-spon-
18 sored designation for a program with standard eligi-
19 bility, which application shall include a commitment
20 from an employer or industry or sector partnership
21 for the occupation for which the program is pre-
22 paring the participants to—

23 “(A) pay to the provider involved, on be-
24 half of each participant enrolled in such pro-
25 gram under this subtitle, not less than an

1 equivalent cost of the program (as described in
2 subsection (b)(4)(D)(i)) per participant, which
3 shall be provided in lieu of an equivalent
4 amount that the provider would have otherwise
5 received under section 133(b) for the provision
6 of training services through such program to
7 such participant; and

8 “(B) guarantee an interview and meaning-
9 ful consideration for a job with the employer, or
10 in the case of an industry or sector partnership,
11 an employer within such partnership, for each
12 such participant that successfully completes the
13 program.

14 “(2) RESTRICTION ON FINANCIAL ARRANGE-
15 MENT.—A provider receiving an employer-sponsored
16 designation under this subsection may not—

17 “(A) have an ownership stake in the em-
18 ployer or industry or sectoral partnership mak-
19 ing a commitment described in paragraph (1);
20 or

21 “(B) enter into an arrangement to reim-
22 burse an employer or partnership for a cost for
23 a participant paid by such employer or partner-
24 ship under paragraph (1).

25 “(e) PROCEDURES.—

1 “(1) PROCEDURES FOR ESTABLISHMENT.—

2 “(A) STANDARD PROVIDER LIST.—

3 “(i) IN GENERAL.—The procedures
4 established by the Governor under sub-
5 section (a) shall identify the application
6 process for a provider of training services
7 (for the provider and a program offered by
8 the provider) to become eligible to receive
9 funds provided under section 133(b) for
10 the provision of training services, on the
11 standard provider list. That process shall
12 not require the submission of information
13 in excess of the information required to es-
14 tablish standard eligibility under sub-
15 section (b). The procedures shall identify
16 the role of the State in receiving and re-
17 viewing the applications and in making de-
18 terminations of such eligibility under sub-
19 section (b) based on the criteria (including
20 levels of performance), information require-
21 ments, and procedures established under
22 this section.

23 “(ii) APPEALS.—The procedures shall
24 also establish a process, for a provider of
25 training services to appeal a denial or rev-

1 ocation of eligibility under subsection (b),
2 that includes an opportunity for a hearing
3 and prescribes appropriate time limits to
4 ensure prompt resolution of the appeal.

5 “(B) WIL PROVIDER LIST.—The applica-
6 tion process for a provider of training services
7 (for the provider and a program offered by the
8 provider) to become eligible to receive funds
9 provided under section 133(b) for the provision
10 of training services, on the WIL provider list,
11 shall consist solely of the Governor’s submission
12 as described in subsection (c)(1) and, at the
13 election of the provider, submission of any addi-
14 tional information referred to in subsection
15 (c)(3). That process shall not require the sub-
16 mission of information in excess of the informa-
17 tion required to establish eligibility on that list
18 under subsection (c). The Secretary’s proce-
19 dures for evaluating (including confirming) in-
20 formation submitted as described in this sub-
21 paragraph and in making determinations of
22 such eligibility under subsection (c) shall consist
23 solely of the procedures described in subsection
24 (c)(3).

25 “(2) PROCEDURES FOR MAINTENANCE.—

1 “(A) STANDARD PROVIDER LIST.—The
2 procedures established by the Governor shall
3 also provide for annual submission of informa-
4 tion, and annual review and consideration of
5 maintenance of eligibility under this section, for
6 providers and eligible programs offered by such
7 providers, on the standard provider list. Those
8 procedures shall not require the submission of
9 information in excess of the information re-
10 quired to maintain eligibility on that list under
11 subsection (b).

12 “(B) WIL PROVIDER LIST.—The Sec-
13 retary’s procedures for annual submission of in-
14 formation, and for such annual review and con-
15 sideration of maintenance of eligibility, for pro-
16 viders and eligible programs offered by such
17 providers, on the WIL provider list shall consist
18 solely of the submission described in subsection
19 (c)(2) and the evaluation and determination
20 procedures described in subsection (c)(3). The
21 Secretary’s procedures shall not require the
22 submission of information in excess of the infor-
23 mation required to maintain eligibility on that
24 list under subsection (c).

1 “(3) CONTINUITY OF TRAINING SERVICES.—A
2 provider of a program for which the Governor re-
3 vokes standard eligibility under subsection (b)(5)
4 shall—

5 “(A) be prohibited by the Governor from
6 enrolling any new participants and from receiv-
7 ing any payments from funds provided under
8 section 133(b) until and unless the Governor
9 determines that the provider has demonstrated
10 that the provider and the program have met the
11 criteria described in paragraphs (1) and (2) of
12 subsection (b), required for the provider to gain
13 the opportunity to reapply for eligibility on the
14 standard provider list under the procedure de-
15 scribed under subsection (b)(5)(B); and

16 “(B) enable each participant currently en-
17 rolled in the program, on the date of the rev-
18 ocation, to complete such program.

19 “(4) NOTIFICATION OF PROGRAM CLOSURE.—A
20 Governor shall notify participants of a program for
21 which standard eligibility is revoked of—

22 “(A) the program’s inability to receive
23 funds under section 133(b);

24 “(B) the date that the prohibition in para-
25 graph (3)(A) is scheduled to take effect; and

1 “(C) the participant’s opportunity to con-
2 tinue receiving training services from the pro-
3 gram.

4 “(5) MULTISTATE PROVIDERS.—Each Governor
5 shall establish procedures under subsection (a), for
6 the circumstance in which a provider is an eligible
7 provider of a program of training services in another
8 State and seeks to become an eligible provider of
9 that program in the Governor’s State. The proce-
10 dures shall specify the process for the provider to es-
11 tablish standard eligibility in such State, as long as
12 the program meets the applicable State requirements
13 established under subsection (b) for each such State.

14 “(f) LIST AND INFORMATION TO ASSIST PARTICI-
15 PANTS IN CHOOSING PROVIDERS.—

16 “(1) STANDARD PROVIDER LIST.—

17 “(A) PREPARATION.—In order to facilitate
18 and assist participants in choosing employment
19 and training activities and in choosing providers
20 of training services, the Governor shall ensure
21 that a standard list of providers determined
22 under subsection (b) to be eligible under this
23 section to offer a program in the State and of
24 the corresponding programs, accompanied by
25 information identifying the recognized postsec-

1 ondary credential offered by each provider,
2 other required information (including informa-
3 tion on required criteria) submitted by the pro-
4 vider, and such other information as the Gov-
5 ernor determines to be appropriate, is prepared.

6 “(B) AVAILABILITY.—The list shall be pro-
7 vided to the local boards in the State. The local
8 boards shall ensure that the list is made avail-
9 able to such participants and to members of the
10 public through the one-stop delivery system in
11 the State.

12 “(2) WIL PROVIDER LIST.—

13 “(A) PREPARATION.—In order to offer
14 that facilitation and assistance, the Governor
15 shall ensure that a Workforce Innovation Lead-
16 ers list of providers determined under sub-
17 section (c) to be eligible under this section to
18 offer a program in the State and of the cor-
19 responding programs, is prepared. The list shall
20 be accompanied by information identifying the
21 recognized postsecondary credential offered by
22 each provider and other required information
23 (including information on required criteria) sub-
24 mitted by the provider to make the determina-

1 tions on establishment and maintenance of eli-
2 gibility described in subsection (c).

3 “(B) AVAILABILITY.—The list shall be pro-
4 vided to the local boards in the State. The local
5 boards shall ensure that the list is made avail-
6 able as described in paragraph (1).

7 “(3) CREDENTIAL NAVIGATION FEATURE.—

8 “(A) ESTABLISHMENT.—In order to en-
9 hance the ability of participants and employers
10 to understand and compare the value of the rec-
11 ognized postsecondary credentials awarded by
12 eligible programs offered by providers of train-
13 ing services in a State, the Secretary shall de-
14 velop, in partnership with and using informa-
15 tion reported by States, and establish, a creden-
16 tial navigation feature.

17 “(B) INFORMATION.—The feature shall
18 allow participants and the public—

19 “(i) to search a list of such recognized
20 postsecondary credentials;

21 “(ii) to identify which credentials may
22 permit articulation into a higher level or
23 other degree or credential program;

24 “(iii) to identify which credentials
25 may be portable;

1 “(iv) to identify the providers and
2 programs awarding such a credential; and

3 “(v) to identify, with respect to each
4 such credential (aggregated for all partici-
5 pants in the State who have received such
6 credential)—

7 “(I) the information (including
8 information on required criteria) re-
9 quired under paragraphs (2), (3), and
10 (4) of subsection (b); and

11 “(II) the employment and earn-
12 ings outcomes described in subclauses
13 (I) through (III) of section
14 116(b)(2)(i).

15 “(4) AVAILABILITY.—The Governor shall en-
16 sure that the lists (including the credential naviga-
17 tion feature described in paragraph (3)), and the ac-
18 companying information shall be made available to
19 participants described in paragraph (1) and to mem-
20 bers of the public through the one-stop delivery sys-
21 tem in the State—

22 “(A) on a publicly accessible website
23 that—

24 “(i) is consumer-tested;

1 “(ii) is searchable, easily understand-
2 able, accessible, and navigable, and allows
3 for the comparison of eligible programs
4 through the use of common, linked, open-
5 data descriptive language;

6 “(iii) is compliant with the most re-
7 cent Web Content Accessibility Guidelines
8 of the Web Accessibility Initiative, or suc-
9 cessor guidelines; and

10 “(iv) is available in multiple lan-
11 guages, to the extent practicable; and

12 “(B) in a manner that does not reveal per-
13 sonally identifiable information about an indi-
14 vidual participant.

15 “(5) WEBSITE TECHNICAL ASSISTANCE.—The
16 Secretary shall—

17 “(A) upon request, provide technical assist-
18 ance to a State on establishing a website that
19 meets the requirements of paragraph (4); and

20 “(B) disseminate to each State descrip-
21 tions of effective practices or resources from
22 States and private sector entities related to es-
23 tablishing a website that is consumer-tested to
24 ensure that the website is searchable, easily un-
25 derstandable, accessible, and navigable.

1 “(6) LIMITATION.—In carrying out the require-
2 ments of this subsection, no personally identifiable
3 information regarding a student, including a Social
4 Security number, student identification number, or
5 other identifier, may be disclosed without the prior
6 written consent of the parent or student in compli-
7 ance with section 444 of the General Education Pro-
8 visions Act (20 U.S.C. 1232g).

9 “(g) OPPORTUNITY TO SUBMIT COMMENTS.—In es-
10 tablishing, under this section, criteria (including levels of
11 performance), information requirements, procedures, and
12 the lists of eligible providers described in subsection (f),
13 the Governor or the Secretary, as the case may be, shall
14 provide an opportunity for interested members of the pub-
15 lic to make recommendations and submit comments re-
16 garding such criteria, information requirements, proce-
17 dures, and lists.

18 “(h) REPAYMENT.—

19 “(1) PENALTY.—

20 “(A) IN GENERAL.—If a Governor deter-
21 mines, under subsection (b)(5), that an eligible
22 program of a provider with standard eligibility
23 has failed to meet the levels of performance on
24 the criteria under subsection (b)(3), and the
25 program has a level of performance described in

1 clause (i), (ii), (iii), or (iv) of subparagraph (B)
2 for a given program year, the provider shall be
3 liable for the repayment of funds, in accordance
4 with the percentages established in that clause,
5 received under chapter 3.

6 “(B) REPAYMENT PERCENTAGES.—

7 “(i) 30 TO 40 PERCENT.—If the pro-
8 gram has a level of performance of more
9 than 30 percent but not more than 40 per-
10 cent for the indicator under subsection
11 (b)(3)(A) and for the indicator under sub-
12 section (b)(3)(B), the provider shall be re-
13 quired to repay to the local board 5 per-
14 cent of the funds received by the provider
15 for training services for that program.

16 “(ii) 20 TO 30 PERCENT.—If the pro-
17 gram has a level of performance of more
18 than 20 percent but not more than 30 per-
19 cent for the indicator under subsection
20 (b)(3)(A) and for the indicator under sub-
21 section (b)(3)(B), the provider shall be re-
22 quired to repay to the local board 10 per-
23 cent of the funds received by the provider
24 for training services for that program.

1 “(iii) 10 TO 20 PERCENT.—If the pro-
2 gram has a level of performance of more
3 than 10 percent but not more than 20 per-
4 cent for the indicator under subsection
5 (b)(3)(A) and for the indicator under sub-
6 section (b)(3)(B), the provider shall be re-
7 quired to repay to the local board 15 per-
8 cent of the funds received by the provider
9 for training services for that program.

10 “(iv) 0 TO 10 PERCENT.—If the pro-
11 gram has a level of performance of not
12 more than 10 percent for the indicator
13 under subsection (b)(3)(A) and for the in-
14 dicator under subsection (b)(3)(B), the
15 provider shall be required to repay to the
16 local board 20 percent of the funds re-
17 ceived by the provider for training services
18 for that program.

19 “(2) CONSTRUCTION.—Paragraph (1) shall be
20 construed to provide remedies and penalties in addi-
21 tion to civil and criminal remedies and penalties
22 specified in other provisions of law.

23 “(3) EXCEPTIONS.—The Secretary shall hold
24 harmless from the repayment penalties established
25 under paragraph (1)—

1 “(A) a provider with not more than 10 in-
2 dividuals receiving training services through
3 programs funded under chapter 3;

4 “(B) a provider described in subparagraph
5 (B), (C) or (D) of subsection (a)(2); and

6 “(C) any other nonprofit provider on the
7 standard provider list.

8 “(i) PROVIDER PERFORMANCE INCENTIVES FOR
9 SERVING HARD-TO-SERVE POPULATIONS.—

10 “(1) IN GENERAL.—The Governor shall estab-
11 lish a system of performance incentive payments to
12 be awarded to eligible providers and qualified pro-
13 viders described in subsection (j), in addition to the
14 amounts paid under section 133(b) to such pro-
15 viders, for the provision of training services to par-
16 ticipants of eligible programs. Such system of per-
17 formance incentive payments may be established to
18 make awards to providers of eligible programs if the
19 programs—

20 “(A) achieve levels of performance that are
21 at least 10 percentage points above the min-
22 imum levels of performance established under
23 subsection (b)(3);

24 “(B) serve a significantly higher number of
25 individuals with barriers to employment com-

1 pared to the numbers served by eligible pro-
2 viders offering similar training services; or

3 “(C) achieve other performance successes,
4 including those related to participants securing
5 unsubsidized employment that provides eco-
6 nomic stability and upward mobility, as deter-
7 mined by the State.

8 “(2) INCENTIVE PAYMENTS.—Incentive pay-
9 ments to providers under paragraph (1) shall be
10 awarded to providers from the base portion (as de-
11 fined in section 133(a)(3)) of funds reserved by the
12 Governor under section 128(a) and funds reserved
13 under section 133(a) and may not exceed 5 percent
14 of the funds so reserved by a Governor.

15 “(j) ON-THE-JOB TRAINING, EMPLOYER-DIRECTED
16 SKILLS DEVELOPMENT, INCUMBENT WORKER TRAINING,
17 AND OTHER TRAINING EXCEPTIONS.—

18 “(1) IN GENERAL.—Providers of on-the-job
19 training, employer-directed skills development, in-
20 cumbent worker training, internships, and paid or
21 unpaid work experience opportunities, or transitional
22 employment shall not be subject to the requirements
23 of subsections (a) through (h).

24 “(2) COLLECTION AND DISSEMINATION OF IN-
25 FORMATION.—A local board in a local area shall col-

1 lect such performance information from employers
2 providing on-the-job training, employer-directed
3 skills development, incumbent worker training, in-
4 ternships, paid or unpaid work experience opportuni-
5 ties, and transitional employment as the Governor
6 may require to determine whether the providers
7 meet such performance criteria as the Governor may
8 require. The one-stop operator in the local area shall
9 disseminate information identifying such providers
10 that meet the criteria as qualified providers under
11 this subsection, and the performance information,
12 through the one-stop delivery system. The one-stop
13 operator shall disseminate the information in a wide-
14 ly available and accessible format, and in the 3 lan-
15 guages most widely spoken in the local area in which
16 the one-stop delivery system operates, to the extent
17 practicable. Providers determined to meet the cri-
18 teria shall be considered to be identified as qualified
19 providers of training services described in paragraph
20 (1), and shall be qualified to receive funds provided
21 under section 133(b) for the provision of training
22 services described in paragraph (1).

23 “(k) TECHNICAL ASSISTANCE.—The Governor may
24 apply to the Secretary for technical assistance, as de-
25 scribed in section 168, for purposes of carrying out the

1 requirements of this section, and the Secretary shall pro-
2 vide such technical assistance in a timely manner.

3 “(l) DEFINITIONS.—In this section:

4 “(1) ELIGIBLE PROGRAM.—The term ‘eligible
5 program’ means a program eligible for the standard
6 provider list or the WIL provider list, as the case
7 may be.

8 “(2) STANDARD ELIGIBILITY.—The term
9 ‘standard eligibility’ used with respect to a provider
10 or program, means that the provider or program is
11 listed on the standard provider list.”.

12 (b) TRANSITION PERIOD FOR IMPLEMENTATION.—
13 The Governors and local boards (as defined in section 3
14 of the Workforce Innovation and Opportunity Act (29
15 U.S.C. 3102)) shall implement the requirements of section
16 122 of such Act (29 U.S.C. 3152) not later than 14
17 months after the date of enactment of this Act. In order
18 to facilitate early implementation of that section 122 in
19 a State, the Governor may establish transition procedures
20 under which providers eligible to provide training services
21 under chapter 1 of subtitle B of title I of the Workforce
22 Innovation and Opportunity Act (29 U.S.C. 3151 et seq.),
23 as such chapter was in effect on the day before the date
24 of enactment of this Act, may continue to be eligible to

1 provide such services until March 31, 2025, or until such
2 earlier date as the Governor determines to be appropriate.

3 **SEC. 123. ELIGIBLE PROVIDERS OF YOUTH WORKFORCE IN-**
4 **VESTMENT ACTIVITIES.**

5 Section 123(a) of the Workforce Innovation and Op-
6 portunity Act (29 U.S.C. 3153(a)) is amended by insert-
7 ing “, including providers of pre-apprenticeship programs,
8 and apprenticeship programs, that serve youth,” before
9 “identified based”.

10 **CHAPTER 2—YOUTH WORKFORCE**
11 **INVESTMENT ACTIVITIES**

12 **SEC. 131. STATE ALLOTMENTS.**

13 Section 127(b)(1) of the Workforce Innovation and
14 Opportunity Act (29 U.S.C. 3162(b)(1)) is amended—

15 (1) in subparagraph (B)—

16 (A) in clause (i), by inserting “(other than
17 such activities carried out under paragraphs (4)
18 and (5) of section 134(a))” before the period at
19 the end; and

20 (B) in clause (ii)(i), by inserting “(other
21 than such activities carried out under para-
22 graphs (4) and (5) of section 134(a))” before
23 the period at the end; and

24 (2) in subparagraph (C)(iv)—

- 1 (A) in subclause (I)(aa), by striking “90”
2 and inserting “95”; and
3 (B) in subclause (III), by striking “130”
4 and inserting “115”.

5 **SEC. 132. WITHIN STATE ALLOCATIONS.**

6 Section 128(a) of the Workforce Innovation and Op-
7 portunity Act (29 U.S.C. 3163(a)) is amended—

8 (1) in paragraph (1)—

9 (A) by striking “15” and inserting “25”;

10 (B) by striking “The Governor” and in-
11 sserting the following:

12 “(A) GOVERNOR’S RESERVE FUNDS.—The
13 Governor”; and

14 (C) by adding at the end the following:

15 “(B) PORTION FOR EMPLOYER-BASED
16 TRAINING OR INDUSTRY OR SECTOR PARTNER-
17 SHIP DEVELOPMENT FUND.—Except as other-
18 wise provided in sections 116(f)(1)(B) and
19 129(a)(5)(A), if a sum reserved under subpara-
20 graph (A) from an allotted amount exceeds 15
21 percent of that allotted amount, the portion
22 that exceeds 15 percent shall, as determined by
23 the Governor and notwithstanding sections
24 106(b)(6), 129(b), and 134(a), be—

1 “(i) transferred to the industry or sec-
 2 tor partnership development fund under
 3 section 134(a)(4) for the establishment
 4 and operation of the industry or sector
 5 partnership development program under
 6 such section; or

7 “(ii) transferred to the statewide em-
 8 ployer-based training activities fund under
 9 section 134(a)(5) for employer-based train-
 10 ing activities as described in that section.”;
 11 and

12 (2) in paragraph (2)—

13 (A) by inserting “under paragraph (1)”
 14 after “whether the reserved amounts”; and

15 (B) by striking “may” and inserting “may,
 16 except as provided in paragraph (1)(B),”.

17 **SEC. 133. USE OF FUNDS FOR YOUTH WORKFORCE INVEST-**
 18 **MENT ACTIVITIES.**

19 Section 129 of the Workforce Innovation and Oppor-
 20 tunity Act (29 U.S.C. 3164) is amended—

21 (1) in subsection (a)—

22 (A) in paragraph (1)—

23 (i) by striking subparagraph (A) and
 24 inserting the following:

25 “(A) ELIGIBILITY DETERMINATION.—

1 “(i) IN GENERAL.—To be eligible to
2 participate in activities carried out under
3 this chapter during any program year an
4 individual shall, at the time the eligibility
5 determination is made, be an opportunity
6 youth or an in-school youth.

7 “(ii) ENROLLMENT.—

8 “(I) PROVISIONAL ENROLL-
9 MENT.—If a one-stop operator or eli-
10 gible provider of youth workforce in-
11 vestment activities (as determined
12 under section 123) carrying out activi-
13 ties under this chapter reasonably be-
14 lieves that an individual is eligible to
15 participate in such activities, the one-
16 stop operator or provider may allow
17 such individual to be provisionally en-
18 rolled and participate in such activi-
19 ties for a period of not more than 30
20 days.

21 “(II) DETERMINATION.—A one-
22 stop operator or eligible provider of
23 youth workforce investment activities
24 described in subclause (I) that provi-

1 the local area involved, such operator or
2 provider—

3 “(I) may—

4 “(aa) continue serving such
5 individual using non-Federal
6 funds; or

7 “(bb) end the participation
8 of such individual in activities
9 carried out under this chapter
10 and refer the individual to other
11 services that may be available in
12 the local area for which the indi-
13 vidual may be eligible; and

14 “(II) shall be paid for any such
15 activities provided to such individual
16 under this chapter during the provi-
17 sional enrollment period described in
18 clause (ii)(I) by the local area involved
19 using funds allocated to such area
20 under section 128(b).

21 “(iv) DETERMINATION PROCESS FOR
22 FOSTER YOUTH.—In determining whether
23 an individual is eligible to participate in
24 activities carried out under this chapter on
25 the basis of being an individual who is a

1 youth in foster care, as described in sub-
2 paragraph (B)(iii)(V), the one-stop oper-
3 ator or eligible provider of youth workforce
4 investment activities (as determined under
5 section 123) involved shall, in determining
6 whether the individual is a youth in foster
7 care, use a process that complies with the
8 process requirements that apply to finan-
9 cial aid administrators under section
10 479D(b) of the Higher Education Act of
11 1965, for documentation under that sec-
12 tion.

13 “(v) DETERMINATION PROCESS FOR
14 YOUTH EXPERIENCING HOMELESSNESS.—
15 In determining whether an individual is eli-
16 gible to participate in activities carried out
17 under this chapter on the basis of being an
18 individual who is a youth experiencing
19 homelessness, as described in subpara-
20 graph (B)(iii)(V), the one-stop operator or
21 eligible provider of youth workforce invest-
22 ment activities (as determined under sec-
23 tion 123) involved shall, in determining
24 whether the individual is a youth experi-
25 encing homelessness, use a process that

1 complies with the process requirements
2 that apply to financial aid administrators
3 under section 479D(a) of the Higher Edu-
4 cation Act of 1965, for determinations
5 under that section.”;

6 (ii) in subparagraph (B)—

7 (I) in the heading, by striking
8 “OUT-OF-SCHOOL-YOUTH” and insert-
9 ing “OPPORTUNITY YOUTH”;

10 (II) in the matter preceding
11 clause (i), by striking “out-of-school
12 youth” and inserting “opportunity
13 youth”;

14 (III) in clause (i), by inserting
15 “or is an individual described in sub-
16 paragraph (IV) or (V) of clause (iii)”
17 before the semicolon; and

18 (IV) in clause (iii)—

19 (aa) by striking subclause
20 (III) and inserting the following:

21 “(III) A recipient of a regular
22 high school diploma or its recognized
23 equivalent who is a low-income indi-
24 vidual and—

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1 “(aa) has a foundational
2 skill need; or

3 “(bb) is an English learn-
4 er.”; and

5 (bb) by striking subclause
6 (V) and inserting the following:

7 “(V) An individual experiencing
8 homelessness (meaning a homeless in-
9 dividual, as defined in section
10 41403(6) of the Violence Against
11 Women Act of 1994 (34 U.S.C.
12 12473(6))), a youth experiencing
13 homelessness (meaning a homeless
14 child or youth, as defined in section
15 725(2) of the McKinney-Vento Home-
16 less Assistance Act (42 U.S.C.
17 11434a(2))), a runaway, a youth in
18 foster care or who has aged out of the
19 foster care system, a youth eligible for
20 assistance under section 477 of the
21 Social Security Act (42 U.S.C. 677),
22 or an individual in an out-of-home
23 placement.”; and

24 (iii) by striking subparagraph (C) and
25 inserting the following:

1 “(C) IN-SCHOOL YOUTH.—In this section,
2 the term ‘in-school youth’ means an individual
3 who—

4 “(i) is attending school (as defined by
5 State law);

6 “(ii) is not younger than age 14 or
7 (unless an individual with a disability who
8 is attending school under State law) older
9 than age 21;

10 “(iii) is a low-income individual; and

11 “(iv) is one or more of the following:

12 “(I) An individual who has
13 foundational skill needs.

14 “(II) An English learner.

15 “(III) An individual who is preg-
16 nant or parenting.

17 “(IV) A youth who is an indi-
18 vidual with a disability.

19 “(V) An individual who requires
20 additional assistance to complete an
21 educational program or to secure or
22 hold employment.”;

23 (B) by redesignating paragraphs (3), (4),
24 and (5) as paragraphs (4), (5), and (6), respec-
25 tively;

1 (C) by inserting after paragraph (2) the
2 following:

3 “(3) RULE OF CONSTRUCTION.—An individual
4 described in paragraph (1)(B)(iii)(V) shall also be
5 considered an in-school youth for purposes of eligi-
6 bility for participation in any activity carried out
7 under this chapter.”;

8 (D) in paragraph (4), as so redesignated—

9 (i) in subparagraph (A)(i), by striking
10 “out-of-school” and inserting “oppor-
11 tunity”; and

12 (ii) in subparagraph (B), by striking
13 “(1)(C)(iv)(VII)” and inserting
14 “(1)(C)(iv)(V)”; and

15 (E) in paragraph (5), as so redesignated—

16 (i) in the heading by striking “OUT-
17 OF-SCHOOL” and inserting “OPPORTUNITY
18 YOUTH”;

19 (ii) in subparagraph (A)—

20 (I) by striking “funds allotted
21 under section 127(b)(1)(C), reserved
22 under section 128(a), and” and in-
23 serting “amount of the base portion
24 (as defined in section 133(a)(3)) from

1 an allotment under section
2 127(b)(1)(C) that is”; and

3 (II) by striking “out-of-school”
4 and inserting “opportunity”; and

5 (iii) in subparagraph (B), by striking
6 “50” each place it appears and inserting
7 “60”;

8 (2) in subsection (b)—

9 (A) in paragraph (1)—

10 (i) in the matter preceding subpara-
11 graph (A), by striking “Funds reserved by
12 a Governor as described in sections 128(a)
13 and 133(a)(1)” and inserting “The base
14 portion (as defined in section 133(a)(3))
15 reserved by a Governor”;

16 (ii) in subparagraph (B), by inserting
17 “, through a website that is consumer-test-
18 ed to ensure that the website is easily un-
19 derstood, searchable, and navigable and al-
20 lows for comparison of eligible providers
21 based on the program elements offered by
22 such providers and the performance of
23 such providers on the primary indicators of
24 performance for the youth program as de-

1 scribed in section 116(b)(2)(A)(ii)” after
2 “section 123”;

3 (iii) in subparagraph (C), by striking
4 “(b)(7)” and inserting “(b)(6)”;

5 (iv) in subparagraph (D), by striking
6 “116(i)” and inserting “116(j)”;

7 (B) in paragraph (2)—

8 (i) in the matter preceding subpara-
9 graph (A), by striking “Funds reserved by
10 a Governor as described in sections 128(a)
11 and 133(a)(1)” and inserting “The base
12 portion reserved by a Governor”;

13 (ii) in subparagraph (C), by inserting
14 “, which may include providing guidance
15 on career options in in-demand industry
16 sectors or occupations” before the semi-
17 colon;

18 (iii) in subparagraph (D)—

19 (I) in clause (iv), by striking “;
20 and” and inserting a semicolon; and

21 (II) by adding at the end the fol-
22 lowing:

23 “(vi) supporting the ability to under-
24 stand relevant tax information and obliga-
25 tions;”;

1 (iv) in subparagraph (E), by striking
2 the period at the end and inserting a semi-
3 colon; and

4 (v) by adding at the end the following:

5 “(F) establishing, supporting, and expand-
6 ing work-based learning opportunities, including
7 transitional jobs, that are aligned with career
8 pathways;

9 “(G) coordinating activities with providers
10 of a pre-apprenticeship program or apprentice-
11 ship program for youth in the State to estab-
12 lish, support, or expand the program described
13 in this subparagraph, including any such pro-
14 gram in the State receiving assistance under
15 section 173;

16 “(H) coordinating activities with entities
17 implementing reentry projects in the State fo-
18 cused on establishing or improving workforce
19 development programs for justice-involved
20 youth, including any such reentry projects in
21 the State receiving assistance under section
22 172;

23 “(I) coordinating activities with agencies
24 implementing corrections education and other
25 education programs in the State focused on

1 providing incarcerated youth with education
2 and skills development programs, including any
3 such programs in the State receiving assistance
4 under section 225;

5 “(J) raising public awareness (including
6 through public service announcements, such as
7 social media campaigns, and elementary and
8 secondary school showcases and school visits)
9 about career and technical education programs,
10 community-based organizations, and youth serv-
11 ices organizations, and conducting other infor-
12 mational awareness endeavors that are focused
13 on programs that prepare students for in-de-
14 mand industry sectors or occupations; and

15 “(K) developing partnerships between edu-
16 cational institutions (including area career and
17 technical education schools and institutions of
18 higher education) and employers to create or
19 improve workforce development programs to ad-
20 dress the identified education and skill needs of
21 the workforce and the employment needs of em-
22 ployers in the regions or local areas of the
23 State, as determined based on the most recent
24 analyses conducted under subparagraphs (A)
25 and (B) of section 102(b)(1).”; and

1 (3) in subsection (c)—

2 (A) in paragraph (1)—

3 (i) in subparagraph (C)(i), by striking
4 “secondary school” and inserting “regular
5 high school”; and

6 (ii) in subparagraph (D)—

7 (I) by inserting “and only to the
8 extent the pay-for-performance con-
9 tract strategy involved maintains a
10 priority for the provision of service
11 under this section for opportunity
12 youth” after “of the local board”; and

13 (II) by striking “10” and insert-
14 ing “20”; and

15 (B) in paragraph (2)—

16 (i) in the matter preceding subpara-
17 graph (A), by striking “secondary school”
18 and inserting “regular high school”;

19 (ii) in subparagraph (A), by striking
20 “secondary school” and inserting “regular
21 high school”;

22 (iii) by striking subparagraph (C) and
23 inserting the following:

24 “(C) work experiences that are paid work
25 experiences, or that are unpaid work experi-

1 ences for which academic credit may be award-
2 ed, and that have academic and occupational
3 education as a component, which paid or un-
4 paid experiences may include—

5 “(i) summer employment opportuni-
6 ties and year-round employment opportuni-
7 ties available throughout the school year,
8 that meet the requirements described in
9 paragraph (10)(A) and selected in accord-
10 ance with paragraph (10)(D);

11 “(ii) pre-apprenticeships and appren-
12 ticeships for youth;

13 “(iii) internships that, to the extent
14 practicable—

15 “(I) are aligned with in-demand
16 industry sectors or occupations in the
17 State or local area; and

18 “(II) provide pay to the partici-
19 pants (by the entity providing the in-
20 ternship, through funds allocated to
21 the local area pursuant to paragraph
22 (1) for the program involved, or by
23 another entity) if the internship is
24 longer than—

1 “(aa) in the case of a partic-
2 ipant who is an in-school youth
3 or opportunity youth who is at-
4 tending school, 4 weeks during
5 the summer or 8 weeks during
6 the school year; or

7 “(bb) in the case of a partic-
8 ipant who is an opportunity
9 youth who is not attending any
10 school, 8 weeks;

11 “(iv) job shadowing;

12 “(v) on-the-job training opportunities;

13 and

14 “(vi) work-based learning;”;

15 (iv) in subparagraph (H), by striking
16 “adult mentoring” and inserting “coaching
17 and adult mentoring services”; and

18 (v) by striking subparagraph (I) and
19 inserting the following:

20 “(I) followup services (including case man-
21 agement) for, to the extent practicable, not less
22 than 12 months after the completion of partici-
23 pation;”;

24 (C) in paragraph (3)(B), by striking “basic
25 skills” and inserting “foundational skill needs”;

1 (D) by striking paragraph (4) and insert-
2 ing the following:

3 “(4) PRIORITY.—

4 “(A) WORK EXPERIENCES.—Not less than
5 30 percent of the funds allocated to the local
6 area as described in paragraph (1) shall be
7 used to provide in-school youth and opportunity
8 youth with activities under paragraph (2)(C).

9 “(B) APPRENTICESHIPS AND PRE-APPREN-
10 TICESHIPS FOR YOUTH.—Not less than 33 and
11 $\frac{1}{3}$ percent of the funds used for the purposes
12 described in subparagraph (A) shall be used to
13 provide in-school youth and opportunity youth
14 with activities described in paragraph
15 (2)(C)(ii).”;

16 (E) in paragraph (5), by inserting “or
17 local area” after “youth services”;

18 (F) in paragraph (7), by inserting “, sec-
19 ondary schools, and area career and technical
20 education schools,” after “agencies”; and

21 (G) by adding at the end the following:

22 “(9) INDIVIDUAL TRAINING ACCOUNTS.—Funds
23 allocated to a local area as described in paragraph
24 (1) may be used to pay, through an individual train-
25 ing account, an eligible provider of training services

1 for training services described in section 134(e)(3)
2 provided to an in-school youth who is not younger
3 than age 18, or any opportunity youth, in the same
4 manner that an individual training account is used
5 to pay an eligible provider of training services under
6 subparagraphs (F)(iii) and (G) of section 134(e)(3)
7 for training services provided to an adult or dis-
8 located worker.

9 “(10) SUMMER AND YEAR-ROUND EMPLOYMENT
10 OPPORTUNITIES REQUIREMENTS.—

11 “(A) IN GENERAL.—For purposes of para-
12 graph (2)(C)(i), the requirements described in
13 this subparagraph are that the summer employ-
14 ment opportunity or year-round employment op-
15 portunity is offered through a program that—

16 “(i) matches eligible youth partici-
17 pating in the program with an appropriate
18 employer (based on factors that include the
19 needs of the employer and the age, skill,
20 and informed aspirations of the eligible
21 youth);

22 “(ii) includes—

23 “(I) a component of occupational
24 skills education; and

1 “(II) not less than 2 of the ac-
2 tivities described in subparagraphs
3 (G), (H), (I), (K), and (M) of para-
4 graph (2);

5 “(iii) does not use funds allocated
6 under this chapter to subsidize more than
7 50 percent of the wages of any eligible
8 youth participant in the program;

9 “(iv) pays a wage that is not less than
10 the greater of—

11 “(I) the minimum wage required
12 under section 6(a) of the Fair Labor
13 Standards Act of 1938 (29 U.S.C.
14 206(a)); or

15 “(II) the applicable wage re-
16 quired by other applicable Federal,
17 State, or local laws;

18 “(v) in the case of a summer employ-
19 ment opportunity, complies with the re-
20 quirement described in subparagraph (B);
21 and

22 “(vi) in the case of a year-round em-
23 ployment opportunity, complies with the
24 requirements described in subparagraph
25 (C).

1 “(B) SUMMER EMPLOYMENT OPPOR-
2 TUNITY.—The requirement described in this
3 subparagraph is that the summer employment
4 opportunity is for a period that is not less than
5 4 weeks.

6 “(C) YEAR-ROUND EMPLOYMENT OPPOR-
7 TUNITY.—The requirements described in this
8 subparagraph are that the year-round employ-
9 ment opportunity—

10 “(i) is for a period that is not less
11 than 180 days and not more than 1 year;
12 and

13 “(ii) except in the case of an eligible
14 youth who is younger than the age of 18
15 or attending school, employs the eligible
16 youth participating in the program for not
17 less than 20 hours per week.

18 “(D) PRIORITY.—For purposes of para-
19 graph (2)(C)(i), in selecting summer employ-
20 ment opportunities or year-round employment
21 opportunities for purposes of paragraph
22 (2)(C)(i), a local area shall give priority to pro-
23 grams described under subparagraph (A) that
24 are in in-demand industry sectors or occupa-
25 tions.”.

1 **CHAPTER 3—ADULT AND DISLOCATED**
2 **WORKER EMPLOYMENT AND TRAIN-**
3 **ING ACTIVITIES**

4 **SEC. 141. STATE ALLOTMENTS.**

5 Section 132 of the Workforce Innovation and Oppor-
6 tunity Act (29 U.S.C. 3172) is amended—

7 (1) in subsection (a)(2)(A), by striking “use”
8 and all that follows and inserting “use—

9 “(i) under subsection (b)(2)(A);

10 “(ii) under section 168(b) (relating to
11 dislocated worker technical assistance);

12 “(iii) under subsections (c) (relating
13 to dislocated worker projects) and (d) (re-
14 lating to a workforce data quality initia-
15 tive) of section 169; and

16 “(iv) under section 170 (relating to
17 national dislocated worker grants); and”;

18 (2) in subsection (b)—

19 (A) in paragraph (1)—

20 (i) in subparagraph (A)(ii), by insert-
21 ing “(other than such employment and
22 training activities or workforce investment
23 activities carried out under paragraphs (4)
24 and (5) of section 134(a))” before “in ac-
25 cordance”; and

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1 (ii) in subparagraph (B)(v)(II)—

2 (I) in the first sentence, by strik-
3 ing “fiscal year 2015 or a subse-
4 quent” and inserting “a”; and

5 (II) by striking the second sen-
6 tence; and

7 (B) in paragraph (2)—

8 (i) in subparagraph (A)(ii), by insert-
9 ing “(other than such employment and
10 training activities or workforce investment
11 activities carried out under paragraphs (4)
12 and (5) of section 134(a))” before “in ac-
13 cordance”; and

14 (ii) in subparagraph (B)—

15 (I) in clause (iii), in the matter
16 preceding subclause (I), by striking
17 “fiscal year 2016 and each subse-
18 quent” and inserting “a”; and

19 (II) in clause (iv)(I), by striking
20 “fiscal year 2015 or a subsequent”
21 and inserting “a”; and

22 (3) in subsection (c)(1), by striking “or a cor-
23 responding provision of the Workforce Investment
24 Act of 1998”.

1 **SEC. 142. RESERVATIONS FOR STATE ACTIVITIES; WITHIN**
2 **STATE ALLOCATIONS.**

3 Section 133 of the Workforce Innovation and Oppor-
4 tunity Act (29 U.S.C. 3173) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1), by striking “reserva-
7 tion required under section 128(a)” and insert-
8 ing “reservations required under section 128(a),
9 which shall be subject to section 128(a)(1)(B)”;

10 (B) by striking paragraph (2) and insert-
11 ing the following:

12 “(2) STATEWIDE RAPID RESPONSE ACTIVI-
13 TIES.—

14 “(A) IN GENERAL.—The Governor shall
15 reserve not more than 15 percent of the total
16 amount allotted to the State under section
17 132(b)(2)(B) for a fiscal year for statewide
18 rapid response activities described in section
19 134(a)(2)(A).

20 “(B) EXCEPTION.—Upon request by the
21 Governor, the Secretary may raise the max-
22 imum reservation under subparagraph (A) to
23 25 percent for a State that demonstrates to the
24 Secretary exceptional need resulting from disas-
25 ters, mass layoffs, plant closings, or other

1 events that precipitate substantial increases in
2 the number of unemployed individuals.

3 “(C) NATIONAL DISLOCATED WORKER
4 GRANT.—A State that makes the demonstration
5 described in subparagraph (B) may apply for a
6 national dislocated worker grant under section
7 170 to increase the capacity of such State, in
8 accordance with section 170, to conduct activi-
9 ties described in section 134(a)(2)(A).”; and

10 (C) by adding at the end the following:

11 “(3) DEFINITIONS.—In this chapter:

12 “(A) BASE PORTION.—The term ‘base por-
13 tion’ means the portion of the State reservation
14 that is not the employer-based portion or the
15 partnership portion.

16 “(B) EMPLOYER-BASED PORTION.—The
17 term ‘employer-based portion’ means the por-
18 tion of the State reservation that is used as de-
19 scribed in section 128(a)(1)(B)(i).

20 “(C) PARTNERSHIP PORTION.—The term
21 ‘partnership portion’ means the portion of the
22 State reservation that is transferred as de-
23 scribed in section 128(a)(1)(B)(ii).

24 “(D) STATE RESERVATION.—For purposes
25 of this paragraph, the term ‘State reservation’

1 means the amount of funds reserved under sec-
2 tion 128(a)(1)(A) from the allotments described
3 in that section.”;

4 (2) in subsection (b)—

5 (A) in paragraph (2)—

6 (i) in subparagraph (A)(iii)—

7 (I) in the first sentence, by strik-
8 ing “fiscal year 2015 or a subse-
9 quent” and inserting “a”; and

10 (II) by striking the second sen-
11 tence; and

12 (ii) in subparagraph (B)—

13 (I) in clause (iii), by striking
14 “fiscal year 2016 or a subsequent”
15 and inserting “a”; and

16 (II) in clause (iv)—

17 (aa) in the first sentence, by
18 striking “fiscal year 2015 or a
19 subsequent” and inserting “a”;
20 and

21 (bb) by striking the second
22 sentence; and

23 (B) in paragraph (3), by striking subpara-
24 graph (B) and inserting the following:

1 “(B) the remaining portion of the funds on
2 the basis of a formula that—

3 “(i) incorporates additional factors
4 (other than the factors described in para-
5 graph (2)(A)) relating to—

6 “(I) excess poverty in urban,
7 rural, and suburban local areas; and

8 “(II) excess unemployment above
9 the State average in urban, rural, and
10 suburban local areas; and

11 “(ii) was developed by the State board
12 and approved by the Governor.”; and

13 (3) in subsection (c)(1), by striking “or a cor-
14 responding provision” and all that follows and in-
15 serting “or under subsection (b)(2)(B), and that are
16 available for reallocation.”.

17 **SEC. 143. USE OF FUNDS FOR EMPLOYMENT AND TRAINING**
18 **ACTIVITIES.**

19 (a) STATEWIDE EMPLOYMENT AND TRAINING AC-
20 TIVITIES.—Section 134(a) of the Workforce Innovation
21 and Opportunity Act (42 U.S.C. 3174) is amended—

22 (1) in paragraph (1)—

23 (A) in subparagraph (A), by striking
24 “and” at the end;

25 (B) in subparagraph (B)—

1 (i) in the matter preceding clause (i),
2 by inserting “that are in the base portion”
3 after “133(a)(1)”; and

4 (ii) in clause (ii), by striking the
5 comma at the end and inserting a semi-
6 colon; and

7 (C) by inserting after subparagraph (B)
8 the following:

9 “(C) as described in sections 128(a) and
10 133(a)(1) that are in the partnership portion
11 shall be used to establish and operate the pro-
12 gram under paragraph (4); and

13 “(D) as described in sections 128(a) and
14 133(a)(1) that are in the employer-based por-
15 tion shall be used to establish and carry out the
16 activities under paragraph (5),”;

17 (2) in paragraph (2)—

18 (A) in subparagraph (A)(i)—

19 (i) in subclause (I)—

20 (I) by inserting “as a rapid re-
21 sponse unit” after “designated by the
22 State”; and

23 (II) by striking “and” at the end;

24 (ii) in subclause (II)—

1 (I) by inserting “including unem-
2 ployed individuals with barriers to em-
3 ployment and unemployed individuals
4 with disabilities,” after “unemployed
5 individuals,”; and

6 (II) by striking the period at the
7 end and inserting “and”; and

8 (iii) by adding at the end the fol-
9 lowing:

10 “(III) provision of additional as-
11 sistance, through supplemental indi-
12 vidual training accounts, to a local
13 area that—

14 “(aa) has excess demand for
15 individual training accounts for
16 adult and dislocated workers in
17 such local area;

18 “(bb) received assistance to
19 provide supplemental individual
20 training accounts under sub-
21 section (e)(1); and

22 “(cc) received a determina-
23 tion by a State that, in using
24 funds allocated to such local area
25 pursuant to subsection (e)(1) to

1 provide supplemental individual
2 training accounts, the local area
3 was in compliance with the re-
4 quirements of subsection (e)(1).”;

5 (B) in subparagraph (B)—

6 (i) in the matter preceding clause (i),
7 by inserting “that are in the base portion”
8 after “133(a)(1)”; and

9 (ii) in clause (i), by striking subclause
10 (IV) and inserting the following:

11 “(IV) local areas, one-stop opera-
12 tors, one-stop partners, and eligible
13 providers, including the development
14 and training of staff, which may in-
15 clude—

16 “(aa) the development and
17 training of staff to provide infor-
18 mation about wage and benefit
19 levels of a range of occupations
20 and about other opportunities for
21 individuals with barriers to em-
22 ployment to enter in-demand in-
23 dustry sectors or occupations and
24 nontraditional occupations;

1 “(bb) providing capacity-
2 building, training, and technical
3 assistance to State board and
4 local board members on the de-
5 velopment of exemplary program
6 activities; and

7 “(cc) providing technical as-
8 sistance to local areas that fail to
9 meet local performance account-
10 ability measures described in sec-
11 tion 116(e); and

12 “(V) local boards and eligible
13 providers of training services in car-
14 rying out the performance reporting
15 required under section 116(d) and
16 section 122, including facilitating data
17 matches for program participants
18 using quarterly wage record informa-
19 tion (including information from the
20 wage records made available by any
21 other State) and other sources of in-
22 formation, as necessary to measure
23 the performance of programs and ac-
24 tivities conducted under chapter 2 or
25 this chapter;”;

1 (iii) in clause (ii), by striking
2 “106(b)(7)” and inserting “106(b)(6)”;

3 (iv) in clause (iii), by striking “section
4 116(i)” and inserting “section 116(j)”;

5 (v) in clause (v)—

6 (I) in subclause (I), by striking
7 “section 122(a)(2)(B)” and inserting
8 “section 122(a)(2)(D)”;

9 (II) by redesignating subclauses
10 (V) and (VI) as subclauses (VII) and
11 (VIII), respectively;

12 (III) by striking subclauses (II)
13 through (IV) and inserting the fol-
14 lowing:

15 “(II) information identifying each
16 eligible provider of training services
17 for which the Governor has revoked
18 standard eligibility, as described in
19 section 122(b)(5);

20 “(III) information identifying
21 qualified providers under section
22 122(j) of on-the-job training, em-
23 ployer-directed skills development, in-
24 cumbent worker training, internships,
25 paid or unpaid work experience oppor-

1 tunities, or transitional employment,
2 or sponsors of apprenticeships or pre-
3 apprenticeships;

4 “(IV) information on effective
5 outreach to, partnerships with, and
6 services for, businesses, including
7 businesses engaged in joint labor-
8 management partnerships;

9 “(V) information on effective
10 service delivery strategies to serve
11 workers and job seekers, including on
12 the principles for universal design for
13 learning;

14 “(VI) information on effective co-
15 ordination of supportive services for
16 workers and jobseekers;”;

17 (IV) in subclause (VII), as so re-
18 designated, by striking “subsections
19 (d) and (h) of section 122; and” and
20 inserting “subsections (f) and (j) of
21 section 122;”; and

22 (V) by adding at the end the fol-
23 lowing:

24 “(IX) information to participants
25 on understanding and accessing public

1 assistance programs and public serv-
2 ices and benefits;”;

3 (vi) in clause (vi), by striking the pe-
4 riod at the end and inserting a semicolon;
5 and

6 (vii) by adding at the end the fol-
7 lowing:

8 “(vii) coordinating (which may be
9 done in partnership with other States) with
10 industry organizations, employers (includ-
11 ing small and medium-sized employers), in-
12 dustry or sector partnerships, eligible pro-
13 viders of training services, local boards,
14 and institutions of higher education to
15 identify or develop competency-based as-
16 sessments that are valid and reliable meth-
17 ods of collecting information with respect
18 to, and measuring, the prior knowledge,
19 skills, and abilities of individuals who are
20 adults or dislocated workers for the pur-
21 pose of—

22 “(I) awarding, based on the
23 knowledge, skills, and abilities of such
24 an individual validated by such an as-
25 sessment—

1 “(aa) a recognized postsec-
2 ondary credential that is used by
3 employers in the State for re-
4 cruitment, hiring, retention, or
5 advancement purposes;

6 “(bb) postsecondary credit
7 toward a recognized postsec-
8 ondary credential aligned with in-
9 demand industry sectors and oc-
10 cupations in the State for the
11 purpose of accelerating attain-
12 ment of such credential; and

13 “(cc) postsecondary credit
14 for progress along a career path-
15 way developed by the State or a
16 local area within the State;

17 “(II) developing individual em-
18 ployment plans under subsection
19 (c)(2)(B)(xii)(II) that incorporate the
20 knowledge, skills, and abilities of such
21 an individual to identify—

22 “(aa) in-demand industry
23 sectors or occupations that re-
24 quire similar knowledge, skills,
25 and abilities; and

1 “(bb) any upskilling needed
2 for the individual to secure em-
3 ployment in such a sector or oc-
4 cupation; and

5 “(III) helping such an individual
6 communicate such knowledge, skills,
7 and abilities to prospective employers
8 through a skills-based resume, profile,
9 or portfolio; and

10 “(viii) disseminating to local areas
11 and employers information relating to the
12 competency-based assessments identified or
13 developed pursuant to clause (vii), includ-
14 ing—

15 “(I) any credential or credit
16 awarded pursuant to any of items
17 (aa) through (cc) of clause (vii)(I);

18 “(II) the industry organizations,
19 employers, eligible providers of train-
20 ing services, and institutions of higher
21 education, located within the State
22 that recognize the knowledge, skills,
23 and abilities of an individual validated
24 by such assessments;

1 “(III) how such assessments may
2 be provided to, and accessed by, indi-
3 viduals through the one-stop delivery
4 system; and

5 “(IV) information on the extent
6 to which such assessments are being
7 used by employers and local areas in
8 the State.”; and

9 (C) by adding at the end the following:

10 “(C) REQUIRED STATEWIDE PARTNERSHIP
11 ACTIVITIES.—Funds from the partnership por-
12 tion (and only those funds, notwithstanding any
13 other provision of this title), shall be used to
14 provide assistance to local areas through a pro-
15 gram funded by a grant under the industry or
16 sector partnership fund program described in
17 paragraph (4);”;

18 (3) in paragraph (3)—

19 (A) in subparagraph (A)—

20 (i) in the matter preceding clause (i),
21 by inserting “that are in the base portion”
22 after “133(a)(1)”;

23 (ii) by striking clauses (i) through (iv)
24 and inserting the following:

1 “(i) implementing, subject to subpara-
2 graph (C), innovative or evidence-based
3 programs and strategies designed to meet
4 the needs of local communities and all em-
5 ployers (including small and medium-sized
6 employers) in the State, which programs
7 and strategies may include incumbent
8 worker training programs, employer-di-
9 rected skills development, sectoral and in-
10 dustry cluster strategies and implementa-
11 tion of industry or sector partnerships, ca-
12 reer pathway programs, microenterprise
13 and entrepreneurial training and support
14 programs, utilization of, and development
15 of cooperative partnerships with, effective
16 business intermediaries and labor-manage-
17 ment partnerships, layoff aversion strate-
18 gies, activities to improve linkages between
19 the one-stop delivery system in the State
20 and all employers (including small and me-
21 dium-sized employers) in the State, and
22 other business services and strategies that
23 better engage employers in workforce in-
24 vestment activities and make the workforce
25 development system more relevant to the

1 needs of State and local businesses, con-
2 sistent with the objectives of this title;

3 “(ii) developing strategies, or bringing
4 existing evidence-based strategies to scale,
5 for effectively serving individuals with bar-
6 riers to employment and supporting such
7 individuals in achieving economic self-suffi-
8 ciency and achieving upward economic mo-
9 bility, and for coordinating programs and
10 services among one-stop partners;

11 “(iii) the development or identification
12 of education and training programs—

13 “(I) that respond to real-time
14 labor market analysis;

15 “(II) that utilize direct assess-
16 ment, prior learning assessment, or a
17 competency-based assessment identi-
18 fied or developed by the State under
19 paragraph (2)(B)(vii), to measure and
20 provide credit for prior knowledge,
21 skills, competencies, and experiences,
22 that evaluate such skills and com-
23 petencies for adaptability;

24 “(III) that provide credits that
25 are portable and permit articulation

1 into a higher level degree or other cre-
2 dential program for more skilled em-
3 ployment; and

4 “(IV) that accelerate course or
5 credential completion;

6 “(iv) implementing programs to in-
7 crease the number of individuals training
8 for and placed in nontraditional employ-
9 ment, which may include industry or sector
10 partnership, apprenticeship, and other pro-
11 grams;”;

12 (iii) in clause (v), by inserting “which
13 activities may incorporate the principles of
14 universal design for learning and be” be-
15 fore “provided through”;

16 (iv) in clause (vii), by inserting “, in-
17 cluding youth of any age that is elected by
18 the State pursuant to section
19 475(8)(B)(iii) of the Social Security Act
20 (42 U.S.C. 675(8)(B)(iii))” before the
21 semicolon at the end;

22 (v) in clause (viii)—

23 (I) by striking subclause (I) and
24 inserting the following:

1 “(I) to improve coordination of
2 workforce investment activities with
3 economic development activities, in-
4 cluding such activities funded through
5 the Infrastructure Investment and
6 Jobs Act (Public Law 117–58) and
7 Public Law 117–167 (commonly
8 known as the ‘CHIPS and Science
9 Act of 2022’);” and

10 (II) in subclause (II)—

11 (aa) in item (cc), by insert-
12 ing “activities carried out by
13 model comprehensive transition
14 and postsecondary programs for
15 students with intellectual disabili-
16 ties established under section
17 767 of the Higher Education Act
18 of 1965 (20 U.S.C. 1140g),”
19 after “developmental disabili-
20 ties,”;

21 (bb) in item (dd), by strik-
22 ing “activities, including those”
23 and inserting “activities and
24 services to promote digital lit-

1 eracy skills, including activities
2 and services”;

3 (cc) in item (ee)—

4 (AA) by striking “ex-of-
5 fenders” and inserting “jus-
6 tice-involved individuals”;

7 and

8 (BB) by striking “and”
9 at the end; and

10 (dd) by inserting after item

11 (ff) the following:

12 “(gg) programs under the
13 Older Americans Act of 1965 (42
14 U.S.C. 3001 et seq.) that support
15 employment and economic secu-
16 rity; and”;

17 (vi) in clause (xi), by inserting “that
18 exceeds the levels of performance” after
19 “by the local areas”; and

20 (vii) by striking clauses (xii) through
21 (xiv) and inserting the following:

22 “(xii) providing incentive payments to
23 eligible providers of training services under
24 the conditions described in section 122(i);

1 “(xiii) adopting, calculating, or com-
2 missioning for approval an economic self-
3 sufficiency standard for the State that
4 specifies the income needs of families, by
5 family size, the number and ages of chil-
6 dren in the family, and substate geo-
7 graphical considerations;

8 “(xiv) developing and disseminating
9 common intake procedures and related
10 items, including registration processes, ma-
11 terials, or software;

12 “(xv) providing technical assistance to
13 local areas that are implementing pay-for-
14 performance contract strategies, including
15 such strategies that may engage labor or-
16 ganizations in programs providing training
17 services, which technical assistance may in-
18 clude providing assistance with data collec-
19 tion, meeting data entry requirements,
20 identifying levels of performance, and con-
21 ducting evaluations of such strategies;

22 “(xvi) supporting employers seeking
23 to implement skills-based hiring practices,
24 which may include technical assistance on
25 the use and validation of employment as-

1 assessments (including competency-based as-
2 sessments developed or identified by the
3 State pursuant to paragraph (2)(B)(vii)),
4 and support in the creation and standard-
5 ization of skills-based job descriptions;

6 “(xvii) developing partnerships be-
7 tween educational institutions or agencies
8 (such as area career and technical edu-
9 cation schools, local educational agencies,
10 and institutions of higher education) and
11 employers, such as industry or sector part-
12 nerships, to create or improve workforce
13 development programs to address the iden-
14 tified education and skill needs of the
15 workforce and the employment needs of
16 employers in regions of the State, as deter-
17 mined by the most recent analysis con-
18 ducted under subparagraphs (A), (B), and
19 (C) of section 102(b)(1); and

20 “(xviii) identifying and making avail-
21 able to residents of the State free or re-
22 duced cost access to high-quality skills de-
23 velopment programs that are—

24 “(I) aligned with in-demand in-
25 dustries or occupations in the State;

1 “(D) EVALUATION.—Programs or strate-
2 gies implemented under subparagraph (A)(i)
3 that are not evidence-based shall be evaluated,
4 in accordance with section 169, within 18
5 months after that implementation.”; and
6 (4) by adding at the end the following:

7 “(4) INDUSTRY OR SECTOR PARTNERSHIP DE-
8 VELOPMENT FUND.—

9 “(A) PURPOSE.—The purpose of this para-
10 graph is to establish new or expand existing in-
11 dustry or sector partnerships to encourage re-
12 gional economic growth and competitiveness,
13 and improve worker training, retention, and ad-
14 vancement.

15 “(B) OBJECTIVES.—A State may use the
16 partnership portion of the funds reserved by the
17 Governor of the State as described in section
18 128(a)(1)(A) to establish and operate a pro-
19 gram to award grants to not more than 3 eligi-
20 ble partnerships to—

21 “(i) partner with employers in the tar-
22 geted industry of the partnership to
23 achieve the objectives under this para-
24 graph;

1 “(ii) establish new industry or sector
2 partnerships, expand existing industry or
3 sector partnerships, and build capacity
4 among such partnerships to prepare job-
5 seekers and incumbent workers for careers
6 in in-demand industry sectors or occupa-
7 tions with employers participating in such
8 partnerships in the State;

9 “(iii) leverage the capacity of such
10 partnerships to develop, improve, expand,
11 or implement education, employment, and
12 training opportunities for individuals with
13 barriers to employment; and

14 “(iv) strengthen coordination between
15 eligible industry or sector partnerships and
16 one-stop partners for the local areas in-
17 volved that are described in paragraphs (1)
18 and (2) of section 121(b).

19 “(C) GRANTS.—

20 “(i) TYPES OF GRANTS.—A grant
21 awarded under this paragraph may be in
22 the form of—

23 “(I) an implementation grant, for
24 eligible partnerships seeking to de-
25 velop a new industry or sector part-

1 nership and carry out activities
2 through that partnership; or

3 “(II) an expansion grant, for eli-
4 gible partnerships seeking to expand
5 an existing industry or sector partner-
6 ship and carry out activities through
7 that partnership.

8 “(ii) DURATION.—Each implementa-
9 tion grant awarded under this paragraph
10 shall be for a period of not more than 3
11 years, and each expansion grant awarded
12 under this paragraph shall be for a period
13 of not more than 2 years.

14 “(D) AWARD BASIS.—

15 “(i) GEOGRAPHIC DIVERSITY.—The
16 Governor shall award grants under this
17 paragraph in a manner that ensures geo-
18 graphic diversity in the areas in the State
19 in which activities will be carried out under
20 the grants.

21 “(ii) PRIORITY.—In awarding grants
22 under this paragraph, the Governor shall
23 give priority consideration to eligible part-
24 nerships that demonstrate the ability of
25 the partnership to serve individuals who—

1 “(I) are individuals with a bar-
2 rier to employment, including individ-
3 uals with disabilities;

4 “(II) are facing significant work-
5 er dislocation due to a disruption or
6 change in the regional or State econ-
7 omy or labor market;

8 “(III) have traditionally been un-
9 derserved by regional economic devel-
10 opment and sector partnership activi-
11 ties (including rural areas in the
12 State); or

13 “(IV) are—

14 “(aa) opportunity youth, dis-
15 advantaged youth, or disadvan-
16 tagged adults; or

17 “(bb) unemployed individ-
18 uals, within the meaning of sec-
19 tion 6(b)(1)(B) of the Wagner-
20 Peyser Act (29 U.S.C.
21 49e(b)(1)(B).

22 “(iii) PRIORITY FOR EXPANSION
23 GRANTS.—In awarding expansion grants
24 under this paragraph, the Governor shall
25 take into consideration the criteria under

1 subparagraph (B) and, in addition, give
2 priority to eligible partnerships that dem-
3 onstrate long-term sustainability of an in-
4 dustry or sector partnership.

5 “(E) APPLICATION.—

6 “(i) IN GENERAL.—An eligible part-
7 nership seeking a grant under this para-
8 graph shall submit an application to the
9 Governor at such time, in such manner,
10 and containing such information as the
11 Governor may reasonably require, includ-
12 ing the contents described in clause (ii).

13 “(ii) CONTENTS.—An eligible partner-
14 ship seeking a grant under this paragraph
15 shall submit an application to the Governor
16 through the procedure established by the
17 Governor under clause (i) containing, at
18 minimum—

19 “(I) a description of the eligible
20 partnership;

21 “(II) the expected participation
22 and responsibilities of each of the
23 partners included in the eligible part-
24 nership;

1 “(III) a description of the tar-
2 geted industry sector served by the
3 grant, and a description of how such
4 industry was identified;

5 “(IV) a description of the work-
6 ers who will be targeted or recruited
7 by the partnership, including the
8 number of individuals and workers
9 who will be served by the partnership,
10 an analysis of the existing labor mar-
11 ket, a description of potential barriers
12 to employment for targeted workers,
13 the share of such workers and individ-
14 uals with a barrier to employment,
15 and a description of strategies that
16 will be developed to help individuals
17 and workers overcome such barriers;

18 “(V) a description of any projects
19 receiving Federal, State, or local fund-
20 ing (other than funding under this
21 paragraph) that the eligible partner-
22 ship anticipates engaging in the part-
23 nership, including by preparing par-
24 ticipants for employment with employ-

1 ers receiving funds through such
2 projects;

3 “(VI) a description of the Fed-
4 eral and non-Federal resources, avail-
5 able under provisions of law other
6 than this paragraph, that will be le-
7 veraged in support of the partnerships
8 and activities under this paragraph;

9 “(VII) a description of the recog-
10 nized postsecondary credential the eli-
11 gible partnership will provide to indi-
12 viduals served by such partnerships
13 through an education provider in such
14 partnership;

15 “(VIII) an assurance that any
16 providers of training services within
17 the eligible partnership is on the
18 standard provider list or the WIL pro-
19 vider list under section 122(f); and

20 “(IX) a commitment from a par-
21 ticipating employer in the eligible
22 partnership to employ each partici-
23 pant of the education and training
24 program funded by the grant awarded
25 under this paragraph for not less than

1 a 1-year period, in accordance with
2 the employment policies of such em-
3 ployer, after successful completion of
4 the training portion of the education
5 and training program operated by a
6 partner in the eligible partnership.

7 “(F) USES OF FUNDS.—

8 “(i) IN GENERAL.—An eligible part-
9 nership awarded a grant under this para-
10 graph shall use the grant funds to estab-
11 lish a new, or expand an existing, eligible
12 partnership to achieve the objectives under
13 subparagraph (B) through an education
14 and training program for participants,
15 which may include, through the education
16 and training program, developing an ap-
17 prenticeship program or other skills devel-
18 opment program or facilitating the provi-
19 sion of on-the-job training.

20 “(ii) PLANNING ACTIVITIES.—An eli-
21 gible partnership receiving an implementa-
22 tion grant under this paragraph may use
23 not more than 20 percent of the grant
24 funds to carry out planning activities dur-

1 ing the first year of the grant period. Such
2 activities may include—

3 “(I) establishing the industry or
4 sector partnership;

5 “(II) recruiting key stakeholders
6 in the targeted industry for the eligi-
7 ble partnership, as identified in the
8 application process;

9 “(III) conducting outreach to
10 local businesses, employers, labor or-
11 ganizations, local boards, education
12 and training providers, and business
13 and employer associations;

14 “(IV) identifying, through an
15 evaluation, the training needs of mul-
16 tiple businesses in the targeted indus-
17 try, including—

18 “(aa) needs for skills critical
19 to competitiveness and innovation
20 in the targeted industry;

21 “(bb) needs of the education
22 and training program supported
23 by the grant, including with re-
24 spect to any apprenticeship pro-
25 grams or other work-based learn-

1 ing programs supported by the
2 grant; and

3 “(cc) needs for the usage of
4 career pathways to align edu-
5 cation and training with job
6 openings in the targeted indus-
7 try;

8 “(V) recruiting individuals with
9 barriers to employment to participate
10 in the education and training program
11 offered through the eligible partner-
12 ship.

13 “(iii) BUSINESS ENGAGEMENT.—An
14 eligible partnership receiving an implemen-
15 tation or expansion grant under this para-
16 graph shall use grant funds to engage
17 businesses (including small and medium-
18 sized businesses in the targeted industry)
19 in the establishment and implementation of
20 an apprenticeship, work-based learning, or
21 on-the-job training program through the
22 education and training program of the eli-
23 gible partnership, which may include—

1 “(I) the navigation of the reg-
2 istration process for a sponsor of an
3 apprenticeship program;

4 “(II) the connection of the busi-
5 ness with an education provider in the
6 eligible partnership to develop class-
7 room instruction to complement learn-
8 ing through an apprenticeship or
9 other on-the-job training program;

10 “(III) the development of a work-
11 based learning program;

12 “(IV) the provision of career
13 awareness activities to participants in
14 the apprenticeship, work-based learn-
15 ing, or on-the-job training program,
16 such as career guidance and academic
17 counseling;

18 “(V) the recruitment of individ-
19 uals with barriers to employment to
20 participate in the apprenticeship,
21 work-based learning, or on-the-job
22 training program established or imple-
23 mented through the education and
24 training program of the eligible part-
25 nership; and

1 “(VI) other evidence-based ap-
2 proaches to connecting businesses
3 with workers and establishing path-
4 ways to unsubsidized employment for
5 individuals participating in the edu-
6 cation and training program of eligi-
7 ble partnership and other programs
8 funded under this title.

9 “(iv) SUPPORTIVE SERVICES.—In ac-
10 cordance with section 181(h), an eligible
11 partnership receiving an implementation or
12 expansion grant may use grant funds to
13 provide supportive services to support the
14 success of individuals, including individuals
15 with barriers to employment, who are par-
16 ticipating in training services, as described
17 in subsection (c)(3)(D).

18 “(G) DESIGNATION OF A FISCAL AGENT.—
19 An eligible partnership receiving an implemen-
20 tation or expansion grant under this paragraph
21 shall designate an entity in the industry or sec-
22 tor partnership as the fiscal agent for the re-
23 ceipt, management, and expenditure of the
24 grant funds.

25 “(H) NON-FEDERAL COST SHARING.—

1 “(i) LIMITS ON FEDERAL SHARE.—An
2 eligible partnership may not receive funds
3 under this paragraph for purposes of fund-
4 ing the education and training program in
5 excess of the following costs of estab-
6 lishing, operating, and sustaining such pro-
7 gram:

8 “(I) In the case in which all par-
9 ticipating employers in such eligible
10 partnership employ 25 or fewer em-
11 ployees, 70 percent of the costs.

12 “(II) In the case in which a par-
13 ticipating employer in such eligible
14 partnership employs more than 25
15 employees, but fewer than 100 em-
16 ployees, 55 percent of the costs.

17 “(III) In the case in which a par-
18 ticipating employer in such eligible
19 partnership employs 100 or more em-
20 ployees, 40 percent of the costs.

21 “(ii) NON-FEDERAL SHARE.—Any
22 costs of establishing, operating, and sus-
23 taining such program that are not covered
24 by the grant received under subparagraph

1 (B) shall be the non-Federal share pro-
2 vided by the eligible partnership.

3 “(I) PERFORMANCE LEVELS.—Not later
4 than 1 year after receiving a grant under this
5 paragraph, each eligible partnership shall con-
6 duct an evaluation and submit to the State a
7 local report containing information on—

8 “(i) levels of performance achieved by
9 the eligible partnership, with respect to the
10 primary indicators of performance under,
11 as applicable, clause (i) or (ii) of section
12 116(b)(2)(A) for all individuals served by
13 the eligible partnership, disaggregated by
14 race, ethnicity, sex, and age; and

15 “(ii) levels of performance achieved by
16 the eligible partnership with respect to the
17 primary indicators of performance under,
18 as applicable, clause (i) or (ii) of section
19 116(b)(2)(A) for individuals with barriers
20 to employment served by the eligible part-
21 nership, disaggregated by race, ethnicity,
22 sex, and age.

23 “(J) REPORTING.—Not later than 2 years
24 after the first award of funds under this para-
25 graph is made by the Governor and on an an-

1 nual basis thereafter, the Governor shall pre-
2 pare and submit to the Secretary a report with
3 respect to the participants served by each eligi-
4 ble partnership receiving funds under this para-
5 graph in the most recent program year, which
6 shall—

7 “(i) be made digitally available by the
8 Secretary using linked, open, and inter-
9 operable data; and

10 “(ii) include—

11 “(I) the number of individuals
12 who were served by each such eligible
13 partnership; and

14 “(II) performance outcomes on
15 the measures described in clauses (i)
16 and (ii) of subparagraph (I).

17 “(K) LIMIT ON ADMINISTRATIVE COSTS.—
18 The partnership portion shall be subject to
19 paragraph (3)(C).

20 “(L) DEFINITIONS.—

21 “(i) ELIGIBLE PARTNERSHIP.—The
22 term ‘eligible partnership’ means—

23 “(I) an industry or sector part-
24 nership, as defined in section 3; or

1 “(II) in the case of an implemen-
2 tation grant awarded under this para-
3 graph, a workforce collaborative that
4 is or may become such an industry or
5 sector partnership.

6 “(ii) TARGETED INDUSTRY.—The
7 term ‘targeted industry’ means an industry
8 that—

9 “(I) the eligible partnership in-
10 tends to prepare workers to enter oc-
11 cupations within; and

12 “(II) has been designated by the
13 Governor as an in-demand industry
14 experiencing high growth in the State
15 in which the eligible partnership is lo-
16 cated.

17 “(5) EMPLOYER-BASED TRAINING ACTIVITIES
18 FUND.—

19 “(A) DEFINITION.—In this paragraph, the
20 term ‘employer-based training activities’ in-
21 cludes pre-apprenticeship and apprenticeship
22 opportunities, on-the-job training, employer-di-
23 rected skills development programs, and other
24 employer-provided training activities.

1 “(B) ACTIVITIES.—A State may use the
2 industry-based portion of the funds reserved by
3 the Governor of the State as described in sec-
4 tion 128(a)(1)(A) to carry out employer-based
5 training activities.

6 “(C) LIMIT ON ADMINISTRATIVE COSTS.—
7 The industry-based portion shall be subject to
8 paragraph (3)(C).”.

9 (b) CAREER SERVICES.—Section 134(e) of the Work-
10 force Innovation and Opportunity Act (29 U.S.C. 3174(e))
11 is amended—

12 (1) in paragraph (1)(A)(iv), by inserting “pro-
13 vide business services and strategies described in
14 paragraph (4) and” before “establish and develop”;
15 and

16 (2) in paragraph (2)—

17 (A) by redesignating subparagraphs (A)
18 through (C) as subparagraphs (B) through (D),
19 respectively;

20 (B) by inserting before subparagraph (B)
21 (as so redesignated) the following:

22 “(A) BASIC CAREER SERVICES.—

23 “(i) IN GENERAL.—The one-stop de-
24 livery system—

1 “(I) shall coordinate with the em-
2 ployment service office colocated with
3 the one-stop delivery system for such
4 employment service office to provide,
5 using the funds allotted to the State
6 under section 6 of the Wagner-Peyser
7 Act (29 U.S.C. 49e), basic career
8 services, which shall—

9 “(aa) include, at a min-
10 imum, the services listed in
11 clause (ii); and

12 “(bb) be available to individ-
13 uals who are adults or dislocated
14 workers and provided in an inte-
15 grated manner to streamline ac-
16 cess to assistance for such indi-
17 viduals, to avoid duplication of
18 services, and to enhance coordi-
19 nation of services; and

20 “(II) may use funds allocated as
21 described in paragraph (1)(A), as nec-
22 essary, to supplement the services
23 that are provided pursuant to sub-
24 clause (I) to individuals who are
25 adults or dislocated workers.

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1 “(ii) SERVICES.—The basic career
2 services provided pursuant to clause (i)
3 shall include—

4 “(I) provision of workforce and
5 labor market employment statistics
6 and other information, including the
7 provision of accurate (and, to the ex-
8 tent practicable, real-time) informa-
9 tion relating to local, regional, and na-
10 tional labor market areas, including—

11 “(aa) job vacancy listings in
12 such labor market areas;

13 “(bb) information on job
14 skills necessary to obtain the jobs
15 in the listings described in item
16 (aa); and

17 “(cc) information relating to
18 local occupations in demand
19 (which may include entrepreneur-
20 ship opportunities in such occu-
21 pations), and the earnings, skill
22 requirements, and opportunities
23 for advancement for such occupa-
24 tions;

1 and Nutrition Act of 2008 (7 U.S.C.
2 2011 et seq.), assistance through the
3 earned income tax credit under sec-
4 tion 32 of the Internal Revenue Code
5 of 1986, and assistance under a State
6 program for temporary assistance for
7 needy families funded under part A of
8 title IV of the Social Security Act (42
9 U.S.C. 601 et seq.) and other sup-
10 portive services and transportation
11 provided through funds made avail-
12 able under such part, available in the
13 local area; and

14 “(bb) referral to the services or
15 assistance described in item (aa), as
16 appropriate;

17 “(IV) provision of information
18 and assistance regarding filing claims
19 for unemployment compensation; and

20 “(V) assistance in establishing
21 eligibility for programs of financial aid
22 assistance for training and education
23 programs that are not funded under
24 this Act.”;

1 (C) in subparagraph (B) (as so redesignated)—
2

3 (i) in the matter preceding clause
4 (i)—

5 (I) by striking “(B)” and all that
6 follows through “provide career” and
7 inserting the following:

8 “(B) INDIVIDUALIZED CAREER SERVICES
9 PROVIDED.—Funds described in paragraph (1)
10 shall be used to provide individualized career”;
11 and

12 (II) by striking “shall, at a minimum” and “shall, to the extent practicable, be evidence-based and shall, at a minimum”;

13
14
15
16 (ii) by striking clause (iii) and inserting the following:

17
18 “(iii) initial assessment of skill levels
19 (including literacy, numeracy, and English
20 language proficiency), aptitudes, abilities
21 (including skills gaps), and supportive
22 service needs, and a determination (considering factors including prior work experience, military service, education, and availability of positions in in-demand industry
23
24
25

1 sectors and occupations in the local area)
2 of whether an individual would benefit
3 from a competency-based assessment devel-
4 oped or identified by the State pursuant to
5 subsection (a)(2)(B)(vii) to accelerate the
6 time to obtaining employment that leads to
7 economic self-sufficiency or career advance-
8 ment;”;

9 (iii) in clause (iv)—

10 (I) in subclause (I)—

11 (aa) in item (aa), by striking
12 “and” at the end;

13 (bb) in item (bb), by strik-
14 ing “and” at the end; and

15 (cc) by inserting after item
16 (bb) the following:

17 “(cc) provision of informa-
18 tion on wage and benefit levels
19 across industry sectors or occu-
20 pations in the local area and
21 across the State; and

22 “(dd) support with devel-
23 oping a resume and cover letter,
24 or similar documents showcasing
25 the skills, experience, relevant

1 credentials, and education of the
2 individual; and”; and

3 (II) in subclause (II), by insert-
4 ing “and medium-sized” after
5 “small”;

6 (iv) in clause (vii)—

7 (I) by inserting “, eligibility des-
8 igation,” after “performance infor-
9 mation”;

10 (II) by inserting “and qualified
11 providers described in section 122(j)”
12 after “eligible providers of training
13 services”; and

14 (III) by inserting “and creden-
15 tial” after “provided by program”;

16 (v) in clause (viii), by inserting “and
17 in multiple languages, to the extent prac-
18 ticable,” before “regarding how”;

19 (vi) in clause (xii)—

20 (I) in subclause (I), by striking
21 item (aa) and inserting the following:

22 “(aa) diagnostic testing and
23 use of other assessment tools, in-
24 cluding a competency-based as-
25 sessment developed or identified

1 by the State pursuant to sub-
2 section (a)(2)(B)(vii); and”;

3 (II) in subclause (X), by striking
4 “or” at the end;

5 (III) in subclause (XI)—

6 (aa) by striking “English
7 language” and inserting
8 “English”; and

9 (bb) by striking “and” at
10 the end; and

11 (IV) by adding at the end the fol-
12 lowing:

13 “(XII) review or creation of a re-
14 sume or similar document showcasing
15 the skills, experience, relevant creden-
16 tials, and education of the individual;
17 or

18 “(XIII) provision of information
19 to participants on understanding and
20 accessing public services, public assist-
21 ance programs, and other benefits;
22 and”;

23 (vii) in clause (xiii), by inserting “and
24 information on wages and benefits,” before
25 “for participants”;

1 (D) in subparagraph (C) (as so redesignated)—
2

3 (i) by striking “subparagraph
4 (A)(xii)” and inserting “subparagraph
5 (B)(xii”;

6 (ii) by striking “determines that it”
7 and inserting the following “determines
8 that—

9 “(i) it”;

10 (iii) by striking the period at the end
11 and inserting “; and”; and

12 (iv) by adding at the end the fol-
13 lowing:

14 “(ii) using such recent interview, eval-
15 uation, or assessment will accelerate an eli-
16 gibility determination.”; and

17 (E) in subparagraph (D) (as so redesignated)—
18

19 (i) in the matter preceding clause (i),
20 by striking “career services described in
21 subparagraph (A)” and inserting “individ-
22 ualized career services described in sub-
23 paragraph (B)”;

1 (ii) in clause (ii), by inserting “librar-
2 ies, and community-based organizations,”
3 before “approved”.

4 (c) TRAINING SERVICES.—Section 134(c)(3) of the
5 Workforce Innovation and Opportunity Act (29 U.S.C.
6 3174(c)(3)) is amended—

7 (1) in subparagraph (A)—

8 (A) in clause (i)—

9 (i) in the matter preceding subclause
10 (I), by striking “clause (ii)” or inserting
11 “clause (ii) or (iii)”; and

12 (ii) in subclause (I)(aa), by striking
13 “paragraph (2)(A)(xii)” and inserting
14 “paragraph (2)(B)(xii)”;

15 (B) by redesignating clause (iii) as clause
16 (iv);

17 (C) by inserting after clause (ii) the fol-
18 lowing:

19 “(iii) EMPLOYER REFERRAL.—

20 “(I) IN GENERAL.—A one-stop
21 operator or one-stop partner shall not
22 be required to conduct an interview,
23 evaluation, or assessment of an indi-
24 vidual under clause (i)(I) if such indi-
25 vidual—

1 “(aa) is referred by an em-
2 ployer to receive on-the-job train-
3 ing or employer-directed skills de-
4 velopment in connection with
5 that employer; and

6 “(bb) has been certified by
7 the employer as being in need of
8 training services to obtain unsub-
9 sidized employment with such
10 employer and as having the skills
11 and qualifications to successfully
12 participate in the selected pro-
13 gram of training services.

14 “(II) PRIORITY.—A one-stop op-
15 erator or one-stop partner shall follow
16 the priority described in subparagraph
17 (E) to determine whether an indi-
18 vidual that meets the requirements of
19 subclause (I) of this clause will receive
20 training services.”; and

21 (D) by adding at the end the following:

22 “(v) ADULT EDUCATION AND FAMILY
23 LITERACY ACTIVITIES.—In the case of an
24 individual who is determined to not have
25 the skills and qualifications to successfully

1 participate in the selected program of
2 training services under clause (i)(I)(cc),
3 the one-stop operator or one-stop partner
4 shall refer such individual to adult edu-
5 cation and literacy activities under title II,
6 including for co-enrollment in such activi-
7 ties and the training services, as appro-
8 priate.”;

9 (2) in subparagraph (B)—

10 (A) in clause (i)—

11 (i) in subclause (I), by striking “grant
12 assistance for such services, including” and
13 inserting “assistance for such services
14 through”; and

15 (ii) in subclause (II), by striking
16 “under other grant assistance programs,
17 including” and inserting “through”; and

18 (B) by adding at the end the following:

19 “(iv) PARTICIPATION DURING ELIGI-
20 BILITY DETERMINATION.—An individual
21 may participate in a program of training
22 services during the period in which such
23 individual’s eligibility for training services
24 under clause (i) is being determined, ex-
25 cept that the provider of such a program

1 shall only receive reimbursement under
2 this title for the individual’s participation
3 during such period if such individual is de-
4 termined to be eligible under clause (i).”;

5 (3) in subparagraph (C)—

6 (A) by inserting “and determined to be eli-
7 gible providers” after “identified”; and

8 (B) by inserting before the period the fol-
9 lowing: “or (for training services described in
10 section 122(j)) through qualified providers de-
11 scribed in section 122(j)”;

12 (4) in subparagraph (D)—

13 (A) in clause (x), by striking “and” at the
14 end; and

15 (B) in clause (xi), by striking “customized
16 training” and inserting “employer-directed
17 skills development”;

18 (5) in subparagraph (E)—

19 (A) by striking “are basic skills deficient”
20 and inserting “have foundational skill needs”;
21 and

22 (B) by striking “paragraph (2)(A)(xii)”
23 and inserting “paragraph (2)(B)(xii)”;

24 (6) in subparagraph (F)—

25 (A) in clause (ii)—

1 (i) by striking “list” and inserting
2 “lists”;

3 (ii) by striking “122(d)” each place it
4 appears and inserting “122(f)”; and

5 (iii) by inserting “, and the levels of
6 performance for such providers on the indi-
7 cators described in subsection (b)(3) or
8 subsection (c)(1), as applicable, of section
9 122 for the 2 most recent program years”
10 before the period; and

11 (B) in clause (v), by striking “programs
12 that” and all that follows and inserting the fol-
13 lowing: “programs that—

14 “(I) lead to increases in earnings
15 and placement in unsubsidized em-
16 ployment; and

17 “(II) lead to recognized postsec-
18 ondary credentials that are aligned
19 with in-demand industry sectors or oc-
20 cupations in the local area involved.”;

21 (7) in subparagraph (G)—

22 (A) in clause (i), by striking “provided
23 through” and inserting “provided by eligible
24 providers of training services as described in
25 section 122, through”; and

1 (B) in clause (ii)—

2 (i) in subclause (II), by striking “cus-
3 tomized training” and “employer-directed
4 skills development”;

5 (ii) by striking subclause (IV) and in-
6 serting the following:

7 “(IV) the local board determines
8 that there is an evidence-based train-
9 ing services program of demonstrated
10 effectiveness offered in the local area
11 by a community-based organization or
12 another private organization to serve
13 individuals with barriers to employ-
14 ment and to support such individuals
15 in gaining requisite skills for in-de-
16 mand industry sectors or occupations
17 in the local area, obtaining recognized
18 postsecondary credentials, and enter-
19 ing unsubsidized employment;” and

20 (iii) in subclause (V)(aa), by inserting
21 “or a qualified provider described in sec-
22 tion 122(j)” after “eligible provider of
23 training services”; and

24 (C) in clause (iii)—

1 (i) by striking “(iii)” and all that fol-
2 lows through “Training” and inserting the
3 following:

4 “(iii) LINKAGE TO LOCAL OCCUPA-
5 TIONS IN DEMAND.—Training”; and

6 (ii) by striking “linked to an in-de-
7 mand” and inserting “linked to local hiring
8 by an employer in an in-demand”;

9 (8) in subparagraph (H)(ii)—

10 (A) by striking subclause (I) and inserting
11 the following:

12 “(I) the characteristics of the
13 participants, including whether such
14 participants are individuals with bar-
15 riers to employment;”; and

16 (B) by striking subclause (III) and insert-
17 ing the following:

18 “(III) the quality of employer-
19 provided training and advancement
20 opportunities in an occupation or in-
21 dustry sector, including whether the
22 skills a participant will obtain are
23 transferable to other employers, occu-
24 pations, or industries in the State or
25 the local area, respectively; and”;

1 (9) by adding at the end the following:

2 “(I) EMPLOYER-DIRECTED SKILLS DEVEL-
3 OPMENT.—

4 “(i) IN GENERAL.—An employer in an
5 in-demand industry sector or occupation,
6 as determined jointly by the local board
7 and the Governor, may receive a contract,
8 as specified in subparagraph (G)(ii), from
9 a local board to provide employer-directed
10 skills development to a participant or a
11 group of participants if the employer sub-
12 mits to the local board and obtains ap-
13 proval of an agreement that establishes—

14 “(I) the provider of the skills de-
15 velopment program, which may be the
16 employer;

17 “(II) the length of the skills de-
18 velopment program;

19 “(III) the recognized postsec-
20 ondary credentials that will be award-
21 ed to, and the occupational skills that
22 will be gained by, program partici-
23 pants;

24 “(IV) the cost of the skills devel-
25 opment program;

1 “(V) the estimated earnings in-
2 crease of program participants;

3 “(VI) the portion of such cost
4 that will be paid by the employer,
5 which shall not be less than the por-
6 tion specified in section 3(20)(C);

7 “(VII) a commitment by the em-
8 ployer to employ each participant for
9 at least 1 year upon successful com-
10 pletion of the program, pursuant to
11 the policies of such employer; and

12 “(VIII) a commitment by the em-
13 ployer to comply with each applicable
14 covered Federal labor law and a rep-
15 resentation that, to the best of the
16 employer’s knowledge, there has not
17 been any final administrative merits
18 determination, arbitral award or deci-
19 sion, or civil judgment, for a violation
20 of a covered Federal labor law ren-
21 dered against the employer in the 2
22 years preceding the submission of the
23 agreement.

24 “(ii) DEFINITION.—In this subpara-
25 graph, the term ‘covered Federal labor law’

1 means a law enforced by the Equal Em-
2 ployment Opportunity Commission, the
3 National Labor Relations Board, or the
4 Department of Labor.

5 “(J) CONSTRUCTION.—Nothing in this sec-
6 tion shall be construed to abrogate a collective
7 bargaining agreement that covers employees of
8 an entity providing the program of training
9 services.”.

10 (d) BUSINESS SERVICES.—Section 134(c) of the
11 Workforce Innovation and Opportunity Act (29 U.S.C.
12 3174(c)) is amended by adding at the end the following:

13 “(4) BUSINESS SERVICES.—Funds described in
14 paragraph (1) shall be used to provide appropriate
15 recruitment and other business services and strate-
16 gies on behalf of employers, including small and me-
17 dium-sized employers, that meet the workforce in-
18 vestment needs of employers in the local area, as de-
19 termined by the local board and consistent with the
20 local plan under section 108, which services and
21 strategies—

22 “(A) may be provided through the
23 leveraging of economic development, philan-
24 thropic, and other public and private resources

1 in a manner determined appropriate by the
2 local board; and

3 “(B) may include 1 or more of the fol-
4 lowing:

5 “(i) Developing and delivering innova-
6 tive services that are workforce investment
7 activities and innovative strategies for local
8 area employers, which may include career
9 pathways development, upskilling,
10 reskilling, apprenticeship, developing joint
11 labor-management partnerships, developing
12 industry or sector partnerships, and other
13 effective initiatives for meeting the work-
14 force investment needs of local area em-
15 ployers and workers, with a focus on em-
16 ployers in in-demand industry sectors or
17 occupations.

18 “(ii) Assistance to local area employ-
19 ers in coordinating rapid response activi-
20 ties provided under subsection (a)(2)(A)
21 and developing strategies for the aversion
22 of layoffs, which strategies may include—

23 “(I) early identification of em-
24 ployers at risk of layoffs;

1 “(II) use of feasibility studies to
2 assess the needs of and options for at-
3 risk employers; and

4 “(III) delivery of employment
5 and training activities to address risk
6 factors.”.

7 (e) PERMISSIBLE LOCAL EMPLOYMENT AND TRAIN-
8 ING ACTIVITIES.—Section 134(d) of the Workforce Inno-
9 vation and Opportunity Act (42 U.S.C. 3174(d)) is
10 amended—

11 (1) in paragraph (1)(A)—

12 (A) in the matter preceding clause (i), by
13 striking “clauses (vii) and (ix)” and inserting
14 “clause (vii)”;

15 (B) in clause (ii), by inserting “, including
16 local hire implementation and other community
17 benefit programs,” after “employment-related
18 services”;

19 (C) in clause (v), by inserting “case man-
20 agement,” after “assessments,”;

21 (D) in clause (vi)—

22 (i) in subclause (III), by striking
23 “and” at the end;

24 (ii) by redesignating subclause (IV) as
25 subclause (VI); and

1 (iii) by inserting after subclause (III)
2 the following:

3 “(IV) employment and training
4 programs and activities under sub-
5 sections (d) and (o) of section 6 of the
6 Food and Nutrition Act of 2008 (7
7 U.S.C. 2015);

8 “(V) programs under title V of
9 the Older Americans Act of 1965 (42
10 U.S.C. 3056 et seq.) that support em-
11 ployment and economic security;
12 and”;

13 (E) in clause (vii)—

14 (i) in subclause (II)—

15 (I) by striking “and employers,”
16 and inserting “employers,”;

17 (II) by inserting “and providers
18 of supportive services,” after “small
19 employers,”; and

20 (III) by striking “and” at the
21 end;

22 (ii) in subclause (III), by adding
23 “and” at the end; and

24 (iii) by adding at the end the fol-
25 lowing:

1 “(IV) to strengthen, through pro-
2 fessional development activities, the
3 knowledge and capacity of one-stop
4 center staff to use the latest digital
5 technologies, tools, and strategies to
6 deliver high-quality services and out-
7 comes for jobseekers, workers, and
8 employers, which technologies, tools,
9 and strategies may incorporate the
10 principles of universal design for
11 learning;”;

12 (F) by striking clauses (viii) through (x);

13 (G) in clause (xi), by striking “and” at the
14 end;

15 (H) in clause (xii), by striking the period
16 at the end and inserting a semicolon;

17 (I) by redesignating clauses (xi) and (xii)
18 as clauses (viii) and (ix), respectively; and

19 (J) by adding at the end the following:

20 “(x) training programs for individuals
21 who are dislocated workers as a result of
22 advances in automation technology;

23 “(xi) the use of competency-based as-
24 sessments for individuals upon initial as-
25 sessment of skill levels (pursuant to sub-

1 section (c)(2)(B)(iii)) or completion of
2 training services or other learning experi-
3 ences; and

4 “(xii) partnering with educational in-
5 stitutions and agencies (including area ca-
6 reer and technical education schools, local
7 educational agencies, and institutions of
8 higher education) and employers, including
9 through the development and expansion of
10 industry or sector partnerships, to create
11 or improve workforce development pro-
12 grams to address the identified knowledge
13 and skill needs of the workforce and the
14 employers in a region, as determined based
15 on the most recent analysis conducted by
16 the local board under section 107(d)(2).”;

17 (2) in paragraph (2)—

18 (A) by redesignating subparagraphs (A)
19 and (B) as clauses (i) and (ii), respectively, and
20 aligning the margins of those clauses with the
21 margins of clause (ii) of section 134(d)(1)(B) of
22 the Workforce Innovation and Opportunity Act;

23 (B) by striking “Funds allocated” and in-
24 serting the following:

25 “(A) IN GENERAL.—Funds allocated”; and

1 (C) in clause (ii) of subparagraph (A) (as
2 so designated), by inserting “, including
3 through programs of one-stop partners who
4 are” before “providing such services”;

5 (3) in paragraph (3), in subparagraphs (A) and
6 (B), in the matter preceding clause (i), by inserting
7 “or for financial assistance from a one-stop partner”
8 after “unemployment compensation”;

9 (4) in paragraph (4)—

10 (A) in subparagraph (A)—

11 (i) in clause (i), by striking “20 per-
12 cent” and inserting “30 percent”;

13 (ii) by redesignating clauses (ii) and
14 (iii) as clauses (iii) and (iv), respectively;
15 and

16 (iii) by inserting after clause (i) the
17 following:

18 “(ii) INCREASE IN RESERVATION OF
19 FUNDS.—With respect to—

20 “(I) a local area that had a rate
21 of unemployment of not more than 3
22 percent for not less than 6 months
23 during the preceding program year,
24 clause (i) shall be applied by sub-

1 stituting ‘40 percent’ for ‘30 percent’;
2 or

3 “(II) a local area that meets the
4 requirement in subclause (I) and is lo-
5 cated in a State that had a labor force
6 participation rate of not less than 70
7 percent for not less than 6 months
8 during the preceding program year,
9 according to Bureau of Labor Statis-
10 tics data for such program year,
11 clause (i) shall be applied by sub-
12 stituting ‘45 percent’ for ‘30 per-
13 cent.’.”; and

14 (B) in subparagraph (B)—

15 (i) by striking “The training” and in-
16 serting the following:

17 “(i) IN GENERAL.—The training”;

18 (ii) by inserting “, such as industry or
19 sector partnerships,” after “other enti-
20 ties”; and

21 (iii) by adding at the end the fol-
22 lowing:

23 “(ii) CONSTRUCTION.—Nothing in
24 this section shall be construed to abrogate
25 a collective bargaining agreement that cov-

1 ers employees of an entity providing the in-
2 cumbent worker training program.”; and

3 (C) in subparagraph (D)(ii)—

4 (i) in subclause (I), by striking “10
5 percent” and inserting “20 percent”;

6 (ii) in subclause (II), by striking “25
7 percent” and inserting “35 percent”; and

8 (iii) in subclause (III), by striking “50
9 percent” and inserting “55 percent”; and

10 (5) in paragraph (5), by striking “10 percent”
11 and inserting “15 percent”.

12 (f) SUPPLEMENTAL INDIVIDUAL TRAINING AC-
13 COUNTS.—Section 134 of the Workforce Innovation and
14 Opportunity Act (29 U.S.C. 3174) is amended by adding
15 at the end the following:

16 “(e) SUPPLEMENTAL INDIVIDUAL TRAINING AC-
17 COUNTS.—

18 “(1) ACCOUNTS FOR TRAINING SERVICES.—

19 “(A) IN GENERAL.—The Secretary shall,
20 using only the amount of funds described in
21 paragraph (2) of section 414(c) of the Amer-
22 ican Competitiveness and Workforce Improve-
23 ment Act (29 U.S.C. 2916a), make allotments
24 to each outlying area, and State that receives
25 allotments under sections 127(b) and 132(b),

1 for the purpose of providing training services
2 through supplemental individual training ac-
3 counts for eligible adults and dislocated work-
4 ers, as described in subparagraph (F)(iii) and
5 subparagraph (G), and for youth, as described
6 in section 129(c)(9). Funds from the allotments
7 may also be used for statewide rapid response
8 activities as described in paragraph (2).

9 “(B) RESERVATION.—From the amount
10 described in subparagraph (A) for a fiscal year,
11 the Secretary shall reserve not more than 1/4 of
12 1 percent of such amount to provide assistance
13 to the outlying areas to provide training serv-
14 ices.

15 “(C) ALLOTMENT AMONG STATES.—

16 “(i) ALLOTMENT AMONG STATES.—
17 Subject to clause (ii), the Secretary shall
18 use the remainder of the amount described
19 in subparagraph (A) for a fiscal year to
20 make allotments to States described in
21 such subparagraph on the following basis:

22 “(I) 33 and 1/3 percent shall be
23 allotted on the basis of the relative
24 number of unemployed individuals in
25 each such State, compared to the total

1 number of unemployed individuals in
2 all such States.

3 “(II) 33 and 1/3 percent shall be
4 allotted based on the relative number
5 of disadvantaged adults (as defined in
6 subsection (b)(1)(B)(v)) in each such
7 State, compared to the total number
8 of such disadvantaged adults in all
9 such States.

10 “(III) 33 and 1/3 percent shall
11 be allotted on the basis of the relative
12 number of individuals in the civilian
13 labor force in each such State, com-
14 pared to the total number in the civil-
15 ian labor force in all such States.

16 “(ii) SMALL STATE MINIMUM ALLOT-
17 MENT.—The Secretary shall ensure that no
18 State shall receive an allotment under this
19 subparagraph that is less than the total
20 of—

21 “(I) 3/10 of 1 percent of
22 \$180,000,000 of the remainder de-
23 scribed in clause (i) for the fiscal
24 year; and

1 “(II) if the remainder described
2 in subclause (I) for the fiscal year ex-
3 ceeds \$180,000,000, $\frac{2}{5}$ of 1 percent
4 of the excess.

5 “(iii) REALLOTMENT.—

6 “(I) IN GENERAL.—The Sec-
7 retary of Labor shall, in accordance
8 with this clause, reallocate to eligible
9 States amounts that are made avail-
10 able to States from allotments made
11 under this subparagraph (referred to
12 individually in this paragraph as a
13 ‘State allotment’) and that are avail-
14 able for reallocation.

15 “(II) AMOUNT.—The amount
16 available for reallocation for a pro-
17 gram year is equal to the amount by
18 which the unobligated balance of the
19 State allotment, at the end of the pro-
20 gram year prior to the program year
21 for which the determination under
22 this subclause is made, exceeds 20
23 percent of such allotment for the prior
24 program year.

1 “(III) REALLOTMENT.—In mak-
2 ing reallotments to eligible States of
3 amounts available pursuant to sub-
4 clause (II) for a program year, the
5 Secretary shall allot to each eligible
6 State an amount based on the relative
7 amount of the State allotment for the
8 program year for which the deter-
9 mination is made, as compared to the
10 total amount of the State allotments
11 for all eligible States for such pro-
12 gram year.

13 “(IV) ELIGIBILITY.—For pur-
14 poses of this clause, an eligible State
15 means a State that does not have an
16 amount available for reallotment
17 under subclause (II) for the program
18 year for which the determination
19 under subclause (II) is made.

20 “(D) WITHIN STATE ALLOCATIONS.—

21 “(i) IN GENERAL.—The Governor
22 shall allocate the funds allotted to the
23 State under subparagraph (C) for a fiscal
24 year to the local areas in the State on the
25 following basis:

1 “(I) 33 and 1/3 percent of the
2 funds on the basis described in sub-
3 paragraph (C)(i)(I).

4 “(II) 33 and 1/3 percent of the
5 funds on the basis described in sub-
6 paragraph (C)(i)(II).

7 “(III) 33 and 1/3 percent of the
8 funds on the basis described in sub-
9 paragraph (C)(i)(III).

10 “(ii) APPLICATION.—For purposes of
11 carrying out clause (i)—

12 “(I) references in clause (i)(II) to
13 a State shall be deemed to be ref-
14 erences to a local area; and

15 “(II) references in clause (i)(II)
16 to all States shall be deemed to be
17 references to all local areas in the
18 State involved.

19 “(iii) REALLOCATION AMONG LOCAL
20 AREAS.—

21 “(I) IN GENERAL.—The Gov-
22 ernor may, in accordance with this
23 clause and after consultation with the
24 State board, reallocate to eligible local
25 areas within the State amounts that

1 are made available to local areas from
2 allocations made under this subpara-
3 graph (referred to individually in this
4 paragraph as a ‘local allocation’) and
5 that are available for reallocation.

6 “(II) AMOUNT.—The amount
7 available for reallocation for a pro-
8 gram year is equal to the amount by
9 which the unobligated balance of the
10 local allocation, at the end of the pro-
11 gram year prior to the program year
12 for which the determination under
13 this subclause is made, exceeds 20
14 percent of such allocation for the
15 prior program year.

16 “(III) REALLOCATION.—In mak-
17 ing reallocations to eligible local areas
18 of amounts available pursuant to sub-
19 clause (II) for a program year, the
20 Governor shall allocate to each eligible
21 local area within the State an amount
22 based on the relative amount of the
23 local allocation for the program year
24 for which the determination is made,
25 as compared to the total amount of

1 the local allocations for all eligible
2 local areas in the State for such pro-
3 gram year.

4 “(IV) ELIGIBILITY.—For pur-
5 poses of this clause, an eligible local
6 area means a local area that does not
7 have an amount available for reallocot-
8 ment under subclause (II) for the pro-
9 gram year for which the determina-
10 tion under subclause (II) is made.

11 “(E) AMOUNTS AVAILABLE.—A local
12 area—

13 “(i) may not limit the maximum
14 amount available for a supplemental indi-
15 vidual training account under this para-
16 graph for an eligible participant to an
17 amount that is less than \$5,000; and

18 “(ii) may not pay an amount, through
19 the use of an individual training account
20 under this paragraph, for training services
21 provided to an eligible participant that ex-
22 ceeds the cost of such training services.

23 “(F) SUPPLEMENT, NOT SUPPLANT.—
24 Funds made available to a local area under this
25 paragraph may supplement, but not supplant

1 funds made available to the local area for a fis-
2 cal year under sections 128(b) and 133(b) for
3 the cost of training services for programs under
4 this subtitle.

5 “(2) ACCOUNTS FOR RAPID RESPONSE ACTIVI-
6 TIES.—A State may carry out statewide rapid re-
7 sponse activities, using funds received by the Gov-
8 ernor through a State allotment made under para-
9 graph (1) to provide additional assistance, through
10 supplemental individual training accounts, to local
11 areas described in subsection (a)(2)(A)(i)(IV).”.

12 **CHAPTER 4—GENERAL WORKFORCE**

13 **INVESTMENT PROVISIONS**

14 **SEC. 149. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 136 of the Workforce Innovation and Oppor-
16 tunity Act (29 U.S.C. 3181) is amended—

17 (1) in subsection (a), by striking “127(a),” and
18 all that follows and inserting “127(a), such sums as
19 may be necessary for each of fiscal years 2025
20 through 2029.”;

21 (2) in subsection (b), by striking “132(a)(1),”
22 and all that follows and inserting “132(a)(1), such
23 sums as may be necessary for each of fiscal years
24 2025 through 2029.”; and

1 (3) in subsection (c), by striking “132(a)(2),”
2 and all that follows and inserting “132(a)(2), such
3 sums as may be necessary for each of fiscal years
4 2025 through 2029.”.

5 **Subtitle D—Job Corps**

6 **SEC. 151. PURPOSES.**

7 Section 141 of the Workforce Innovation and Oppor-
8 tunity Act (29 U.S.C. 3191) is amended—

9 (1) in paragraph (1)(A)—

10 (A) in the matter preceding clause (i), by
11 striking “centers” and all that follows through
12 “diplomas” and inserting “campuses, in order
13 for such youth to obtain regular high school di-
14 plomas”;

15 (B) in clause (i), by striking “or” after the
16 semicolon;

17 (C) in clause (ii), by striking “, including”
18 and all that follows through “; and” and insert-
19 ing “; or”;

20 (D) by adding at the end the following:

21 “(iii) enrollment in an apprenticeship
22 program; and”; and

23 (E) in paragraph (3), by striking “centers”
24 and inserting “campuses”.

1 **SEC. 152. DEFINITIONS.**

2 Section 142 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3192) is amended—

4 (1) in paragraphs (1), (8), and (10), by striking
5 “center” each place the term appears and inserting
6 “campus”;

7 (2) in paragraph (1)(B), by inserting “the com-
8 munity in which the Job Corps campus is located
9 and” after “serves”;

10 (3) in paragraph (5)—

11 (A) by striking “secondary school diploma”
12 and inserting “regular high school diploma”;

13 (B) by striking “that prepares” and insert-
14 ing the following: “that—

15 “(A) prepares”; and

16 (C) by striking the period at the end and
17 inserting the following: “; and

18 “(B) may include the attainment of a rec-
19 ognized postsecondary credential.”; and

20 (4) in paragraph (7)—

21 (A) in the paragraph heading, by striking
22 “CENTER” and inserting “CAMPUS”; and

23 (B) by striking “center” each place the
24 term appears and inserting “campus”.

1 **SEC. 153. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.**

2 Section 144 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3194) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1)—

6 (i) by striking “21” and inserting
7 “24”; and

8 (ii) by striking “that—” and all that
9 follows through “either such” and insert-
10 ing the following: “that such”;

11 (B) in paragraph (2), by inserting “or a
12 resident of a qualified opportunity zone (as de-
13 fined in section 1400Z-1(a) of the Internal
14 Revenue Code of 1986)” after “individual”; and

15 (C) in paragraph (3)—

16 (i) by striking subparagraph (A) and
17 inserting the following:

18 “(A) An individual with foundational skill
19 needs.”; and

20 (ii) in subparagraph (C)—

21 (I) by striking “A homeless indi-
22 vidual” and all that follows through
23 “14043e-2(6))” and inserting “An
24 individual experiencing homelessness
25 (meaning a homeless individual, as de-
26 fined in section 41403(6) of the Vio-

1 lence Against Women Act of 1994 (34
2 U.S.C. 12473(6)))”; and

3 (II) by striking “a homeless child
4 or youth (as defined in” and inserting
5 “a youth experiencing homelessness
6 (meaning a homeless child or youth,
7 as defined in”;

8 (2) in subsection (b)—

9 (A) in the subsection heading, by inserting
10 “AND CERTAIN OTHER ARMED FORCES MEM-
11 BERS” after “VETERANS”; and

12 (B) in the matter preceding paragraph (1),
13 by inserting “or a member of the Armed Forces
14 eligible for preseparation counseling through
15 the Transition Assistance Program under sec-
16 tion 1142 of the title 10, United States Code,”
17 after “veteran”; and

18 (3) by adding at the end the following:

19 “(c) SPECIAL RULES FOR CHILDREN OR YOUTH EX-
20 PERIENCING HOMELESSNESS AND INDIVIDUALS IN FOS-
21 TER CARE.—

22 “(1) CHILDREN OR YOUTH EXPERIENCING
23 HOMELESSNESS.—In determining whether an indi-
24 vidual is eligible to be an enrollee on the basis of
25 being a child or youth experiencing homelessness, as

1 described in subsection (a)(3)(C), the individual
2 making the determination shall use a process that
3 complies with the process requirements that apply to
4 financial aid administrators under section 479D(a)
5 of the Higher Education Act of 1965.

6 “(2) INDIVIDUALS IN FOSTER CARE.—In deter-
7 mining whether an individual is eligible to be an en-
8 rollee on the basis of being an individual in foster
9 care or who was in foster care, as described in sub-
10 section (a)(3)(C), the individual making the deter-
11 mination shall use a process that complies with the
12 process requirements that apply to financial aid ad-
13 ministrators under section 479D(b) of the Higher
14 Education Act of 1965.”

15 **SEC. 154. RECRUITMENT, SCREENING, SELECTION, AND AS-**
16 **SIGNMENT OF ENROLLEES.**

17 Section 145 of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3195) is amended—

19 (1) in subsection (a)—

20 (A) in paragraph (2)—

21 (i) by striking subparagraph (A) and
22 inserting the following:

23 “(A) prescribe procedures for informing
24 enrollees that drug tests will be administered to
25 the enrollees for the purpose of assessing the

1 need for substance misuse intervention or be-
2 havioral counseling;”;

3 (ii) in subparagraph (D), by striking
4 “and” after the semicolon;

5 (iii) in subparagraph (E), by striking
6 the period and inserting “; and”; and

7 (iv) by adding at the end the fol-
8 lowing:

9 “(F) establish standards and procedures
10 that assist applicable one-stop centers and other
11 entities described in paragraph (3) in devel-
12 oping joint applications that allow individuals to
13 apply for the Job Corps program and for
14 YouthBuild programs under section 171 and
15 youth workforce investment activities.”; and

16 (B) by adding at the end the following:

17 “(6) DRUG TEST PROCEDURES.—The proce-
18 dures prescribed under paragraph (1) shall include
19 requirements that—

20 “(A) each enrollee in the Job Corps take
21 a drug test not more than 48 hours after such
22 enrollee arrives on a Job Corps campus for the
23 purpose of assessing the need for substance
24 misuse intervention or behavioral counseling;

1 “(B) if the result of the drug test taken by
2 an enrollee under subparagraph (A) is positive,
3 the enrollee take a subsequent drug test at the
4 earliest appropriate time (considering the sub-
5 stance and potency levels identified in the initial
6 test) to determine if the enrollee has continued
7 to use drugs since arriving on the Job Corps
8 campus, the results of which must be received
9 not later than 50 days after the date on which
10 the enrollee arrived on campus; and

11 “(C) if the result of the subsequent test
12 administered under subparagraph (B) is posi-
13 tive with similar levels of potency that were
14 identified in the test administered under sub-
15 paragraph (A), the enrollee shall be terminated
16 from the Job Corps and referred to a substance
17 misuse disorder treatment program or behav-
18 ioral counseling.”; and

19 (2) in subsections (b), (c), and (d)—

20 (A) by striking “center” each place the
21 term appears and inserting “campus”; and

22 (B) by striking “centers” each place the
23 term appears and inserting “campuses”.

1 **SEC. 155. JOB CORPS CAMPUSES.**

2 (a) IN GENERAL.—Section 147 of the Workforce In-
3 novation and Opportunity Act (29 U.S.C. 3197) is amend-
4 ed—

5 (1) in the section heading, by striking “**CEN-**
6 **TERS**” and inserting “**CAMPUSES**”;

7 (2) in subsection (a)—

8 (A) in paragraph (1), by striking “center”
9 each place the term appears and inserting
10 “campus”;

11 (B) in paragraph (2)—

12 (i) in subparagraph (A), by striking
13 “center” each place the term appears and
14 inserting “campus”; and

15 (ii) in subparagraph (B)—

16 (I) in clause (i)—

17 (aa) in the matter preceding
18 subclause (I), by striking “cen-
19 ter” and inserting “campus”;

20 (bb) by striking subclause
21 (IV);

22 (cc) by redesignating sub-
23 clauses (I) through (III) and (V)
24 as subclauses (III) through (V)
25 and (VI), respectively;

1 (dd) by inserting before sub-
2 clause (III), as so redesignated,
3 the following:

4 “(I) student outcomes, which—

5 “(aa) in the case of an enti-
6 ty with past experience in oper-
7 ating Job Corps campuses, shall
8 be a numeric metric of past
9 achievement relating to such
10 campuses, based on the primary
11 indicators of performance for eli-
12 gible youth described in section
13 116(b)(2)(A)(ii); or

14 “(bb) in the case of an enti-
15 ty that has not previously oper-
16 ated a Job Corps campus—

17 “(AA) a comparable al-
18 ternative metric, designed
19 and published by the Sec-
20 retary, that enables such en-
21 tities without previous expe-
22 rience to demonstrate their
23 past effectiveness; or

24 “(BB) evidence dem-
25 onstrating the past effective-

1 ness of the entity in success-
2 fully assisting youth to con-
3 nect to the labor force,
4 based on such primary indi-
5 cators of performance for el-
6 igible youth; and

7 “(II) in the case of an entity that
8 has previously operated a Job Corps
9 campus, any information regarding
10 the entity included in any report de-
11 veloped by the Office of the Inspector
12 General of the Department of
13 Labor;”;

14 (ee) in subclause (III), as so
15 redesignated, by striking “cen-
16 ter” and inserting “campus”;

17 (ff) by striking subclause
18 (IV), as so redesignated, and in-
19 serting the following:

20 “(IV)(aa) the ability of the entity
21 to offer career and technical education
22 and training that has been proposed
23 by the workforce council under section
24 154(c);

1 “(bb) the degree to which such
2 education and training reflects em-
3 ployment opportunities in the local
4 areas in which enrollees at the cam-
5 pus intend to seek employment; and

6 “(cc) the degree to which such
7 education and training leads to a rec-
8 ognized postsecondary credential, or
9 postsecondary credit, that permits ar-
10 ticulation into a higher level or other
11 degree or credential program;”;

12 (gg) in subclause (V), as so
13 redesignated, by striking “center
14 is located” and inserting “cam-
15 pus is located, including agree-
16 ments to provide off-campus
17 work-based learning opportunities
18 aligned with the career and tech-
19 nical education provided to en-
20 rollees”;

21 (hh) in subclause (VI), as so
22 redesignated—

23 (AA) by striking “at
24 risk youth” and inserting
25 “opportunity youth”; and

1 (BB) by striking “and
2 career” and all that follows
3 through the period and in-
4 serting “, career and tech-
5 nical education and training,
6 and a pathway to unsub-
7 sidized employment; and”;
8 and

9 (ii) by adding at the end the
10 following:

11 “(VII) the ability of the entity to
12 implement the disciplinary policy de-
13 scribed in section 152(a) and main-
14 tain a safe and secure learning envi-
15 ronment for enrollees.”; and

16 (II) in clause (ii), by striking
17 “center” and inserting “campus”; and

18 (C) in paragraph (3)—

19 (i) in the matter preceding subpara-
20 graph (A), by striking “center” and insert-
21 ing “campus”;

22 (ii) in subparagraph (A), by striking
23 “center” and inserting “campus”;

24 (iii) by striking subparagraph (B) and
25 inserting the following:

1 “(B) A description of the counseling,
2 placement, and support activities that will be
3 offered at the campus, including a description
4 of the strategies and procedures the entity will
5 use to place graduates into unsubsidized em-
6 ployment or education leading to a recognized
7 postsecondary credential, or postsecondary cred-
8 it, which credentials or credit may permit ar-
9 ticulation into a higher level or other degree or
10 credential program.”;

11 (iv) in subparagraph (C), by striking
12 “center” and inserting “campus”;

13 (v) in subparagraph (D), by striking
14 “center is located,” and inserting “campus
15 is located, including agreements to provide
16 off-campus work-based learning opportuni-
17 ties aligned with the career and technical
18 education provided to enrollees,”;

19 (vi) in subparagraph (E), by striking
20 “center” and inserting “campus”;

21 (vii) by redesignating subparagraphs
22 (F) through (K) as subparagraphs (G)
23 through (L), respectively;

24 (viii) by inserting after subparagraph
25 (E) the following:

1 “(F) A description of the policies that will
2 be implemented at the campus regarding secu-
3 rity and access to campus facilities, including
4 procedures to report on and respond to criminal
5 actions and other emergencies occurring on
6 campus.”; and

7 (ix) in subparagraph (J), as so redes-
8 igned, by striking “center” and inserting
9 “campus”;

10 (3) in subsection (b)—

11 (A) in the subsection heading, by striking
12 “CENTERS” and inserting “CAMPUSES”;

13 (B) by striking “center” each place the
14 term appears and inserting “campus”;

15 (C) by striking “centers” each place the
16 term appears and inserting “campuses”; and

17 (D) in paragraph (2)(A), by striking “20
18 percent” and inserting “25 percent”;

19 (4) in subsection (c)—

20 (A) by striking “centers” and inserting
21 “campuses”; and

22 (B) by striking “20 percent” and inserting
23 “30 percent”;

24 (5) in subsection (d)(1)—

1 (A) by striking “Job Corps centers” and
2 inserting “Job Corps campuses”; and

3 (B) by striking “Such centers” and insert-
4 ing “Such Centers”;

5 (6) in subsection (e)(1), by striking “centers”
6 and inserting “campuses”; and

7 (7) in subsection (g)—

8 (A) by striking “center” each place the
9 term appears and inserting “campus”;

10 (B) in paragraph (1)(A), by striking “cen-
11 ters” and inserting “campuses”;

12 (C) in the matter preceding subparagraph
13 (A) of paragraph (2), by inserting “the Job
14 Corps program has maintained a safe and se-
15 cure campus environment and” before “such re-
16 newal”;

17 (D) in paragraph (3), by striking “shall
18 provide,” and inserting “shall provide, not less
19 than 30 days prior to renewing the agree-
20 ment,”; and

21 (E) in paragraph (4), by striking “center”
22 and inserting “campus”.

23 (b) TABLE OF CONTENTS.—The table of contents in
24 section 1(b) of the Workforce Innovation and Opportunity

1 Act is amended by striking the item relating to section
2 147 and inserting the following:

“Sec. 147. Job Corps campuses.”.

3 **SEC. 156. PROGRAM ACTIVITIES.**

4 Section 148 of the Workforce Innovation and Oppor-
5 tunity Act (29 U.S.C. 3198) is amended—

6 (1) by striking “center” each place the term ap-
7 pears and inserting “campus”;

8 (2) by striking “centers” each place the term
9 appears and inserting “campuses”;

10 (3) in subsection (a)—

11 (A) in the subsection heading, by striking
12 “CENTERS” and inserting “CAMPUSES”; and

13 (B) by striking paragraph (1) and insert-
14 ing the following:

15 “(1) IN GENERAL.—Each Job Corps campus
16 shall provide enrollees assigned to the campus
17 with—

18 “(A) an intensive, well organized, and fully
19 supervised program of education, including
20 English learner acquisition programs, career
21 and technical education and training, work ex-
22 perience, work-based learning, recreational ac-
23 tivities, physical rehabilitation and development,
24 driver’s education, and counseling, which may
25 incorporate the principles of universal design

1 for learning and may include information about
2 financial literacy; and

3 “(B) access to—

4 “(i) individualized career services de-
5 scribed in clauses (i) through (xi) of sec-
6 tion 134(c)(2)(B);

7 “(ii) supportive services; and

8 “(iii) productive activities, such as tu-
9 toring or other skills development opportu-
10 nities, for enrollees to participate in when
11 enrollees are not in regular class time or
12 work hours.”;

13 (4) in subsection (b), by striking “career and
14 technical educational institutions” and inserting
15 “area career and technical education schools”;

16 (5) in subsection (c)(1)—

17 (A) by striking “eligible providers of train-
18 ing” and inserting “any eligible provider of
19 training”; and

20 (B) by inserting “if the training services
21 are aligned with the career and technical edu-
22 cation an enrollee has completed” after “section
23 122”; and

1 (6) in subsection (d), by striking “Secretary”
2 and inserting “operator of the Job Corps program in
3 which a graduate was enrolled”.

4 **SEC. 157. COUNSELING AND JOB PLACEMENT.**

5 Section 149(b) of the Workforce Innovation and Op-
6 portunity Act (29 U.S.C. 3199(b)) is amended—

7 (1) by inserting “, in coordination with the op-
8 erator of a Job Corps campus,” after “The Sec-
9 retary”;

10 (2) by inserting “assigned to such campus”
11 after “for enrollees”; and

12 (3) by inserting “, in coordination with the op-
13 erator,” after “the Secretary”.

14 **SEC. 158. SUPPORT.**

15 Section 150 of the Workforce Innovation and Oppor-
16 tunity Act (29 U.S.C. 3200) is amended—

17 (1) in subsection (a), by striking “centers” and
18 inserting “campuses”; and

19 (2) by adding at the end the following:

20 “(d) PERIOD OF TRANSITION.—Notwithstanding the
21 requirements of section 146(b), a Job Corps graduate may
22 remain an enrollee and a resident of a Job Corps campus
23 for not more than 1 month after graduation as such grad-
24 uate transitions into independent living and unsubsidized
25 employment, if such graduate receives written approval

1 from the director of the Job Corps campus to remain as
2 such a resident.”.

3 **SEC. 159. OPERATIONS.**

4 Section 151 of the Workforce Innovation and Oppor-
5 tunity Act (29 U.S.C. 3201) is amended—

6 (1) by striking “center” each place the term ap-
7 pears and inserting “campus”; and

8 (2) by adding at the end the following:

9 “(d) LOCAL AUTHORITY.—

10 “(1) IN GENERAL.—Notwithstanding sub-
11 sections (a) and (b) and subject to limitations of the
12 budget approved by the Secretary for a Job Corps
13 campus, the operator of a Job Corps campus shall
14 have the authority, without prior approval from the
15 Secretary, to—

16 “(A) determine how and when learning is
17 delivered and what tools, such as a learning
18 management system, are employed for that pur-
19 pose;

20 “(B) determine the appropriate policy and
21 protocols with respect to enrollees leaving the
22 campus and employers and other guests visiting
23 the campus, and the need for fencing or other
24 security measures around the campus;

1 “(C) hire staff and provide professional de-
2 velopment to staff;

3 “(D) set terms and enter into agreements
4 with Federal, State, or local educational part-
5 ners, such as secondary schools, institutions of
6 higher education, child development centers,
7 units of Junior Reserve Officers’ Training
8 Corps programs established under section 2031
9 of title 10, United States Code, or employers;
10 and

11 “(E) engage with, and educate, stake-
12 holders about Job Corps operations and activi-
13 ties.

14 “(2) LIMITATION OF LIABILITY.—An agreement
15 described in paragraph (1)(D), between an entity de-
16 scribed in such paragraph and an operator of a Job
17 Corps campus, that does not involve the operator
18 providing monetary compensation from the funds
19 made available under this subtitle to such entity
20 shall not be considered a subcontract (as defined in
21 section 8701 of title 41, United States Code).

22 “(e) PRIOR NOTICE.—Prior to making a change to
23 the agreement described in section 147(a) or an operating
24 plan described in subsections (a) and (b), the Secretary
25 shall solicit from the operators of the Job Corps campuses

1 information on any operational costs the operators expect
2 to result from such change.”.

3 **SEC. 160. STANDARDS OF CONDUCT.**

4 Section 152 of the Workforce Innovation and Oppor-
5 tunity Act (29 U.S.C. 3202) is amended—

6 (1) by striking “centers” each place it appears
7 and inserting “campuses”;

8 (2) by striking paragraph (2) of subsection (b)
9 and inserting the following:

10 “(2) DISCIPLINARY POLICY.—

11 “(A) GUIDELINES.—The Secretary shall
12 adopt guidelines establishing a disciplinary pol-
13 icy for dismissing an enrollee that has com-
14 mitted an act of violence or an illegal activity.

15 “(B) DRUG TESTING.—The Secretary shall
16 require drug testing of all enrollees for con-
17 trolled substances in accordance with the proce-
18 dures prescribed by the Secretary under section
19 145(a)(6).

20 “(C) DEFINITIONS.—In this paragraph:

21 “(i) CONTROLLED SUBSTANCE.—The
22 term ‘controlled substance’ has the mean-
23 ing given the term in section 102 of the
24 Controlled Substances Act (21 U.S.C.
25 802).

1 “(ii) DISCIPLINARY POLICY.—The
2 term ‘disciplinary policy’ means a policy
3 under which an enrollee shall be dismissed
4 from the Job Corps after a determination
5 by the director of the Job Corps campus
6 that the enrollee has carried out an action
7 described in subparagraph (A).”; and

8 (3) by striking subsection (c) and inserting the
9 following:

10 “(c) APPEAL PROCESS.—

11 “(1) ENROLLEE APPEALS.—A disciplinary
12 measure taken by a director of a Job Corps campus
13 under this section shall be subject to expeditious ap-
14 peal in accordance with procedures established by
15 the Secretary.

16 “(2) APPEAL PROCESS FOR EXPELLED ENROLL-
17 EES.—

18 “(A) IN GENERAL.—The Secretary shall
19 establish an appeals process for an enrollee in
20 the Job Corps program who has been dismissed
21 by a director of the applicable Job Corps cam-
22 pus due to the enrollee engaging in an activity
23 that violates the guidelines established pursuant
24 to subsection (b)(2)(A), through which the en-
25 rollee may appeal the decision to the director or

1 may request to remain enrolled in the Job
2 Corps program but be subject to other discipli-
3 nary action.

4 “(B) CONTENTS.—A request for other dis-
5 ciplinary action under subparagraph (A) shall
6 include a signed certification from the enrollee
7 attesting that, in the belief of the enrollee, the
8 enrollee’s continued enrollment would not im-
9 pact the safety or learning environment of the
10 Job Corps campus.

11 “(3) TIMELINE.—The director of a Job Corps
12 campus shall review an appeal submitted under this
13 subsection and, not later than 30 days after receiv-
14 ing such appeal, approve or deny the appeal.”.

15 **SEC. 161. COMMUNITY PARTICIPATION.**

16 Section 153 of the Workforce Innovation and Oppor-
17 tunity Act (29 U.S.C. 3203) is amended—

18 (1) in subsection (a)—

19 (A) by striking “center” and inserting
20 “campus”; and

21 (B) by striking “centers” and inserting
22 “campuses”;

23 (2) in subsection (b)—

24 (A) in the matter preceding paragraph (1),
25 by striking “center” and inserting “campus”;

- 1 (B) in paragraph (1)(C)—
- 2 (i) in clause (iii), by striking “and”
- 3 after the semicolon; and
- 4 (ii) by adding at the end the fol-
- 5 lowing:
- 6 “(v) industry or sector partnerships; and”;
- 7 and
- 8 (C) in paragraph (2), by striking “center”
- 9 each place the term appears and inserting
- 10 “campus”; and
- 11 (3) in subsection (c)—
- 12 (A) in the subsection heading, by striking
- 13 “CENTERS” and inserting “CAMPUSES”; and
- 14 (B) by striking “center” each place the
- 15 term appears and inserting “campus”.

16 **SEC. 162. WORKFORCE COUNCILS.**

17 Section 154 of the Workforce Innovation and Oppor-

18 tunity Act (29 U.S.C. 3204) is amended—

- 19 (1) by striking “center” each place the term ap-
- 20 pears and inserting “campus”;
- 21 (2) in subsection (b)(1)—
- 22 (A) in subparagraph (B), by striking
- 23 “and” after the semicolon;
- 24 (B) by redesignating subparagraph (C) as
- 25 subparagraph (D); and

1 (C) by inserting after subparagraph (B)
2 the following:

3 “(C) representatives of community-based
4 organizations; and”;

5 (3) in subsection (c)(2)(C), by inserting “, rec-
6 ognized postsecondary credentials,” after “skills”;
7 and

8 (4) in the subsection heading of subsection (d),
9 by striking “CENTERS” and inserting “CAMPUSES”.

10 **SEC. 163. ADVISORY COMMITTEES.**

11 Section 155 of the Workforce Innovation and Oppor-
12 tunity Act (29 U.S.C. 3205) is amended—

13 (1) by striking “centers” and inserting “cam-
14 puses”; and

15 (2) by striking “center” and inserting “cam-
16 pus”.

17 **SEC. 164. EXPERIMENTAL PROJECTS AND TECHNICAL AS-**
18 **SISTANCE.**

19 Section 156(b) of the Workforce Innovation and Op-
20 portunity Act (29 U.S.C. 3206(b)) is amended—

21 (1) in paragraph (1)—

22 (A) in the matter preceding subparagraph
23 (A), by striking “centers” and inserting “cam-
24 puses”; and

25 (B) by adding at the end the following:

1 “(D) in incorporating the principles of uni-
2 versal design for learning; and”;

3 (2) in paragraph (2), by striking “center” and
4 inserting “campus”.

5 **SEC. 165. SPECIAL PROVISIONS.**

6 Section 158 of the Workforce Innovation and Oppor-
7 tunity Act (29 U.S.C. 3208) is amended—

8 (1) by striking subsection (a) and inserting the
9 following:

10 “(a) ENROLLMENT.—The Secretary shall ensure
11 that—

12 “(1) no individual shall be excluded from par-
13 ticipation in the Job Corps program on the basis of
14 race, color, religion, sex (except as otherwise per-
15 mitted under title IX of the Education Amendments
16 of 1972 (20 U.S.C. 1681 et seq.)), national origin,
17 age, disability, or political affiliation or belief; and

18 “(2) all individuals have an equal opportunity
19 to be selected for and participate in the Job Corps
20 program, consistent with section 145.”;

21 (2) in subsection (d), by striking “center” each
22 place the term appears and inserting “campus”;

23 (3) by striking subsection (f) and inserting the
24 following:

25 “(f) DONATIONS.—

1 “(1) IN GENERAL.—The Secretary may accept,
2 on behalf of the Job Corps or individual Job Corps
3 campuses, charitable donations of cash or other as-
4 sistance, including equipment and materials, if such
5 donations are available for appropriate use for the
6 purposes set forth in this subtitle.

7 “(2) TRANSFER.—Notwithstanding sections
8 501(b) and 522 of title 40, United States Code, any
9 property acquired by a Job Corps campus shall be
10 directly transferred, on a nonreimbursable basis, to
11 the Secretary.”; and

12 (4) in subsection (g), by striking “center” and
13 inserting “campus”.

14 **SEC. 166. MANAGEMENT INFORMATION.**

15 Section 159 of the Workforce Innovation and Oppor-
16 tunity Act (29 U.S.C. 3209) is amended—

17 (1) by striking “center” each place the term ap-
18 pears and inserting “campus”;

19 (2) in subsection (a)(3), by striking “centers”
20 and inserting “campuses”;

21 (3) in subsection (c)—

22 (A) by redesignating paragraph (4) as
23 paragraph (5);

24 (B) by inserting after paragraph (3) the
25 following:

1 “(4) WAGE RECORDS.—The Secretary shall
2 make arrangements with a State or other appro-
3 priate entity to facilitate the use of State wage
4 records to evaluate the performance of Job Corps
5 campuses on the employment and earnings indica-
6 tors described in clause (i)(III), or subclauses (I)
7 and (II) of clause (ii), of section 116(b)(2)(A).”; and
8 (C) in paragraph (5), as so redesignated—
9 (i) in subparagraph (A), by striking
10 “and” after the semicolon;
11 (ii) in subparagraph (B), by striking
12 the period at the end and inserting a semi-
13 colon; and
14 (iii) by adding at the end the fol-
15 lowing:
16 “(C) the number of operators of Job Corps
17 campuses that were awarded a renewal, com-
18 pared to the number of operators eligible for a
19 renewal; and
20 “(D) the number of Job Corps campuses
21 for which an agreement was awarded to a new
22 operator.”;
23 (4) in subsection (d)(1)—

1 (A) in subparagraph (F), by striking “reg-
2 ular secondary school diploma” and inserting
3 “regular high school diploma”;

4 (B) by redesignating subparagraphs (G)
5 through (O) as subparagraphs (H) through (P),
6 respectively;

7 (C) by inserting after subparagraph (F)
8 the following:

9 “(G) the number of graduates who received
10 a recognized postsecondary credential;” and

11 (D) in subparagraph (J), as so redesign-
12 ated, by striking “zero tolerance policy de-
13 scribed in section 152(b)” and inserting “dis-
14 ciplinary policy described in section 152(b)”;

15 (5) in subsection (e), by striking “section
16 116(i)(2)” and inserting “section 116(j)(2)”;

17 (6) in the paragraph heading of paragraph (1)
18 of subsection (g), by striking “CENTER” and insert-
19 ing “CAMPUS”; and

20 (7) in the subsection heading of subsection (j),
21 by striking “CENTER” and inserting “CAMPUS”.

22 **SEC. 167. JOB CORPS OVERSIGHT AND REPORTING.**

23 Section 161 of the Workforce Innovation and Oppor-
24 tunity Act (29 U.S.C. 3211) is amended—

25 (1) in subsection (a)(1)—

1 (A) by striking subparagraph (A); and
2 (B) by redesignating subparagraphs (B)
3 and (C) as subparagraphs (A) and (B), respec-
4 tively;
5 (2) in subsection (b), by striking “subpara-
6 graphs (A) through (G)” and inserting “subpara-
7 graphs (A) through (H)”; and
8 (3) in subsection (c)—
9 (A) in the subsection heading, by striking
10 “CENTER” and inserting “CAMPUS”;
11 (B) by striking “December 1, 2014” and
12 inserting “December 1, 2025”; and
13 (C) by striking “center” and inserting
14 “campus”.

15 **SEC. 168. AUTHORIZATION OF APPROPRIATIONS.**

16 Section 162 of the Workforce Innovation and Oppor-
17 tunity Act (29 U.S.C. 3212) is amended by striking “sub-
18 title” and all that follows through the period at the end
19 and inserting “subtitle such sums as may be necessary for
20 fiscal years 2025 through 2029.”.

21 **Subtitle E—National Programs**

22 **SEC. 171. NATIVE AMERICAN PROGRAMS.**

23 Section 166 of the Workforce Innovation and Oppor-
24 tunity Act (29 U.S.C. 3221) is amended—

1 of 1998) shall be eligible to participate in
2 an activity assisted under this section.

3 “(ii) TRANSFER OF UNOBLIGATED
4 FUNDS.—An entity receiving funds under
5 subsection (e) may transfer such funds
6 that are unobligated for an award year to
7 the following award year for activities de-
8 scribed in subparagraph (A)(i) in that fol-
9 lowing award year.”;

10 (4) in subsection (e)(5)—

11 (A) by striking “shall include” and insert-
12 ing “shall, in accordance with subsection (h),
13 include indicators that are in alignment with”;

14 (B) by striking “116(b)(2)(A)” and insert-
15 ing “116(b)(2)(A)(i)”; and

16 (C) by striking “for such indicators” and
17 all that follows through the period at the end
18 and inserting “for indicators developed under
19 that subsection.”;

20 (5) in subsection (h)—

21 (A) by striking paragraph (1) and insert-
22 ing the following:

23 “(1) INDICATORS OF PERFORMANCE AND
24 STANDARDS.—The Secretary, in consultation with
25 the Native American Employment and Training

1 Council, shall develop a set of indicators of perform-
2 ance and standards that is in alignment with the
3 primary indicators of performance described in sec-
4 tion 116(b)(2)(A)(i) and that shall be applicable to
5 programs under this section.”;

6 (B) in paragraph (2), by striking “section
7 116(b)(2)(A)” and all that follows through the
8 period at the end of the paragraph and insert-
9 ing the following: “section 116(b)(2)(A)—

10 “(A) taking into consideration—

11 “(i) economic conditions;

12 “(ii) characteristics and needs of the
13 individuals and groups served, including
14 the differences in needs among such
15 groups in various geographic service areas;
16 and

17 “(iii) other appropriate factors, in-
18 cluding the economic circumstances of the
19 communities served; and

20 “(B) using, to the extent practicable, the
21 statistical adjustment model under section
22 116(b)(3)(A)(x).”; and

23 (C) by adding at the end the following:

24 “(3) PROGRAM PLAN.—The levels agreed to
25 under paragraph (2) shall be the adjusted levels of

1 performance and shall be incorporated in the pro-
2 gram plan.

3 “(4) WAGE RECORDS.—

4 “(A) IN GENERAL.—The Secretary shall
5 make arrangements with any State, Indian
6 tribe, or other appropriate entity to facilitate
7 the use of State wage records to evaluate the
8 performance of entities funded under this sec-
9 tion on the employment and earnings indicators
10 described in subclauses (I) through (IV) of sec-
11 tion 116(b)(2)(A)(i) for the purposes of the re-
12 port required under paragraph (5).

13 “(B) OTHER WAGE RECORDS.—For any
14 individual working in Indian country (as de-
15 fined in section 1151 of title 18, United States
16 Code) whose wages are not submitted to a rel-
17 evant State as an unemployment insurance
18 wage record, the Indian tribe with jurisdiction
19 over that Indian country may submit other
20 forms of documentation of the wages of such in-
21 dividual to the State for purposes of the report
22 required under paragraph (5).

23 “(5) PERFORMANCE RESULTS.—For each pro-
24 gram year, the Secretary shall make available on a
25 publicly accessible website of the Department of

1 Labor a report on the performance, during such pro-
2 gram year, of entities funded under this section—

3 “(A) on the primary indicators of perform-
4 ance described in section 116(b)(2)(A)(i);

5 “(B) on any additional indicators estab-
6 lished under paragraph (1)(A); and

7 “(C) compare to the adjusted levels of per-
8 formance for such entities as described in para-
9 graph (2).”;

10 (6) in subsection (i)—

11 (A) in paragraph (4)—

12 (i) in subparagraph (A)—

13 (I) by striking “Using” and in-
14 serting the following:

15 “(i) ESTABLISHMENT.—Using”; and

16 (II) by adding at the end the fol-
17 lowing:

18 “(ii) RECOMMENDATIONS.—The Sec-
19 retary shall meet, on not less than an an-
20 nual basis, with the Council to consider
21 recommendations from the Council on the
22 operation and administration of the pro-
23 grams assisted under this section.”; and

24 (ii) in subparagraph (B)—

1 (I) by striking “The Council”
2 and inserting the following:

3 “(i) IN GENERAL.—The Council”; and

4 (II) by adding at the end the fol-
5 lowing:

6 “(ii) VACANCIES.—An individual ap-
7 pointed to fill a vacancy on the Council oc-
8 curring before the expiration of the term
9 for which the predecessor of such indi-
10 vidual was appointed shall be appointed
11 only for the remainder of that term. Such
12 an individual may serve on the Council
13 after the expiration of such term until a
14 successor is appointed.”;

15 (B) in paragraph (5)—

16 (i) by striking “The Secretary” and
17 inserting the following:

18 “(A) IN GENERAL.—The Secretary”; and

19 (ii) by adding at the end the fol-
20 lowing:

21 “(B) ACTIVITIES.—The technical assist-
22 ance under subparagraph (A) shall include the
23 following activities:

24 “(i) Assisting entities described in
25 subsection (c) that receive assistance under

1 such subsection in understanding and navi-
2 gating the Federal requirements for
3 amounts awarded under this section.

4 “(ii) Supporting such entities with the
5 full range of services that can be supported
6 using amounts awarded under this section,
7 as permitted by Federal law.

8 “(iii) Supporting such entities in pro-
9 moting the economic and social develop-
10 ment of Indian, Alaska Native, and Native
11 Hawaiian communities in accordance with
12 the distinct goals of those communities, in-
13 cluding, as appropriate, by using program
14 flexibilities authorized under paragraph
15 (3).

16 “(iv) Advising such entities on other
17 funding opportunities authorized by this
18 Act, including those that foster innovation
19 in workforce development programs serving
20 the needs of Indians, Alaska Natives, and
21 Native Hawaiians.”; and

22 (C) in paragraph (6)—

23 (i) by inserting “or provided by an-
24 other grantee that receives funds awarded
25 under subtitle B from any State for adult,

1 youth, or dislocated worker programs”
2 after “this title”; and

3 (ii) by inserting “or another grantee”
4 after “the States”; and

5 (7) in subsection (k), by striking paragraph (2)
6 and inserting the following:

7 “(2) AUTHORIZATION OF APPROPRIATIONS.—
8 There is authorized to be appropriated to carry out
9 this subsection such sums as may be necessary for
10 each of fiscal years 2025 through 2029.”.

11 **SEC. 172. MIGRANT AND SEASONAL FARMWORKER PRO-**
12 **GRAMS.**

13 Section 167 of the Workforce Innovation and Oppor-
14 tunity Act (29 U.S.C. 3222) is amended—

15 (1) in subsection (c)—

16 (A) in paragraph (3), by striking “section
17 116(b)(3)(A)(viii)” and inserting “section
18 116(b)(3)(A)(x)”; and

19 (B) by adding at the end the following:

20 “(5) WAGE RECORDS.—The Secretary shall
21 make arrangements with a State or other appro-
22 priate entity to facilitate the use of State wage
23 records to evaluate the performance of entities fund-
24 ed under this section on the employment and earn-
25 ings indicators described in subclauses (I) through

1 (IV) of section 116(b)(2)(A)(i) for the purposes of
2 the report required under paragraph (6).

3 “(6) PERFORMANCE RESULTS.—For each pro-
4 gram year, the Secretary shall make available on a
5 publicly accessible website of the Department of
6 Labor a report on the performance, during such pro-
7 gram year, of entities funded under this section—

8 “(A) on the primary indicators of perform-
9 ance described in section 116(b)(2)(A)(i);

10 “(B) on any additional indicators described
11 under paragraph (2)(C); and

12 “(C) compared to the adjusted levels of
13 performance for such entities as described in
14 paragraph (3).”;

15 (2) in subsection (d)—

16 (A) in paragraph (1), by inserting “digital
17 literacy skills training,” after “literacy instruc-
18 tion,”; and

19 (B) in paragraph (2), by striking “fol-
20 lowup” and inserting “follow-up”;

21 (3) by redesignating subsections (e) through (i)
22 as subsections (f) through (j), respectively;

23 (4) by inserting after subsection (d) the fol-
24 lowing:

1 “(e) ADMINISTRATIVE COSTS.—Not more than 10
2 percent of the funds provided to an entity under this sec-
3 tion may be used for the administrative costs of the activi-
4 ties and services carried out under subsection (d).”; and

5 (5) in subsection (i), as so redesignated—

6 (A) in the heading, by striking “ALLOCA-
7 TION” and inserting “ALLOCATION; FUNDING
8 OBLIGATION”;

9 (B) by striking “From” and inserting the
10 following:

11 “(1) FUNDING ALLOCATION.—From”; and

12 (C) by adding at the end the following:

13 “(2) FUNDING OBLIGATION.—Funds appro-
14 priated and made available to carry out this section
15 for a fiscal year may be obligated by the Secretary
16 for purposes of being made available to an entity de-
17 scribed in subsection (b) during the period beginning
18 on April 1 of the calendar year that begins during
19 such fiscal year and ending on June 30 of the fol-
20 lowing calendar year.”.

21 **SEC. 173. EVALUATIONS AND RESEARCH.**

22 Section 169 of the Workforce Innovation and Oppor-
23 tunity Act (29 U.S.C. 3224) is amended—

24 (1) in subsection (a)—

1 (A) in paragraph (2), by striking subpara-
2 graphs (F) and (G) and inserting the following:

3 “(F) the extent to which such programs
4 and activities meet the needs of various demo-
5 graphic groups, including individuals with a
6 barrier to employment;

7 “(G) the extent to which the State in
8 which such program or activity operates is
9 using emerging technology to—

10 “(i) collect, use, and disseminate accu-
11 rate and transparent local and State level
12 labor market information; and

13 “(ii) integrate administrative data, in
14 accordance with Federal and State privacy
15 laws, to improve education and workforce
16 outcomes; and

17 “(H) such other factors as the Secretary
18 determines necessary.”;

19 (B) in paragraph (3)—

20 (i) by striking “The Secretary” and
21 inserting the following:

22 “(A) IN GENERAL.—Except as provided in
23 subparagraph (B), the Secretary”; and

24 (ii) by adding at the end the fol-
25 lowing:

1 “(B) LIMITATION.—The Secretary may
2 not use the authority described in subparagraph
3 (A) if the evaluations required under paragraph
4 (1) have not been initiated or completed in the
5 time period required.”; and

6 (C) in paragraph (4)—

7 (i) by striking “The” and inserting
8 “After the date of enactment of the
9 **[_____ Act of _____]**, the”; and

10 (ii) by striking “2019” and inserting
11 “2028”;

12 (2) in subsection (b)—

13 (A) by striking paragraph (4) and insert-
14 ing the following:

15 “(4) STUDIES AND REPORTS.—

16 “(A) STUDY ON EMPLOYMENT CONDITIONS
17 AND JOB QUALITY.—The Secretary, in coordi-
18 nation with other Federal agencies (as appro-
19 priate), may conduct a study examining the na-
20 ture of the unsubsidized employment of partici-
21 pants of programs carried out under this Act
22 after the exit of the participant from the pro-
23 gram—

24 “(i) including with respect to factors
25 such as the availability of paid time-off in

1 the employment, health and retirement
2 benefits provided through the employment,
3 workplace safety standards at the place of
4 the employment, the predictability and sta-
5 bility of the work schedule for the employ-
6 ment, the ability to obtain through the em-
7 ployment credentials that may permit ar-
8 ticulation into a higher level or other de-
9 gree or credential program, and advance-
10 ment opportunities in the employment; and

11 “(ii) that includes a description of the
12 feasibility of establishing under section 116
13 an indicator of performance related to job
14 quality.

15 “(B) STUDY ON IMPROVING WORKFORCE
16 SERVICES FOR INDIVIDUALS WITH DISABIL-
17 ITIES.—The Secretary of Labor, in coordination
18 with the Secretary of Education and the Sec-
19 retary of Health and Human Services, may con-
20 duct studies that analyze the access to services
21 under this Act by individuals with disabilities,
22 including whether an individual who is unable
23 to receive services funded under the Act amend-
24 ed by title IV due to a wait list for such serv-
25 ices is able to receive services funded under ti-

1 tles I through II of this Act or the Wagner-
2 Peysner Act (29 U.S.C. 49 et seq.), as amended
3 by title III.

4 “(C) STUDY ON THE EFFECTIVENESS OF
5 PAY-FOR-PERFORMANCE.—The Secretary shall,
6 not later than 4 years after the date of enact-
7 ment of the [_____ Act of _____], conduct
8 a study that compares the effectiveness of the
9 pay-for-performance contract strategies used
10 under sections 129, 134, and 172 after such
11 date of enactment to the awarding of grants
12 and contracts under the relevant provisions of
13 this Act, as in effect on the day before the date
14 of enactment of the [_____ Act of _____].
15 The study shall examine the competition struc-
16 ture of pay-for-performance grants and con-
17 tracts under such sections, the quality of appli-
18 cations received for such grants and contracts,
19 and whether individuals with a barrier to em-
20 ployment were effectively served under such
21 strategies.

22 “(D) STUDY ON INDIVIDUAL TRAINING AC-
23 COUNTS FOR ADULTS, DISLOCATED WORKERS,
24 AND YOUTH.—The Secretary shall, not later
25 than 4 years after the date of enactment of the

1 【_____ Act of _____】, conduct a study that
2 compares the usage of individual training ac-
3 counts described in subsection (c)(3)(F)(iii) or
4 (e) of section 134 or in section 129 for adults,
5 dislocated workers, and youth after such date of
6 enactment to the usage of such individual train-
7 ing accounts before such date of enactment, in-
8 cluding—

9 “(i) the types of training services and
10 occupations targeted by adults, dislocated
11 workers, and youth when using such an ac-
12 count; and

13 “(ii) the effectiveness of skills develop-
14 ment funded through such individual train-
15 ing accounts in helping such individuals at-
16 tain credentials and secure unsubsidized
17 employment.

18 “(E) STUDY ON THE EFFECTIVENESS OF
19 EMPLOYER-BASED TRAINING.—The Secretary
20 shall, not later than 4 years after the date of
21 enactment of the 【_____ Act of _____】, con-
22 duct a study that measures the effectiveness of
23 on-the-job training, employer-directed skills de-
24 velopment, apprenticeships, and incumbent
25 worker training under this title in preparing

1 jobseekers and workers, including those who are
2 individuals with a barrier to employment, for
3 unsubsidized employment. The study shall in-
4 clude a measurement of the cost per participant
5 and wage and employment outcomes for the on-
6 the-job training, employer-directed skills devel-
7 opment, apprenticeship, and incumbent worker
8 training under this title.

9 “(F) STUDY ON THE EFFECTIVENESS AND
10 USE OF EMERGING TECHNOLOGY IN THE WORK-
11 FORCE DEVELOPMENT SYSTEM.—The Secretary
12 shall, not later than 4 years after the date of
13 enactment of the [_____ Act of _____], con-
14 duct a study that—

15 “(i) measures the effectiveness of
16 emerging technology (including artificial
17 intelligence and machine learning) and
18 other advanced computational methods, in
19 improving State workforce development
20 system service delivery, labor market data
21 system performance, data collection and in-
22 tegration to understand participant and
23 program outcomes, and end-user tools for
24 facilitating career exploration or related
25 data insights;

1 “(ii) measures the extent to which
2 States have adopted and implemented such
3 technology and methods in their workforce
4 development systems, including by describ-
5 ing how the technology or method is being
6 used, analyzing the accuracy of such tech-
7 nology or method, and identifying any ex-
8 hibited bias by any such technology or
9 method; and

10 “(iii) includes an analysis of the con-
11 sequences of advances in automation tech-
12 nology on employment opportunities, skills
13 development, and worker dislocation.

14 “(G) STUDY ON THE USE AND EFFECTIVE-
15 NESS OF STATEWIDE RAPID RESPONSE ACTIVI-
16 TIES.—The Secretary shall, not later than 4
17 years after the date of enactment of the
18 【_____ Act of _____】, conduct a study that
19 measures the effectiveness of statewide rapid
20 response activities described in section
21 134(a)(2)(A) that occurred after January 1,
22 2004. The study shall include an analysis of the
23 net cost per participant of the activities, the
24 unique labor market conditions in each State
25 where such study is conducted, the employment

1 outcomes from administering such activities,
2 and a description of which entities in the work-
3 force development system administered such ac-
4 tivities and the ways in which the State and af-
5 fected local areas within the State adapted to
6 accommodate such activities.

7 “(H) STUDY ON THE PROVISION AND EF-
8 FECTS OF SUPPORTIVE SERVICES.—The Sec-
9 retary shall, not later than 4 years after the
10 date of enactment of the [_____ Act of
11 _____], conduct a study that measures the
12 impact of supportive services on the retention,
13 completion, and job placement rates of partici-
14 pants enrolled in training programs under this
15 title. The study shall include information about
16 the availability of such services, the average
17 cost of such services per participant, the means
18 through which such services were provided, the
19 employment and training outcomes for partici-
20 pants who received such services compared with
21 participants who did not receive such services,
22 the characteristics (to the extent practicable) of
23 the participants who received such services, a
24 description of the providers of such services and
25 the role of such providers in the workforce de-

1 velopment system, and the share of such serv-
2 ices that were provided directly through the
3 workforce development system compared with
4 the share of such services provided through re-
5 ferrals.

6 “(I) STUDY ON THE ALIGNMENT BETWEEN
7 EDUCATION AND WORKFORCE DEVELOPMENT
8 SYSTEMS.—The Secretary of Labor, in coordi-
9 nation with the Secretary of Education, shall,
10 not later than 4 years after the date of enact-
11 ment of the [_____ Act of _____], conduct
12 a study on the alignment of workforce develop-
13 ment programs under this Act with elementary
14 and secondary education and postsecondary
15 education. The study shall examine—

16 “(i) State efforts to integrate data re-
17 lated to career and technical education
18 programs, dual enrollment programs, pre-
19 apprenticeships and apprenticeships, and
20 other work-based learning programs to in-
21 form decision making and improve edu-
22 cational opportunities and outcomes;

23 “(ii) challenges related to and strate-
24 gies that promote such alignment to facili-

1 tate student participation in high-quality
2 college and career pathways; and

3 “(iii) governance structures and fund-
4 ing sources to promote such alignment.

5 “(J) REPORTS.—The Secretary shall pre-
6 pare and disseminate to the Committee on
7 Health, Education, Labor, and Pensions of the
8 Senate and the Committee on Education and
9 the Workforce of the House of Representatives,
10 and to the public, including through electronic
11 means, reports containing the results of the
12 studies conducted under this paragraph.”; and

13 (B) in paragraph (5), by adding at the end
14 the following:

15 “(C) EVALUATION OF GRANTS.—

16 “(i) IN GENERAL.—For each grant or
17 contract awarded under this paragraph,
18 the Secretary shall conduct a rigorous eval-
19 uation of the multistate project carried out
20 through the grant or contract to determine
21 the impact of the activities supported by
22 the project, including the impact on the
23 employment and earnings of program par-
24 ticipants.

1 “(ii) REPORT.—The Secretary shall
2 prepare and disseminate to the Committee
3 on Health, Education, Labor, and Pen-
4 sions of the Senate and the Committee on
5 Education and the Workforce of the House
6 of Representatives, and to the public, in-
7 cluding through electronic means, reports
8 containing the results of evaluations con-
9 ducted under this subparagraph.”; and

10 (3) by adding at the end the following:

11 “(d) WORKFORCE DATA QUALITY INITIATIVE.—

12 “(1) GRANT PROGRAM.—The Secretary shall
13 use 5 percent of the total amount made available
14 pursuant to section 132(a)(2)(A) for any program
15 year, and may use amounts otherwise made available
16 for purposes of carrying out this section, to award
17 grants to eligible entities to design, develop, imple-
18 ment, improve, or align a statewide longitudinal data
19 system for the purposes of integrating data from
20 education and workforce development systems, labor
21 market outcomes, and other data sources, strength-
22 ening program quality, building State capacity to
23 produce evidence for decision making, meeting per-
24 formance reporting requirements, promoting indi-

1 vidual privacy and data security, and improving
2 transparency.

3 “(2) ELIGIBLE ENTITY.—In this subsection, the
4 term ‘eligible entity’ means a State agency or con-
5 sortium of State agencies, including a multistate
6 data collaborative, that is or includes the State agen-
7 cy responsible for—

8 “(A) State employer wage records used by
9 the State’s unemployment insurance programs
10 in labor market information reporting and anal-
11 ysis and for fulfilling the reporting require-
12 ments of this Act;

13 “(B) the production of labor market infor-
14 mation; and

15 “(C) the direct administration of a core
16 program.

17 “(3) APPLICATION.—To be eligible to receive a
18 grant under this subsection, an eligible entity shall
19 submit an application to the Secretary at such time
20 and in such manner as the Secretary may require,
21 which shall include—

22 “(A) a description of the proposed activi-
23 ties that will be conducted by the eligible entity,
24 including a description of the need for such ac-
25 tivities and a detailed budget for such activities;

1 “(B) a description of the expected out-
2 comes and outputs that will result from the
3 proposed activities and the proposed uses of
4 such outputs;

5 “(C) a description of how the proposed ac-
6 tivities will support the reporting of perform-
7 ance data, including employment and earnings
8 outcomes, for the performance accountability
9 requirements under section 116, including out-
10 comes for eligible training providers;

11 “(D) a description of the methods and pro-
12 cedures the eligible entity will use to promote
13 individual privacy and data security in the col-
14 lection, storage, and use of all data involved in
15 the systems and resources supported through
16 the grant, in accordance with Federal and State
17 privacy laws; and

18 “(E) a plan for how the eligible entity will
19 continue the activities or sustain the use of the
20 outputs created with the grant funds after the
21 grant period ends.

22 “(4) PRIORITY.—In awarding grants under this
23 subsection, the Secretary shall give priority to—

24 “(A) any eligible entity that is a consor-
25 tium comprised of State agencies from multiple

1 States (including at least one State agency that
2 has not previously received a grant from the
3 Secretary for the purposes of this subsection
4 and demonstrates a substantial need to improve
5 its data infrastructure) and has the capacity to
6 make significant contributions toward building
7 interoperable, cross-State data infrastructure to
8 provide participating States the ability to better
9 understand—

10 “(i) earnings and employment out-
11 comes of individuals who work out-of-
12 State; and

13 “(ii) cross-State earnings and employ-
14 ment trends; and

15 “(B) any eligible entity that will use grant
16 funds to—

17 “(i) expand the adoption and use of
18 linked, open, and interoperable data on
19 credentials, including through the develop-
20 ment of a credential registry or other tools
21 and services designed to help learners and
22 workers make informed decisions, such as
23 the credential navigation feature described
24 in section 122(f)(3);

1 “(ii) enhance collaboration with pri-
2 vate sector workforce and labor market
3 data entities and the end-users of work-
4 force and labor market data, including in-
5 dividuals, employers, economic development
6 agencies, and workforce development pro-
7 viders;

8 “(iii) leverage the use of non-Federal
9 contributions to improve workforce data in-
10 frastructure, including staff capacity build-
11 ing; or

12 “(iv) expand existing statewide longi-
13 tudinal data systems, including such sys-
14 tems receiving assistance under section
15 208 of the Educational Technical Assist-
16 ance Act of 2002 (20 U.S.C. 9607).

17 “(5) USE OF FUNDS.—In addition to the activi-
18 ties described in clauses (i) through (iv) of para-
19 graph (4)(B), an eligible entity awarded a grant
20 under this subsection may use funds to carry out
21 any of the following:

22 “(A) Supporting data linkages for data
23 from education and workforce development sys-
24 tems, labor market outcomes, and other data

1 sources, which may include integrating such
2 data with statewide longitudinal data systems.

3 “(B) Accelerating the replication and
4 adoption of data systems, projects, products, or
5 practices already in use in a State to other
6 States.

7 “(C) Research and labor market data im-
8 provement activities to improve the timeliness,
9 relevance, and accessibility of such data, which
10 may include—

11 “(i) pilot projects that are developed
12 locally but designed to scale to other re-
13 gions or States; or

14 “(ii) end-user tools, which may facili-
15 tate career exploration or related data in-
16 sights.

17 “(D) Establishing, enhancing, or con-
18 necting to a system of interoperable learning
19 and employment records that provides individ-
20 uals who choose to participate in such system
21 ownership of a verified and secure record of the
22 credentials earned and skills gained by such in-
23 dividuals and the ability to share such record
24 with employers and education providers.

1 “(E) Defining policies, guidelines, or proto-
2 cols, as appropriate for data collection, storage,
3 data sharing, use, data destruction, and diselo-
4 sure avoidance to secure any personally identifi-
5 able information, in accordance with Federal
6 and State privacy laws.

7 “(F) Increasing local board access to and
8 integration with the State’s statewide longitu-
9 dinal data system in a secure manner.

10 “(G) Establishing or participating in a
11 data exchange for collecting and using stand-
12 ards-based jobs and employment data including,
13 at a minimum, job titles or occupation codes.

14 “(H) Improving State and local staff ca-
15 pacity to understand, use, and analyze data to
16 improve decision making and improve partici-
17 pant outcomes.

18 “(6) ADMINISTRATION.—

19 “(A) DURATION.—A grant awarded under
20 this subsection may be for a period of not more
21 than 3 years.

22 “(B) SUPPLEMENT, NOT SUPPLANT.—
23 Funds made available under this subsection
24 shall be used to supplement, and not supplant,

1 other Federal, State, or local funds used for de-
2 velopment of State data systems.

3 “(C) REPORT.—Each eligible entity that
4 receives a grant under this subsection shall sub-
5 mit a report to the Secretary not later than 180
6 days after the conclusion of the grant period on
7 the activities supported through the grant and
8 any improvements in the use of workforce and
9 labor market information that have resulted
10 from such activities.

11 “(7) STATEWIDE LONGITUDINAL DATA SYS-
12 TEMS.—In this subsection, the term ‘statewide longi-
13 tudinal data systems’ has the same meaning as such
14 term used in section 153(a)(5) of the Education
15 Sciences Reform Act of 2002 (20 U.S.C.
16 9543(a)(5)).”.

17 **SEC. 174. NATIONAL DISLOCATED WORKER GRANTS.**

18 Section 170 of the Workforce Innovation and Oppor-
19 tunity Act (29 U.S.C. 3225) is amended—

20 (1) in subsection (b)—

21 (A) in paragraph (1)—

22 (i) in subparagraph (C), by striking
23 “and” after the semicolon;

1 (ii) in subparagraph (D)(ii), by strik-
2 ing the period at the end and inserting “;
3 and”; and

4 (iii) by adding at the end the fol-
5 lowing:

6 “(E) to an entity described in subsection
7 (c)(1)(B) to provide employment and training
8 activities related to the prevention and treat-
9 ment of opioid use disorders, including addic-
10 tion treatment, mental health treatment, and
11 pain management, in an area that, as a result
12 of widespread opioid use, addiction, and
13 overdoses, has higher-than-average demand for
14 such activities that exceeds the availability of
15 State and local resources to provide such activi-
16 ties.”; and

17 (B) by adding at the end the following:

18 “(3) PERFORMANCE RESULTS.—The Secretary
19 shall collect the necessary information from each en-
20 tity receiving a grant under this section to—

21 “(A) determine the performance of such
22 entity on the primary indicators of performance
23 described in section 116(b)(2)(A)(i); and

24 “(B) make the determination described in
25 subparagraph (A), and the information on

1 which the determination is based, available on
2 a publicly accessible website of the Department
3 of Labor in a format that does not reveal per-
4 sonally identifiable information.”; and

5 (2) in subsection (c)(2)(B)—

6 (A) in the subparagraph heading, by strik-
7 ing “RETRAINING” and inserting
8 “RESKILLING”; and

9 (B) by striking “retraining” and inserting
10 “reskilling”.

11 **SEC. 175. YOUTHBUILD PROGRAM.**

12 Section 171 of the Workforce Innovation and Oppor-
13 tunity Act (29 U.S.C. 3226) is amended—

14 (1) in subsection (a)—

15 (A) in paragraph (4), by striking “home-
16 less individuals” and inserting “individuals ex-
17 perienceing homelessness”; and

18 (B) in paragraph (5), by striking “home-
19 less and low-income families” and inserting
20 “low-income families and families of individuals
21 experienceing homelessness”;

22 (2) in subsection (b)—

23 (A) by striking paragraph (4);

1 (B) by redesignating paragraphs (5), (6),
2 and (7) as paragraphs (4), (5), and (6), respec-
3 tively;

4 (C) in paragraph (6) (as so redesign-
5 nated)—

6 (i) in the heading, by striking “IN-
7 DIAN TRIBE” and inserting “INDIAN
8 TRIBE; TRIBAL ORGANIZATION”;

9 (ii) by striking “and ‘Indian tribe’ ”
10 and inserting “, ‘Indian tribe’, and ‘tribal
11 organization’ ”; and

12 (iii) by striking “(25 U.S.C. 450b)”
13 and inserting “(25 U.S.C. 5304)”;

14 (D) by inserting after paragraph (6), as so
15 redesignated, the following:

16 “(7) INDIVIDUAL EXPERIENCING HOMELESS-
17 NESS.—The term ‘individual experiencing homeless-
18 ness’ means an individual who is—

19 “(A) a homeless individual (as such term is
20 defined in section 41403 of the Violence
21 Against Women Act of 1994 (34 U.S.C.
22 12473)); or

23 “(B) a homeless child or youth (as defined
24 in section 725 of the McKinney-Vento Homeless
25 Assistance Act (42 U.S.C. 11434a)).”; and

1 (E) in paragraph (12), by striking “home-
2 less individuals” and inserting “individuals ex-
3 perienicing homelessness”;

4 (3) in subsection (c)—

5 (A) in the subsection heading, by inserting
6 “; RESERVATION” after “YOUTHBUILD
7 GRANTS”;

8 (B) in paragraph (1), in the heading, by
9 striking “AMOUNTS OF GRANTS” and inserting
10 “YOUTHBUILD GRANTS”;

11 (C) by redesignating paragraphs (2)
12 through (5) as paragraphs (3) through (6), re-
13 spectively;

14 (D) by inserting after paragraph (1) the
15 following:

16 “(2) RESERVATIONS.—

17 “(A) TRIBAL RESERVATION.—Subject to
18 subparagraph (C), in carrying out paragraph
19 (1), the Secretary shall reserve 5 percent of the
20 total amount appropriated for purposes of that
21 paragraph to make grants to applicants that
22 are—

23 “(i) Indian tribes or tribal organiza-
24 tions; or

1 “(ii) carrying out programs for the
2 benefit of Indians.

3 “(B) RURAL RESERVATION.—Subject to
4 subparagraph (C), in carrying out paragraph
5 (1), the Secretary shall reserve not less than 5
6 percent of the total amount appropriated for
7 purposes of that paragraph to make grants to
8 applicants that are located in rural areas.

9 “(C) EXCEPTION.—If the Secretary does
10 not receive a sufficient number of applications
11 of sufficient quality to award the amounts re-
12 served under subparagraph (A) or (B) in ac-
13 cordance with the requirements of such sub-
14 paragraph, the Secretary may—

15 “(i) award grants under that subpara-
16 graph in an amount not to exceed
17 \$1,500,000 per grant; and

18 “(ii) use any remaining amount re-
19 served under that subparagraph to, not-
20 withstanding the requirements of that sub-
21 paragraph, award grants under paragraph
22 (1) to other applicants not described in
23 such subparagraph.”;

24 (E) in paragraph (3), as so redesignated—

25 (i) in subparagraph (A)—

1 (I) in clause (i), by striking
2 “preapprenticeship” and inserting
3 “pre-apprenticeship”;
4 (II) in clause (iv)—
5 (aa) in subclause (II), by
6 striking “language learners” and
7 inserting “learners”;
8 (bb) in subclause (III), by
9 striking “secondary school di-
10 ploma” and inserting “regular
11 high school diploma”; and
12 (cc) in subclause (IV), by in-
13 serting “Federal, State, and in-
14 stitutional” after “required”;
15 (III) in clause (v), by striking
16 “drug and alcohol abuse and referral”
17 and inserting “addressing mental
18 health needs or substance use dis-
19 order”;
20 (IV) in clause (vii), by inserting
21 “unsubsidized” after “retaining”; and
22 (V) in clause (viii), by inserting
23 “, including career counseling” after
24 “assistance”;

1 (ii) in subparagraph (B), by striking
2 “homeless individuals or low-income fami-
3 lies, or transitional housing for homeless
4 individuals” and inserting “individuals ex-
5 periencing homelessness or low-income
6 families, or transitional housing for indi-
7 viduals experiencing homelessness”; and

8 (iii) by adding at the end the fol-
9 lowing:

10 “(I) Supportive services to ensure full par-
11 ticipation in a YouthBuild program, including
12 such services for individuals with disabilities.

13 “(J) Informing participants of their eligi-
14 bility, and assisting participants in applying, for
15 Federal and State means-tested benefit pro-
16 grams, such as the supplemental nutrition as-
17 sistance program established under the Food
18 and Nutrition Act of 2008 (7 U.S.C. 2011 et
19 seq.), and assistance provided by the State
20 through the Child Care and Development Block
21 Grant Act of 1990 (42 U.S.C. 9857 et seq.)”;

22 (F) in paragraph (4)(B), as so redesign-
23 nated—

24 (i) in clause (iii), by striking “unions”
25 and inserting “labor organizations”;

300

1 (ii) in clause (v)—

2 (I) by striking the semicolon at
3 the end and inserting “; and”

4 (II) by striking “will prepare”
5 and inserting the following: “will—

6 “(I) prepare”; and

7 (III) by adding at the end the
8 following:

9 “(II) support youth in attaining
10 a regular high school diploma or its
11 recognized equivalent;”;

12 (iii) in clause (vii)—

13 (I) by striking “(including agen-
14 cies of Indian tribes)” and inserting
15 “Indian tribes, tribal organizations,
16 Tribal educational agencies (as such
17 term (without regard to capitaliza-
18 tion) is defined in section 6132(b) of
19 the Elementary and Secondary Edu-
20 cation Act of 1965 (20 U.S.C.
21 7452(b)))”; and

22 (II) by striking “homeless indi-
23 viduals and other agencies that serve
24 youth who are homeless individuals”
25 and inserting “individuals experi-

1 encing homelessness and other agen-
2 cies that serve youth who are individ-
3 uals experiencing homelessness”;

4 (iv) in clause (x), by inserting “lo-
5 cated in the region proposed to be served
6 by such applicant” after “tribes”;

7 (v) in clause (xiii)—

8 (I) by striking “unions” and in-
9 serting “labor organizations”; and

10 (II) by striking “certificate or
11 certification” each place it appears
12 and inserting “credential”;

13 (vi) by redesignating clauses (xv)
14 through (xxi) as clauses (xvi) through
15 (xxii), respectively; and

16 (vii) by inserting after clause (xiv) the
17 following:

18 “(xv) a description of how the appli-
19 cant will support youth participation and
20 decision making related to the program;”;

21 and

22 (G) in paragraph (5)(I), as so redesign-
23 ated, by striking “homeless individuals” and
24 inserting “individuals experiencing homeless-
25 ness”;

1 (4) in subsection (d), by striking “homeless in-
2 dividuals” each place it appears and inserting “indi-
3 viduals experiencing homelessness”;

4 (5) in subsection (e)—

5 (A) in paragraph (1)—

6 (i) in subparagraph (A)(ii), by strik-
7 ing “youth offender” and inserting “jus-
8 tice-involved individual who is a youth”;
9 and

10 (ii) in subparagraph (B)—

11 (I) in clause (i)—

12 (aa) by striking “are basic
13 skills deficient” and inserting
14 “have foundational skill needs”;
15 and

16 (bb) by striking “secondary
17 school diploma” and inserting
18 “regular high school diploma”;
19 and

20 (II) in clause (ii), by striking
21 “secondary school diploma” and in-
22 serting “regular high school diploma”;
23 and

24 (6) in subsection (f), by adding at the end the
25 following:

1 “(3) USE OF WAGE RECORDS.—The Secretary
2 shall make arrangements with any State or other
3 appropriate entity to facilitate the use of State wage
4 records to evaluate the performance of YouthBuild
5 programs funded under this section on the employ-
6 ment and earnings indicators described in section
7 116(b)(2)(A)(ii) for the purposes of the report re-
8 quired under paragraph (4).

9 “(4) PERFORMANCE RESULTS.—For each pro-
10 gram year, the Secretary shall make available on a
11 publicly accessible website of the Department a re-
12 port on the performance, during such program year,
13 of YouthBuild programs funded under this section
14 on—

15 “(A) the primary indicators of performance
16 described in section 116(b)(2)(A)(ii); and

17 “(B) any additional indicators established
18 under paragraph (2).

19 “(5) CONSULTATION.—In establishing expected
20 levels of performance under paragraph (1), the Sec-
21 retary shall consult, on not less than an annual
22 basis, with entities carrying out YouthBuild pro-
23 grams to ensure such levels of performance account
24 for the workforce development and postsecondary

1 education experiences of youth served by such pro-
2 grams.”;

3 (7) in subsection (g), by adding at the end the
4 following:

5 “(4) ANNUAL RELEASE OF FUNDING OPPOR-
6 TUNITY ANNOUNCEMENT.—The Secretary shall, to
7 the greatest extent practicable, announce new fund-
8 ing opportunities for grants under this section dur-
9 ing the same time period each year such grants are
10 announced.

11 “(5) STATE WAGE DATA.—A State that receives
12 allotments for the core programs shall facilitate ac-
13 cess for entities carrying out YouthBuild programs
14 in the State to wage data of participants in
15 YouthBuild programs for the purpose of meeting the
16 requirements of this section. The facilitation shall
17 not reduce any protections afforded by the State
18 which protect the privacy of participant informa-
19 tion.”; and

20 (8) by striking subsection (i) and inserting the
21 following:

22 “(i) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to carry out this section
24 such sums as may be necessary for each of fiscal years
25 2025 through 2029.”.

1 **SEC. 176. REENTRY EMPLOYMENT OPPORTUNITIES.**

2 (a) IN GENERAL.—Subtitle D of title I of the Work-
3 force Innovation and Opportunity Act (29 U.S.C. 3221 et
4 seq.) is amended—

5 (1) by redesignating section 172 as section 174;

6 and

7 (2) by inserting after section 171 the following:

8 **“SEC. 172. REENTRY EMPLOYMENT OPPORTUNITIES.**

9 “(a) PURPOSES.—The purposes of this section are—

10 “(1) to improve the employment, earnings, and
11 skill attainment, and reduce recidivism, of adults
12 and youth who have been involved with the justice
13 system;

14 “(2) to prompt innovation and improvement in
15 the reentry of justice-involved individuals into the
16 workforce so that successful initiatives can be estab-
17 lished or continued, and replicated; and

18 “(3) to further develop the evidence on how to
19 improve employment, earnings, and skill attainment,
20 and reduce recidivism, of justice-involved individuals,
21 through rigorous evaluations of specific services pro-
22 vided, including how they affect different popu-
23 lations and how they are best combined and
24 sequenced, and disseminate such evidence to entities
25 supporting the reentry of justice-involved individuals
26 into the workforce.

1 “(b) REENTRY EMPLOYMENT COMPETITIVE GRANTS,
2 CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHOR-
3 IZED.—

4 “(1) IN GENERAL.—From the amounts appro-
5 priated under section 174(e) and not reserved under
6 subsection (h), the Secretary—

7 “(A) shall, on a competitive basis, make
8 grants to, or enter into contracts or cooperative
9 agreements with, eligible entities (which awards
10 may be direct awards or intermediary awards
11 through eligible entities who are national or re-
12 gional intermediaries) to implement reentry
13 projects described in subsection (d) that serve
14 eligible adults or eligible youth; and

15 “(B) in order to carry out a youth Reentry
16 Employment Opportunities Program—

17 “(i) shall make direct grants to youth
18 program eligible entities to implement such
19 reentry projects, that serve eligible youth;
20 and

21 “(ii) in any year for which the Sec-
22 retary makes grants under clause (i), shall
23 make intermediary grants on a competitive
24 basis to youth program eligible entities

1 “(ii) in cases in which the grant re-
2 cipients make direct grants to other youth
3 program eligible entities, monitor and sup-
4 port such entities; and

5 “(C) shall use 10 percent of such amounts,
6 from the portion reserved under subparagraph
7 (A), for awards described in subparagraph (A)
8 to eligible entities using pay-for-performance
9 contracts—

10 “(i) that specify a fixed amount that
11 will be paid to such an entity based on the
12 achievement, within a defined timeframe,
13 of expected levels of performance described
14 under subsection (e)(2)(A) on the indica-
15 tors of performance described in subsection
16 (e)(1)(A)(i); and

17 “(ii) which may provide for bonus
18 payments to such entity to expand capacity
19 to provide effective services.

20 “(3) AWARD PERIODS.—

21 “(A) INITIAL PERIOD.—The Secretary
22 shall make awards under paragraph (1) for an
23 initial period of not more than 4 years.

24 “(B) ADDITIONAL AWARDS.—The Sec-
25 retary may award, for a period of not more

1 than 4 years, one or more additional awards to
2 an eligible entity that received an award under
3 paragraph (1) if the eligible entity achieved the
4 corresponding agreed-on levels of performance
5 (as described in subsection (e)) for the award
6 period immediately before the additional award.

7 “(4) PRIORITY.—In making awards under para-
8 graph (1), the Secretary shall give priority to eligible
9 entities whose applications submitted under sub-
10 section (e) demonstrate a commitment to use the
11 award funds to implement reentry projects—

12 “(A) that will serve high-poverty areas;

13 “(B) that will enroll eligible youth or eligi-
14 ble adults prior to the release of such an indi-
15 vidual from incarceration or imprisonment (in-
16 cluding detainment) in a correctional institu-
17 tion;

18 “(C) that have an evidence-based strategy
19 and design;

20 “(D) for which the eligible entities have es-
21 tablished partnerships—

22 “(i) with—

23 “(I) businesses;

24 “(II) local educational agencies;

1 “(III) institutions of higher edu-
2 cation;

3 “(IV) eligible providers of train-
4 ing services under section 122 (as de-
5 termined by the State where services
6 are being provided); and

7 “(V) agencies that receive assist-
8 ance for a program under section 225;
9 and

10 “(ii) to provide project participants
11 with programs of education and training
12 services leading to a recognized postsec-
13 ondary credential in an in-demand occupa-
14 tion or (if applicable) to a regular high
15 school diploma or recognized equivalent;
16 and

17 “(E) that provide training services, includ-
18 ing employer-directed skills development and
19 on-the-job training, that are designed to meet
20 the specific requirements of an employer (in-
21 cluding a group of employers) and are con-
22 ducted with a commitment by the employer to
23 employ individuals for not less than 1 year
24 upon successful completion of the preparation.

1 “(5) GEOGRAPHIC DIVERSITY.—In making
2 awards under paragraph (1), the Secretary shall en-
3 sure the awards are made to eligible entities from
4 geographically diverse areas, in addition to making
5 the awards in accordance with the priorities de-
6 scribed in paragraph (4).

7 “(6) CONSTRUCTION.—

8 “(A) PROJECTS WITH INTERMEDIARIES.—
9 For purposes of this section (other than sub-
10 sections (c)(2)(J) and (e) through (h)), a ref-
11 erence to the Secretary shall include a reference
12 to an intermediary who receives funds under
13 paragraph (1)(B) to the extent that the inter-
14 mediary uses the funds to make direct awards
15 to eligible entities.

16 “(B) REENTRY EMPLOYMENT OPPORTUNI-
17 TIES PROGRAM PROJECTS.—For purposes of
18 this section, a reference to an eligible entity,
19 used with respect to a reentry project carried
20 out under paragraph (1)(B), shall be considered
21 to be a reference to a youth program eligible
22 entity.

23 “(c) APPLICATION.—

24 “(1) FORM AND PROCEDURE.—To be qualified
25 to receive an award under this section, an eligible

1 “(D) The anticipated schedule for carrying
2 out the activities proposed under the reentry
3 project.

4 “(E) A description of—

5 “(i) the partnerships the eligible enti-
6 ty will establish with agencies and entities
7 within the criminal justice system, juvenile
8 justice system, local boards and one-stop
9 operators, community-based organizations,
10 and employers (including local employers)
11 to provide participants of the reentry
12 project with work-based learning, job
13 placement, and recruitment (if applicable);
14 and

15 “(ii) how the eligible entity will co-
16 ordinate its activities with other services
17 and benefits available to justice-involved
18 individuals in the geographic area to be
19 served by the reentry project.

20 “(F) A description of the manner in which
21 individuals will be recruited and selected for
22 participation for the reentry project.

23 “(G) A detailed budget and a description
24 of the system of fiscal controls, and auditing
25 and accountability procedures, that will be used

1 to ensure fiscal soundness for the reentry
2 project.

3 “(H) A description of the expected levels of
4 performance to be achieved with respect to the
5 performance measures described in subsection
6 (e).

7 “(I) A description of the evidence-based
8 practices the eligible entity will use in adminis-
9 tration of the reentry project.

10 “(J) An assurance that the eligible entity
11 will collect, disaggregate by each subpopulation
12 of individuals with a barrier to employment,
13 and by race, ethnicity, sex, and age, and report
14 to the Secretary the data required with respect
15 to the reentry project carried out by the eligible
16 entity for purposes of determining levels of per-
17 formance achieved and conducting the evalua-
18 tion under subsection (f).

19 “(K) A description of how the eligible enti-
20 ty plans to continue the reentry project after
21 the award period.

22 “(L) For any project offering a recognized
23 postsecondary credential, a description of how
24 the project leads to the credential.

1 “(M) For a project that also serves as a
2 program carried out under section 225, a de-
3 scription of how the award funds will be used
4 to carry out the education described in section
5 225, in conjunction with the activities described
6 in subsection (d).

7 “(3) ADDITIONAL CONTENT FOR INTER-
8 MEDIARY APPLICANTS.—An application submitted
9 under paragraph (1) by an eligible entity seeking to
10 serve as a national or regional intermediary as de-
11 scribed in subsection (b)(2) shall also contain the
12 following:

13 “(A) An identification and description of
14 the eligible entities that will be subawardees of
15 such intermediary and implement the reentry
16 projects, which shall include subawardees in 3
17 or more noncontiguous metropolitan areas or
18 rural areas.

19 “(B) A description of the services and sup-
20 ports the intermediary will provide to the sub-
21 awardees, including administrative and fiscal
22 support to ensure the subawardees comply with
23 all award requirements.

24 “(C) A description of how the intermediary
25 will facilitate the replication of evidence-based

1 practices or other best practices identified by
2 the intermediary across all subawardees.

3 “(D) If such intermediary is currently re-
4 ceiving, or has previously received, funds under
5 this section (on or after the date of enactment
6 of the [_____ Act of _____]) as an inter-
7 mediary to implement a reentry project, an as-
8 surance that none of the subawardees identified
9 under subparagraph (A) were previous sub-
10 awardees of the intermediary for such reentry
11 project that failed to meet the levels of perform-
12 ance established for such reentry project.

13 “(4) ADDITIONAL CONTENT FOR YOUTH REO
14 APPLICATIONS.—An application submitted under
15 paragraph (1) by a youth program eligible entity
16 seeking to serve youth applicants through a grant
17 described in subsection (b)(1)(B) shall also contain
18 the following:

19 “(A) A description of—

20 “(i) how a reentry project will facili-
21 tate the enrollment of eligible youth in a
22 program of a local educational agency, a
23 program of adult education and literacy
24 activities, a YouthBuild program, the Job

1 Corps, or a program of an institution of
2 higher education;

3 “(ii) how a reentry project will con-
4 nect eligible youth with mentors or peer
5 support groups to provide guidance, en-
6 couragement, and positive role modeling
7 during the reentry process;

8 “(iii) how a reentry project will in-
9 volve family members, guardians, and
10 other supportive people in the eligible
11 youth’s life in the reentry process;

12 “(iv) how a reentry project will pro-
13 vide or support access to mental health
14 services, counseling, and substance misuse
15 programs for an eligible youth;

16 “(v) how a reentry project will assist
17 eligible youth to find safe and stable hous-
18 ing;

19 “(vi) how a reentry project will ensure
20 activities carried out under a grant de-
21 scribed in subsection (b)(1)(B) are cul-
22 turally and linguistically appropriate; and

23 “(vii) the experience of the eligible en-
24 tity in providing services to youth, includ-
25 ing eligible youth, and the strategies the el-

1 eligible entity will use to ensure that services
2 provided are age-appropriate for eligible
3 youth.

4 “(B) A description of how a youth pro-
5 gram eligible entity plans to provide training,
6 for stakeholders involved in an eligible youth’s
7 reentry, on best practices pertaining to eligible
8 youth and reentry.

9 “(d) USES OF FUNDS.—

10 “(1) REQUIRED ACTIVITIES.—An eligible entity
11 that receives funds under this section shall use such
12 funds to implement a reentry project for eligible
13 adults or eligible youth that provides each of the fol-
14 lowing:

15 “(A) One or more of the individualized ca-
16 reer services listed in subclauses (I) through
17 (XIII) of section 134(c)(2)(B)(xii).

18 “(B) One or more of the training services
19 provided by eligible providers of training serv-
20 ices and listed in clauses (i) through (xi) in sec-
21 tion 134(c)(3)(D), including subsidized employ-
22 ment opportunities through transitional jobs.

23 “(C) Provision of or referral to supportive
24 services, for individuals who demonstrate a need
25 for such services.

1 “(D) For participants who are eligible
2 youth, one or more of the program elements
3 listed in subparagraphs (A) through (N) of sec-
4 tion 129(e)(2).

5 “(2) ALLOWABLE ACTIVITIES.—An eligible enti-
6 ty that receives funds under this section may use
7 such funds to provide, through a reentry project, to
8 eligible adults or eligible youth the following:

9 “(A) Follow-up services after placement in
10 unsubsidized employment as described in sec-
11 tion 134(e)(2)(B)(xiii).

12 “(B) Apprenticeship programs.

13 “(C) Education in digital literacy skills.

14 “(D) Mentoring.

15 “(E) Assistance in obtaining employment,
16 including as a result of the eligible entity—

17 “(i) establishing and developing rela-
18 tionships and networks with large and
19 small employers; and

20 “(ii) coordinating with employers to
21 develop employer-directed skills develop-
22 ment training and on-the-job training.

23 “(F) Assistance with driver’s license rein-
24 statement (including removing or expunging
25 records to facilitate that reinstatement), fees

1 for driver's licenses, obtaining other necessary
2 documents for employment, and removing bar-
3 riers to employment.

4 “(G) Provision of or referral to evidence-
5 based mental health treatment by licensed prac-
6 titioners.

7 “(H) Provision of or referral to substance
8 use disorder treatment services, provided that
9 funds awarded under this section are only used
10 to provide such services to participants who are
11 unable to obtain such services through other
12 programs providing such services.

13 “(I) Assistance with enrolling an eligible
14 youth in the program described in subsection
15 (c)(4)(A)(i).

16 “(3) ADMINISTRATIVE COST LIMIT.—An eligible
17 entity may not use more than 10 percent of the
18 funds received under this section for administrative
19 costs, including for costs related to collecting infor-
20 mation, analysis, and coordination for purposes of
21 subsection (e) or (f).

22 “(e) LEVELS OF PERFORMANCE.—

23 “(1) ESTABLISHMENT OF LEVELS.—

24 “(A) IN GENERAL.—The Secretary shall
25 establish expected levels of performance for per-

1 performance measures for reentry projects funded
2 under this section for—

3 “(i) each of the primary indicators of
4 performance—

5 “(I) for adults, as described in
6 section 116(b)(2)(A)(i), for reentry
7 projects for adults; and

8 “(II) for youth, as described in
9 section 116(b)(2)(A)(ii), for reentry
10 projects for youth; and

11 “(ii) an indicator of performance es-
12 tablished by the Secretary with respect to
13 participant recidivism.

14 “(B) UPDATES.—The levels established
15 under subparagraph (A) shall be updated for
16 each 4-year award period.

17 “(2) AGREEMENT ON LEVELS OF PERFORM-
18 ANCE.—In establishing and updating levels of per-
19 formance under paragraph (1), the Secretary shall
20 reach agreement on such levels with the eligible enti-
21 ties receiving awards under this section that will be
22 subject to such levels, based on, as the Secretary de-
23 termines relevant for each indicator of performance,
24 the following factors:

1 “(A) The expected levels of performance
2 for each such eligible entity described in the ap-
3 plication under subsection (c)(2)(H).

4 “(B) The local economic conditions of the
5 geographic area to be served by each such eligi-
6 ble entity, including differences in unemploy-
7 ment rates and job losses or gains in particular
8 industries.

9 “(C) The characteristics of project partici-
10 pants when entering the project involved, in-
11 cluding—

12 “(i) criminal records;

13 “(ii) indicators of work history;

14 “(iii) work experience;

15 “(iv) educational or occupational skills
16 attainment;

17 “(v) levels of literacy or English pro-
18 ficiency;

19 “(vi) disability status;

20 “(vii) homelessness; and

21 “(viii) receipt of public assistance.

22 “(3) FAILURE TO MEET LEVELS OF PERFORM-
23 ANCE.—In the case of an eligible entity that fails to
24 meet the corresponding levels of performance estab-
25 lished and updated under paragraph (1) for any

1 award year, the Secretary shall provide technical as-
2 sistance to the eligible entity, including the develop-
3 ment of a performance improvement plan.

4 “(f) EVALUATION OF REENTRY PROJECTS.—

5 “(1) IN GENERAL.—Not later than 5 years
6 after the first award of funds under this section is
7 made, the Secretary (acting through the Chief Eval-
8 uation Officer) shall meet each of the following re-
9 quirements:

10 “(A) DESIGN AND CONDUCT OF EVALUA-
11 TION.—Design and conduct an evaluation to
12 evaluate the effectiveness of the reentry projects
13 funded under this section, which meets the re-
14 quirements of paragraph (2), and includes an
15 evaluation of each of the following:

16 “(i) The effectiveness of such projects
17 in assisting individuals with finding em-
18 ployment and maintaining employment
19 during the second quarter and fourth quar-
20 ter after unsubsidized employment is ob-
21 tained.

22 “(ii) The effectiveness of such projects
23 in assisting individuals with earning recog-
24 nized postsecondary credentials.

1 “(iii) The effectiveness of such
2 projects in relation to their cost, including
3 the extent to which the projects improve
4 reentry outcomes, including outcomes in
5 employment, compensation (which may in-
6 clude wages earned and benefits), career
7 advancement, measurable skills gains, cre-
8 dentials earned, and recidivism of partici-
9 pants in comparison to comparably situ-
10 ated individuals who did not participate in
11 such projects.

12 “(iv) The effectiveness of specific
13 services and interventions provided and of
14 the overall project design.

15 “(v) If applicable, the extent to which
16 such projects effectively serve various de-
17 mographic groups, including people of dif-
18 ferent geographic locations, ages, races,
19 national origins, sexes, and criminal
20 records, and individuals with disabilities.

21 “(vi) If applicable, the appropriate se-
22 quencing, combination, or concurrent
23 structure, of services for each subpopula-
24 tion of individuals who are participants of
25 such projects, such as the order, combina-

1 tion, or concurrent structure and services
2 in which transitional jobs and occupational
3 skills development are provided, to ensure
4 that such participants are prepared to fully
5 benefit from education and training serv-
6 ices provided under the project.

7 “(vii) Limitations or barriers to edu-
8 cation and employment as a result of occu-
9 pational or educational licensing restric-
10 tions.

11 “(B) DATA ACCESSIBILITY.—Make avail-
12 able, on a publicly accessible website of the De-
13 partment of Labor, data collected during the
14 course of evaluation under this subsection, in
15 an aggregated format that does not disclose
16 personally identifiable information.

17 “(2) DESIGN REQUIREMENTS.—An evaluation
18 under this subsection—

19 “(A) shall—

20 “(i) be designed by the Secretary (act-
21 ing through the Chief Evaluation Officer)
22 in conjunction with the eligible entities car-
23 rying out the reentry projects being evalu-
24 ated;

1 “(ii) include analysis of participant
2 feedback and outcome and process meas-
3 ures; and

4 “(iii) use designs that employ the
5 most rigorous analytical and statistical
6 methods that are reasonably feasible, such
7 as the use of control groups; and

8 “(B) may not—

9 “(i) collect personally identifiable in-
10 formation, except to the extent such infor-
11 mation is necessary to conduct the evalua-
12 tion; or

13 “(ii) reveal or share personally identi-
14 fiable information.

15 “(3) PUBLICATION AND REPORTING OF EVAL-
16 UATION FINDINGS.—The Secretary (acting through
17 the Chief Evaluation Officer) shall—

18 “(A) in accordance with the timeline deter-
19 mined to be appropriate by the Chief Evalua-
20 tion Officer, publish an interim report on such
21 evaluation;

22 “(B) not later than 180 days after the
23 date on which any evaluation is completed
24 under this subsection, publish and make pub-
25 licly available such evaluation; and

1 “(C) not later than 60 days after the com-
2 pletion date described in subparagraph (B),
3 submit to the Committee on Health, Education,
4 Labor, and Pensions of the Senate and the
5 Committee on Education and the Workforce of
6 the House of Representatives a report on such
7 evaluation.

8 “(g) ANNUAL REPORT.—

9 “(1) CONTENTS.—Subject to paragraph (2),
10 the Secretary shall post, using transparent, linked,
11 open, and interoperable data formats, on its publicly
12 accessible website, an annual report, covering the
13 year preceding the report, on—

14 “(A) the number of individuals who par-
15 ticipated in projects assisted under this section
16 for the preceding year;

17 “(B) the percentage of such individuals
18 who successfully completed the requirements of
19 such projects; and

20 “(C) the performance of eligible entities on
21 such projects as measured by the indicators of
22 performance set forth in subsection (e).

23 “(2) DISAGGREGATION.—The information pro-
24 vided under subparagraphs (A) through (C) of para-
25 graph (1) with respect to a year shall be

1 disaggregated by each project assisted under this
2 section for such year.

3 “(h) RESERVATION OF FUNDS.—Of the funds appro-
4 priated under section 174(e) for a fiscal year, the Sec-
5 retary—

6 “(1) may reserve not more than 5 percent for
7 the administration of grants, contracts, and coopera-
8 tive agreements awarded under this section, of which
9 not more than 2 percent of the appropriated funds
10 may be reserved for the provision of—

11 “(A) technical assistance to eligible entities
12 that receive funds under this section; and

13 “(B) outreach and technical assistance to
14 eligible entities desiring to receive such funds,
15 including assistance with application develop-
16 ment and submission; and

17 “(2) shall reserve not less than 1 percent and
18 not more than 2.5 percent for the evaluation activi-
19 ties under subsection (f) or to support eligible enti-
20 ties with any required data collection, analysis, and
21 coordination related to such evaluation activities.

22 “(i) DEFINITIONS.—In this section:

23 “(1) CHIEF EVALUATION OFFICER.—The term
24 ‘Chief Evaluation Officer’ means the head of the
25 independent evaluation office located in the Office of

1 the Assistant Secretary for Policy of the Department
2 of Labor.

3 “(2) CORRECTIONAL INSTITUTION.—The term
4 ‘correctional institution’ has the meaning given the
5 term in section 225(f).

6 “(3) ELIGIBLE ADULT.—The term ‘eligible
7 adult’ means a justice-involved individual who—

8 “(A) is age 25 or older; and

9 “(B) in the case of an individual that was
10 previously imprisoned or incarcerated, was re-
11 leased from imprisonment or incarceration not
12 more than 5 years before enrollment in a
13 project funded under subsection (b)(1).

14 “(4) ELIGIBLE ENTITY.—The term ‘eligible en-
15 tity’ means—

16 “(A) an organization described in section
17 501(c)(3) of the Internal Revenue Code of 1986
18 that is exempt from taxation under section
19 501(a) of such Code, including a community-
20 based organization or faith-based organization;

21 “(B) a local board;

22 “(C) a State or local government;

23 “(D) an entity eligible for grants under
24 section 166(c);

1 “(E) a labor organization or joint labor-
2 management organization;

3 “(F) an industry or sector partnership;

4 “(G) an institution of higher education; or

5 “(H) a consortium of the entities described
6 in subparagraphs (A) through (G).

7 “(5) ELIGIBLE YOUTH.—The term ‘eligible
8 youth’ means a justice-involved individual who is not
9 younger than age 14 or older than age 24.

10 “(6) HIGH-POVERTY.—The term ‘high-poverty’,
11 when used with respect to a geographic area, means
12 a geographic area with a poverty rate of at least 20
13 percent as determined based on the most recently
14 available data from the American Community Sur-
15 vey of the Bureau of the Census.

16 “(7) JUSTICE-INVOLVED INDIVIDUAL.—Not-
17 withstanding section 3, the term ‘justice-involved in-
18 dividual’ means—

19 “(A) an individual of any age who—

20 “(i) has been convicted and impris-
21 oned or incarcerated under Federal or
22 State law; and

23 “(ii) is imprisoned or incarcerated, or
24 was released from imprisonment or incar-
25 ceration not more than 5 years before en-

1 rollment in a project funded under this
2 section; or

3 “(B) an individual who—

4 “(i) is not younger than age 14 or
5 older than age 24; and

6 “(ii) has been—

7 “(I) charged with, or convicted
8 of, any criminal offense; or

9 “(II) charged with, detained for,
10 or adjudicated of, a delinquent act or
11 status offense in a juvenile court.

12 “(8) YOUTH PROGRAM ELIGIBLE ENTITY.—The
13 term ‘youth program eligible entity’ means—

14 “(A) an organization described in section
15 501(c)(3) of the Internal Revenue Code of 1986
16 that is exempt from taxation under section
17 501(a) of such Code; or

18 “(B) a State or local juvenile justice agen-
19 cy, or a State or local adult correctional agency
20 with a focus on eligible youth.”.

21 (b) TABLE OF CONTENTS.—The table of contents in
22 section 1(b) of the Workforce Innovation and Opportunity
23 Act is amended—

24 (1) by striking the item relating to section 172;

25 and

1 (2) by inserting after the item relating to sec-
2 tion 171 the following:

“Sec. 172. Reentry employment opportunities.”.

3 **SEC. 177. YOUTH APPRENTICESHIP READINESS GRANT**
4 **PROGRAM.**

5 (a) IN GENERAL.—Subtitle D of title I of the Work-
6 force Innovation and Opportunity Act (29 U.S.C. 3221 et
7 seq.), as amended by section 176, is further amended by
8 inserting after section 172 the following:

9 **“SEC. 173. YOUTH APPRENTICESHIP READINESS GRANT**
10 **PROGRAM.**

11 “(a) PURPOSES.—The purposes of this section are—

12 “(1) to increase earnings and employment for
13 in-school youth and opportunity youth, ages 16
14 through 24, through enrollment in and completion of
15 evidence-based pre-apprenticeship programs and ap-
16 prenticeship programs that serve youth;

17 “(2) to engage educational entities, organiza-
18 tions carrying out programs that serve opportunity
19 youth, local educational agencies, State boards, local
20 boards, employers, workforce partners (including
21 one-stop partners), and other apprenticeship inter-
22 mediaries, to establish innovative models for pre-ap-
23 prenticeship programs and apprenticeship programs
24 that serve youth, including coordinating with pro-

1 grams that offer supportive services that can enable
2 participation in and completion of the program; and

3 “(3) to promote alignment between education
4 and workforce development systems (such as
5 through public-private partnerships) to enable in-
6 school youth and opportunity youth to participate in
7 postsecondary education and career pathways, in-
8 cluding apprenticeships, that result in high-quality,
9 high-wage careers.

10 “(b) YOUTH APPRENTICESHIP READINESS GRANT
11 PROGRAM.—

12 “(1) IN GENERAL.—From the amounts appro-
13 priated to carry out this section under section 174(f)
14 and not reserved under paragraph (2), the Secretary
15 shall, on a competitive basis, make grants to eligible
16 entities for projects to develop new or expand exist-
17 ing pre-apprenticeship programs and apprenticeships
18 that serve youth.

19 “(2) ADMINISTRATIVE RESERVATION.—Of the
20 amounts appropriated to carry out this section, the
21 Secretary may reserve not more than 10 percent for
22 the administration of grants made under this sec-
23 tion, including—

1 “(A) not more than 2 percent for the pro-
2 vision of technical assistance to eligible entities
3 during the application period;

4 “(B) not more than 5 percent for the pro-
5 vision of technical assistance to eligible entities
6 receiving a grant during the implementation
7 phase of such grant; and

8 “(C) not more than 3 percent for evalua-
9 tions of employment and earnings outcomes de-
10 scribed in clauses (vi), (vii), and (viii) of sub-
11 section (e)(2)(B), identifying best practices, and
12 facilitating the sharing of best practices among
13 eligible entities by carrying out the identifica-
14 tion and dissemination described in subsection
15 (f)(2).

16 “(3) GRANT PERIOD.—The Secretary shall
17 make such a grant for a period of not more than 5
18 years and may extend the grant for a period of not
19 more than 2 additional years if the grant recipient
20 is making progress in achieving the objectives of the
21 project’s identified programs.

22 “(4) PRIORITY.—In making grants under this
23 section, the Secretary shall give priority to eligible
24 entities that—

1 “(A) serve an area with significant work-
2 force shortages in the industry sector or occu-
3 pation for which the eligible entity proposes to
4 establish an identified program;

5 “(B) propose to expand or have a dem-
6 onstrated track record of expanding high-qual-
7 ity employment opportunities and career path-
8 ways for individuals with a barrier to employ-
9 ment;

10 “(C) propose to primarily serve a popu-
11 lation that is located in a rural or urban com-
12 munity and has an area median household in-
13 come of not more than 150 percent of the pov-
14 erty line; or

15 “(D) include within the eligible entity a
16 high-need local educational agency or a high-
17 need educational service agency.

18 “(5) MATCHING REQUIREMENT FOR GRANTS.—
19 In order to receive a grant from the Secretary under
20 this section, an eligible entity shall provide a non-
21 Federal contribution, which may be provided in cash
22 or in-kind, for the costs of the project in an amount
23 that is not less than 25 percent of the total amount
24 of funds awarded to the entity for such period.

1 “(c) APPLICATION.—An eligible entity that desires to
2 receive a grant under this section shall submit an applica-
3 tion to the Secretary at such time, in such manner, and
4 containing such information as the Secretary may require,
5 including, at a minimum—

6 “(1)(A) a description of the eligible entity’s pro-
7 posed project, to be supported by such grant, includ-
8 ing a provision identifying whether such project will
9 develop or expand 1 or more high-quality pre-ap-
10 prenticeship programs or 1 or more high-quality ap-
11 prenticeship programs that serve youth; and

12 “(B) an assurance that each identified program
13 will be designed to enable—

14 “(i) in-school youth to receive a regular
15 high school diploma (in partnership with the
16 local educational agency that serves such youth)
17 and receive a recognized postsecondary creden-
18 tial (other than such a credential that is a bac-
19 calaureate degree) upon completion of the pro-
20 gram; or

21 “(ii) opportunity youth to receive a high
22 school diploma or recognized equivalent and re-
23 ceive a recognized postsecondary credential
24 (other than such a credential that is a bacca-

1 laureate degree) upon completion of the pro-
2 gram;

3 “(2) a description of the partnership between
4 the lead applicant and partners comprising the eligi-
5 ble entity to meet the requirements of this section,
6 including how the lead applicant will collaborate with
7 the other partners to—

8 “(A) engage with employers to develop or
9 expand, and sustain, each identified program;
10 and

11 “(B) combine academic and career and
12 technical education classroom instruction with
13 on-the-job training, allowing youth to develop
14 industry-specific workplace competencies and
15 skills;

16 “(3) a description of the need for and design of
17 the project, including—

18 “(A) a description of the specific youth
19 population to be served by the project, includ-
20 ing—

21 “(i) the demographic characteristics
22 and skill levels of the population, and
23 whether such youth are in-school youth or
24 opportunity youth;

1 “(ii) how the project will increase em-
2 ployment opportunities for youth who are
3 individuals with a barrier to employment
4 or from underserved populations; and

5 “(iii) how the eligible entity will en-
6 sure that a wide range of youth, including
7 youth from underrepresented populations
8 and youth who are individuals with a bar-
9 rier to employment, are able to participate
10 in each identified program; and

11 “(B) a description of the industry sector or
12 occupation targeted through the eligible entity’s
13 proposed project, the projected demand for the
14 project in the area served by the eligible entity,
15 and a citation of the data source for the pro-
16 jected demand;

17 “(C) a description of the on-the-job train-
18 ing portion of the project, including a list of the
19 partners responsible for providing the on-the-
20 job training, and how such training will be de-
21 signed flexibly to meet the needs and schedule
22 of in-school youth and opportunity youth;

23 “(D) a description of the related classroom
24 instruction portion of the project, including—

1 “(i) how coursework for that instruc-
2 tion will be integrated into each identified
3 program and developed in conjunction with
4 and provided by education and training
5 providers within the eligible entity, the spe-
6 cific partners that will provide the related
7 classroom instruction, and how the pro-
8 gram may be aligned with the programs of
9 early college high schools or dual or con-
10 current enrollment programs to support
11 youth pre-apprentices or apprentices in-
12 volved in earning postsecondary credit;

13 “(ii) if the identified project is de-
14 signed to serve in-school youth, a descrip-
15 tion of how the eligible entity, through the
16 project, will partner with the local edu-
17 cational agency that serves such youth to
18 align challenging State academic standards
19 and occupational skill standards to enable
20 such youth to obtain a regular high school
21 diploma while served by the program; and

22 “(iii) an explanation of how the
23 project will combine academic and career
24 and technical education classroom instruc-
25 tion with on-the-job training;

1 “(E) a description of the proposed sup-
2 portive services strategy for the youth pre-ap-
3 prentices or apprentices involved, how such sup-
4 portive services will promote retention in and
5 completion of the identified program involved,
6 and the projected Federal, State, and local
7 costs of such supportive services;

8 “(F) if the eligible entity proposes to oper-
9 ate an apprenticeship program that serves
10 youth—

11 “(i) the youth apprenticeship agree-
12 ment the eligible entity intends to use;

13 “(ii) a description of how such eligible
14 entity will incorporate into the apprentice-
15 ship program credentials of value that en-
16 able youth apprentices to articulate to
17 higher level degree or other credential pro-
18 grams for multiple pathways, including en-
19 rollment in postsecondary education and
20 sustainable employment; and

21 “(iii) if the eligible entity proposes to
22 develop a new apprenticeship program that
23 serves youth, a description of how the lead
24 applicant and partners will register such
25 new program with the Office of Appren-

1 ticeship or State apprenticeship agency to
2 ensure the employer or sponsor is in com-
3 pliance with the agreements and standards
4 characteristic of an apprenticeship, and
5 that youth apprentices will earn a recog-
6 nized postsecondary credential; and

7 “(G) if the eligible entity proposes to oper-
8 ate a pre-apprenticeship program—

9 “(i) a description of how the eligible
10 entity, through the program, will connect
11 participants to and prepare participants
12 for an apprenticeship program that serves
13 youth, and a demonstration that an em-
14 ployer in the eligible entity has the capac-
15 ity to provide the quantity and quality of
16 mentors required by apprenticeship stand-
17 ards for the pre-apprenticeship program;
18 and

19 “(ii) an explanation of how the eligible
20 entity, in carrying out the project involved,
21 will work with alternative and non-tradi-
22 tional schools, institutions of higher edu-
23 cation, and opportunity youth programs;

24 “(4) a description of how the eligible entity will
25 promote alignment between local or State education

1 and workforce development systems by supporting
2 policies or practices that facilitate transitions from
3 secondary school (including alternative and nontradi-
4 tional schools) and pre-apprenticeship programs to
5 apprenticeship programs and postsecondary edu-
6 cation;

7 “(5) a description of expected outcomes and
8 outputs from the project that includes—

9 “(A) an attestation that the eligible entity
10 will report to the Secretary, in a timely and
11 complete manner, the information required
12 under subsection (e); and

13 “(B) estimated levels of performance over
14 each year of the grant period for each of the in-
15 dicators described in subparagraphs (B) and
16 (C) of subsection (e)(2);

17 “(6) a description of the roles and responsibil-
18 ities of each entity involved in the project, including
19 any such entity that is a State or local government
20 entity, qualified intermediary, service provider, inde-
21 pendent evaluator, or other stakeholder;

22 “(7) an attestation that the eligible entity has,
23 or will develop, a memorandum of understanding
24 with any relevant State workforce agency to allow
25 access to unit wage record data;

1 “(8) the total intended budget for the project,
2 including a description of any additional resources
3 that may supplement the amount awarded under
4 this section, including any funds the eligible entity
5 intends to use to fulfill the matching funds require-
6 ment described under subsection (b)(5), and a de-
7 scription of the eligible entity’s plan to sustain the
8 project funded through the grant beyond the conclu-
9 sion of the grant period; and

10 “(9) for any program offering a recognized
11 postsecondary credential, a description of how the
12 program leads to the credential.

13 “(d) USES OF FUNDS.—

14 “(1) IN GENERAL.—An eligible entity receiving
15 a grant under this section shall use the grant funds
16 to carry out the project proposed under subsection
17 (c) for purposes of carrying out 1 or more of the fol-
18 lowing activities:

19 “(A) Develop or expand a high-quality pre-
20 apprenticeship program.

21 “(B) Develop or expand a high-quality ap-
22 prenticeship program that serves youth, includ-
23 ing registering such a program and its youth
24 apprentices through the Office of Apprenticeship.

1 ship or an applicable State apprenticeship agen-
2 cy.

3 “(2) ADDITIONAL USES.—An eligible entity re-
4 ceiving a grant under this section may use the grant
5 funds, for each identified program, to—

6 “(A) recruit youth to and enroll youth in
7 an identified program, including conducting
8 outreach to individuals with a barrier to em-
9 ployment, underserved populations, and non-
10 traditional apprenticeship populations;

11 “(B) conduct participant assessments to
12 determine skill levels;

13 “(C) support the provision of on-the-job
14 training for participants in accordance with
15 subsection (c)(3)(C), including by developing or
16 modifying training activities to meet the needs
17 of participants, as applicable;

18 “(D) support the provision of related class-
19 room instruction by education and training pro-
20 viders for participants in accordance with sub-
21 section (c)(3)(D), including—

22 “(i) the development of courses at the
23 secondary level—

24 “(I) that are aligned with re-
25 quirements to obtain a regular high

1 school diploma and integrated into the
2 identified program; and

3 “(II) that may be aligned with
4 the requirements of early college high
5 schools or dual or concurrent enroll-
6 ment programs to support youth pre-
7 apprentices or youth apprentices in-
8 volved in earning postsecondary cred-
9 it;

10 “(ii) if the identified program is de-
11 signed to serve in-school youth, the align-
12 ment of challenging State academic stand-
13 ards and occupational skill standards in
14 secondary education;

15 “(iii) payment of participant tuition
16 or other educational fees for projects; and

17 “(iv) the provision of instructional
18 materials, equipment, and educational
19 technology for such instruction;

20 “(E) provide supportive services such as
21 transportation, child care, dependent care,
22 housing, and needs-related payments to enable
23 youth to participate in and complete the edu-
24 cation and training activities of the identified
25 program;

1 “(F) provide professional development op-
2 portunities for secondary and postsecondary
3 educators, and employers and mentors in the
4 project, to prepare the educators, employers,
5 and mentors to effectively support youth par-
6 ticipating in the identified program;

7 “(G) increase awareness among parents,
8 educators, students (especially individuals with
9 a barrier to employment, individuals from un-
10 derserved populations, and individuals from
11 nontraditional apprenticeship populations), and
12 employers or apprenticeship sponsors in the tar-
13 geted service area about the benefits of youth
14 participating in a pre-apprenticeship program
15 or an apprenticeship program that serves youth;

16 “(H) promote innovation, inclusion in the
17 identified program, and alignment of the pro-
18 gram with programs authorized under the Carl
19 D. Perkins Career and Technical Education Act
20 of 2006 (20 U.S.C. 2301 et seq.); and

21 “(I) develop and integrate data collection
22 systems to track educational and employment
23 outcomes of participants in the identified pro-
24 gram.

1 “(3) SUPPORTIVE SERVICES.—An eligible entity
2 receiving a grant under this section may use, as pro-
3 vided in paragraph (2)(E), not more than 20 percent
4 of grant funds awarded under this section to provide
5 supportive services in accordance with that para-
6 graph.

7 “(e) PERFORMANCE LEVELS.—

8 “(1) TARGETED LEVELS OF PERFORMANCE.—

9 “(A) IN GENERAL.—An eligible entity re-
10 ceiving a grant under this section shall, in ac-
11 cordance with the indicators for participant out-
12 comes described in paragraph (2)(B) and for
13 program outputs described in paragraph (2)(C),
14 identify targeted levels of performance for such
15 indicators, which shall, at minimum, be equal to
16 or greater than the estimated levels of perform-
17 ance identified by the eligible entity in the enti-
18 ty’s application under subsection (c)(5).

19 “(B) AGREEMENT ON TARGETED LEVELS
20 OF PERFORMANCE.—Not later than 2 months
21 after the identification described in subpara-
22 graph (A), the eligible entity shall reach an
23 agreement with the Secretary on levels of per-
24 formance for each indicator described in sub-
25 paragraphs (B) and (C) of paragraph (2).

1 retention rate for the previous fiscal year,
2 disaggregated by youth pre-apprentices
3 and apprentices;

4 “(iii) total participants who attain a
5 regular high school diploma or recognized
6 equivalent, disaggregated by youth pre-ap-
7 prentices and apprentices;

8 “(iv) total participants who complete
9 such an identified program;

10 “(v) total participants who receive an
11 associate or baccalaureate degree or other
12 type of recognized postsecondary credential
13 during or upon completion of the identified
14 program;

15 “(vi) median hourly wage of youth
16 pre-apprentices or apprentices on the date
17 of exit from the identified program and
18 during the second and fourth quarters
19 after exit from the program, and a com-
20 parison of such wage to the local prevailing
21 hourly wage for the industry sector or oc-
22 cupation on which the identified program
23 is targeted;

24 “(vii) total participants in employ-
25 ment related directly to the education and

1 training received through the identified
2 program during the second and fourth
3 quarter after exit from the program; and

4 “(viii) total participants in employ-
5 ment during the second and fourth quarter
6 after exit from the program.

7 “(C) PROGRAM OUTPUTS.—Consistent
8 with subparagraph (A), an eligible entity receiv-
9 ing a grant under this section shall report to
10 the Secretary data on program output indica-
11 tors consisting of the—

12 “(i) total number of all identified pro-
13 grams developed or expanded during the
14 period covered by the report, disaggregated
15 by pre-apprenticeship programs and ap-
16 prenticeship programs that serve youth;

17 “(ii) total number of apprenticeships
18 that serve youth, if applicable, that were
19 developed or expanded during that period,
20 including an apprenticeship program ex-
21 panded as described in subsection (d)(1) to
22 new industry sectors, occupations, or serv-
23 ice areas; and

24 “(iii) total number of employers who
25 became engaged in an identified program

1 during that period, as a direct result of a
2 grant under this section.

3 “(D) ADDITIONAL DATA SOURCES.—The
4 Secretary, acting through the Bureau of Labor
5 Statistics, shall track youth participant out-
6 comes after the period of a grant award under
7 this section to assess program performance.

8 “(3) DISAGGREGATION.—The disaggregation of
9 data under paragraph (2) shall not be required in a
10 case where the number of participants in the sub-
11 group of participants is insufficient to yield statis-
12 tically reliable information or the results would re-
13 veal personally identifiable information about an in-
14 dividual participant.

15 “(4) USE OF RESULTS.—

16 “(A) EVALUATION.—Not later than 2
17 years after the date of enactment of the
18 [_____ Act of _____], the Secretary shall
19 evaluate whether each eligible entity involved
20 met the agreed levels of performance described
21 in paragraph (1)(B) for each of the eligible en-
22 tity’s identified programs. Not later than 30
23 days after each cohort of participants completes
24 an eligible entity’s identified program, the Sec-
25 retary shall evaluate whether the eligible entity

1 met the agreed levels of performance for that
2 identified program.

3 “(B) TECHNICAL ASSISTANCE.—If the
4 Secretary determines under subparagraph (A)
5 that an eligible entity fails to meet 1 or more
6 of the agreed levels of performance for an iden-
7 tified program, the Secretary shall provide tech-
8 nical assistance, including assistance in the de-
9 velopment of a performance improvement plan.

10 “(C) NONRENEWAL OF GRANT.—If the
11 Secretary determines, 1 year after the eligible
12 entity receives that technical assistance and im-
13 plements that plan, that the eligible entity fails
14 to meet the agreed levels of performance de-
15 scribed in paragraph (1)(B) for an identified
16 program, the Secretary shall not extend a grant
17 for that eligible entity for that program under
18 subsection (b).

19 “(f) EVALUATIONS AND REPORTS.—

20 “(1) REPORT TO CONGRESS.—Not later than
21 24 months after the date of enactment of the
22 **【_____ Act of _____】** and each year thereafter,
23 the Secretary, in coordination with the Secretary of
24 Education, using data reported by eligible entities
25 pursuant to the requirements under subsection (e)—

1 “(A) shall publish the data;

2 “(B) shall prepare and make publicly avail-
3 able a report containing the data on the indica-
4 tors described in subparagraphs (B) and (C) of
5 subsection (e)(2); and

6 “(C) shall submit the report to the Com-
7 mittee on Health, Education, Labor, and Pen-
8 sions of the Senate and the Committee on Edu-
9 cation and the Workforce of the House of Rep-
10 resentatives.

11 “(2) SHARING OF BEST PRACTICES.—Not later
12 than 2 years after the date of enactment of [_____
13 Act of _____], the Secretary shall use funds re-
14 served under subsection (b)(2)(C) to identify and
15 disseminate, through a website developed by the De-
16 partment of Labor, best practices in developing and
17 expanding high-quality pre-apprenticeship opportuni-
18 ties or high-quality apprenticeship opportunities for
19 youth used by—

20 “(A) eligible entities receiving a grant
21 under this section; and

22 “(B) States and local areas adopting inno-
23 vative and effective practices to develop and ex-
24 pand such opportunities.

1 “(g) COMPLIANCE WITH OTHER LAWS AND AGREE-
2 MENTS.—

3 “(1) COLLECTIVE BARGAINING.—Nothing in a
4 youth apprenticeship agreement under this section
5 shall be construed to invalidate an applicable provi-
6 sion in a collective bargaining agreement, between
7 employers and employees, that establishes higher
8 standards for programs in the national apprentice-
9 ship system.

10 “(2) CHILD LABOR.—

11 “(A) IN GENERAL.—An eligible entity car-
12 rying out a project under this section shall en-
13 sure compliance with the provisions on child
14 labor under the Fair Labor Standards Act of
15 1938 (29 U.S.C. 201 et seq.) and State law (in-
16 cluding Federal and State regulations under
17 those laws), and with State workers’ compensa-
18 tion laws.

19 “(B) MINIMUM LEGAL AGE.—The eligible
20 entity shall only serve in-school youth, and op-
21 portunity youth, who are the minimum legal
22 age to be employed as apprentices under the
23 Fair Labor Standards Act of 1938 (29 U.S.C.
24 201 et seq.) and any applicable State laws.

1 “(C) PRE-APPRENTICESHIP EXCEPTION.—
2 An eligible entity that prepares or intends to
3 prepare individuals for a hazardous occupation
4 may submit an application under subsection (c)
5 to develop or expand a pre-apprenticeship pro-
6 gram that serves a youth who is younger than
7 the age of 18 only if the program is limited to
8 classroom instruction in the hazardous occupa-
9 tion.

10 “(h) SPECIAL RULES REGARDING PROTECTIONS FOR
11 YOUTH IN PROGRAMS THAT PREPARE YOUTH FOR HAZ-
12 ARDOUS OCCUPATIONS.—

13 “(1) PRE-APPRENTICESHIPS IN HAZARDOUS OC-
14 CUPATIONS FOR YOUTH UNDER THE AGE OF 18.—A
15 pre-apprenticeship program supported using funds
16 awarded under this section that serves or intends to
17 serve a youth who is younger than the age of 18 and
18 prepares such youth for a hazardous occupation may
19 only provide classroom instruction to such youth in
20 such program and may not provide on-the-job train-
21 ing in a hazardous occupation to such youth in such
22 program.

23 “(2) PROHIBITION ON YOUTH APPRENTICE-
24 SHIPS IN HAZARDOUS OCCUPATIONS FOR YOUTH
25 UNDER THE AGE OF 18.—An apprenticeship pro-

1 gram that serves youth that is supported using
2 funds awarded under this section and that prepares
3 a youth apprentice for a hazardous occupation may
4 not enroll in such program a youth who is younger
5 than the age of 18.

6 “(3) APPRENTICESHIPS FOR YOUTH UNDER
7 THE AGE OF 18.—An apprenticeship program sup-
8 ported using funds awarded under this section may
9 serve youth who are not younger than age 16 or
10 older than age 17, provided that such program is
11 not preparing such youth for a hazardous occupa-
12 tion.

13 “(i) DEFINITIONS.—In this section:

14 “(1) APPRENTICESHIP PROGRAM THAT SERVES
15 YOUTH.—The term ‘apprenticeship program that
16 serves youth’ means an apprenticeship program reg-
17 istered by a State apprenticeship agency or under
18 the Act of August 16, 1937 (commonly known as
19 the ‘National Apprenticeship Act’; 50 Stat. 664,
20 chapter 663; 29 U.S.C. 50 et seq.), that is designed
21 for youth not younger than age 16 or older than age
22 24.

23 “(2) CTE TERMS.—The terms ‘Tribally con-
24 trolled college or university’ and ‘Tribally controlled
25 postsecondary career and technical institution’ have

1 the meanings given the terms ‘tribally controlled col-
2 lege or university’ and ‘tribally controlled postsec-
3 ondary career and technical institution’, respectively,
4 in section 3 of the Carl D. Perkins Career and Tech-
5 nical Education Act of 2006 (20 U.S.C. 2302).

6 “(3) EDUCATION AND TRAINING PROVIDER.—

7 The term ‘education and training provider’ means—

8 “(A) an area career and technical edu-
9 cation school;

10 “(B) an early college high school;

11 “(C) a provider of a dual or concurrent en-
12 rollment program;

13 “(D) a community-based organization that
14 offers job training;

15 “(E) a high school operated by a local edu-
16 cational agency;

17 “(F) a local educational agency, edu-
18 cational service agency, or State educational
19 agency;

20 “(G) a Tribal education agency (meaning
21 such an agency within the meaning of section
22 3(20)(E) of such Act (20 U.S.C.
23 2302(20)(E))), Tribally controlled college or
24 university, or Tribally controlled postsecondary
25 career and technical institution;

1 “(H) the Bureau of Indian Education;

2 “(I) an institution of higher education;

3 “(J) a State entity that coordinates higher
4 education, such as a community college system
5 office, a single State educational board, or
6 State higher education agency (as defined in
7 section 103 of the Higher Education Act of
8 1965 (20 U.S.C. 1003));

9 “(K) a historically Black college or univer-
10 sity, meaning a part B institution as defined in
11 section 322 of the Higher Education Act of
12 1965 (20 U.S.C. 1061);

13 “(L) a minority-serving institution;

14 “(M) a local agency administering plans
15 under title I of the Rehabilitation Act of 1973
16 (29 U.S.C. 720 et seq.), other than section 112
17 or part C of that title (29 U.S.C. 732, 741);

18 “(N) a related integrated instruction pro-
19 vider, including a qualified intermediary acting
20 as a related integrated instruction provider as
21 approved by the Office of Apprenticeship or a
22 State apprenticeship agency recognized by the
23 Secretary; or

24 “(O) a consortium of entities described in
25 any of subparagraphs (A) through (N).

1 “(ii) an institution of higher edu-
2 cation;

3 “(iii) an Indian Tribe;

4 “(iv) the State entity that coordinates
5 higher education, such as a community col-
6 lege system office, a single State edu-
7 cational board, or State higher education
8 agency (as defined in section 103 of the
9 Higher Education Act of 1965 (20 U.S.C.
10 1003));

11 “(v) a community-based organization
12 that offers job training; or

13 “(vi) joint labor-management partner-
14 ship.

15 “(5) ESEA TERMS.—The terms ‘dual or con-
16 current enrollment program’, ‘early college high
17 school’, ‘educational service agency’, and ‘high
18 school’ have the meanings given the terms in section
19 8101 of the Elementary and Secondary Education
20 Act of 1965 (20 U.S.C. 7801).

21 “(6) GRANT.—The term ‘grant’ means a con-
22 tract, cooperative agreement, or award.

23 “(7) HAZARDOUS OCCUPATION.—The term
24 ‘hazardous occupation’ means an occupation for
25 which apprenticeships that serve youth, pre-appren-

1 ticeships, or employment of youth below the age of
2 18 are particularly hazardous, and may include oc-
3 cupations in—

4 “(A) manufacturing;

5 “(B) construction;

6 “(C) mining;

7 “(D) trenching or excavation;

8 “(E) logging or an occupation related to
9 timber;

10 “(F) work involving a saw mill;

11 “(G) work involving the operation of heavy
12 machinery;

13 “(H) work involving exposure to radio-
14 active substances or to ionizing radiations;

15 “(I) meat processing;

16 “(J) demolition;

17 “(K) explosives; or

18 “(L) work in any industry sector or occu-
19 pation that is prohibited to a youth who is
20 younger than the age of 18 under the laws or
21 policies of the State where the work occurs.

22 “(8) HIGH-NEED EDUCATIONAL SERVICE AGEN-
23 CY.—The term ‘high-need educational service agen-
24 cy’ means an educational service agency that serves

1 a significant number or percentage of high-need
2 local educational agencies.

3 “(9) HIGH-NEED LOCAL EDUCATIONAL AGEN-
4 CY.—The term ‘high-need local educational agency’
5 has the meaning given the term in section 200 of the
6 Higher Education Act of 1965 (20 U.S.C. 1021).

7 “(10) IDENTIFIED PROGRAM.—The term ‘iden-
8 tified program’ means a pre-apprenticeship program,
9 or youth program that serves youth, that is proposed
10 to be carried out by an eligible entity in an applica-
11 tion approved under subsection (c) for a project.

12 “(11) INSTITUTION OF HIGHER EDUCATION.—
13 Notwithstanding section 3, the term ‘institution of
14 higher education’ has the meaning given the term in
15 section 101 of the Higher Education Act of 1965
16 (20 U.S.C. 1001).

17 “(12) MINORITY-SERVING INSTITUTION.—The
18 term ‘minority-serving institution’ means an institu-
19 tion defined in any of paragraphs (1) through (7) of
20 section 371(a) of the Higher Education Act of 1965
21 (20 U.S.C. 1067q(a)).

22 “(13) NATIONAL APPRENTICESHIP SYSTEM.—
23 The term ‘national apprenticeship system’ means the
24 apprenticeship programs, apprenticeship programs
25 that serve youth, and pre-apprenticeship programs

1 that are approved by the Office of Apprenticeship
2 and State apprenticeship agencies.

3 “(14) NONTRADITIONAL APPRENTICESHIP POP-
4 ULATION.—The term ‘nontraditional apprenticeship
5 population’ means a group of individuals with a
6 common demographic trait (such as individuals of
7 the same sex, race, or ethnicity), the members of
8 which—

9 “(A) with respect to an established appren-
10 ticeship program that serves youth, comprise
11 less than 25 percent of the total number of pro-
12 gram participants in that apprenticeship pro-
13 gram that serves youth, as determined by the
14 Secretary; or

15 “(B) based on the most recent satisfactory
16 data from the Bureau of the Census, comprise
17 a percentage of all individuals employed in the
18 occupation involved that is lower than the per-
19 centage of the total population of the United
20 States comprised by such members.

21 “(15) PRE-APPRENTICESHIP PROGRAM.—The
22 term ‘pre-apprenticeship program’ means a program
23 that—

24 “(A) prepares youth to enroll in and com-
25 plete an apprenticeship program;

1 “(B) articulates to an apprenticeship pro-
2 gram that serves youth; and

3 “(C) in the case of a program with respect
4 to a hazardous occupation, is provided only
5 through classroom instruction for any youth
6 pre-apprentice who is younger than the age of
7 18.

8 “(16) QUALIFIED INTERMEDIARY.—The term
9 ‘qualified intermediary’ means—

10 “(A) a nonprofit entity that demonstrates
11 expertise and experience in serving participants,
12 employers, and schools by—

13 “(i) building, sustaining, measuring,
14 and improving the quality and performance
15 of apprenticeship programs that serve
16 youth;

17 “(ii) assisting in the design, approval,
18 registration, and implementation of ap-
19 prenticeship programs that serve youth, in-
20 cluding program development and meeting
21 program requirements, including registra-
22 tion and reporting requirements;

23 “(iii) in collaboration with 1 or more
24 State educational agencies, local edu-
25 cational agencies, or institutions of higher

1 education included in the eligible entity in-
2 volved, providing collaborative professional
3 development activities such as training for
4 workplace supervisors, mentors, counselors,
5 and teachers, instructors, and other edu-
6 cators;

7 “(iv) supporting the recruitment for,
8 retention in, and completion of apprentice-
9 ship programs that serve youth with re-
10 spect to potential or enrolled youth appren-
11 tices, including youth apprentices who are
12 from low-income backgrounds or members
13 of nontraditional apprenticeship popu-
14 lations;

15 “(v) developing and providing sup-
16 portive services including by partnering
17 with organizations to provide access to or
18 referrals for supportive services, financial
19 literacy services, and other support based
20 upon needs of potential or enrolled youth
21 apprentices; or

22 “(vi) serving as a program sponsor;
23 and

24 “(B) may consist of a—

25 “(i) labor-management organization;

1 “(ii) community-based organization;

2 or

3 “(iii) industry association.

4 “(17) STATE.—The term ‘State’ means each of
5 the several States of the United States, the District
6 of Columbia, the Commonwealth of Puerto Rico, and
7 an outlying area.

8 “(18) STATE AGENCY.—The term ‘State agen-
9 cy’ means a State educational agency, State work-
10 force agency, or State apprenticeship agency.

11 “(19) STATE APPRENTICESHIP AGENCY.—The
12 term ‘State apprenticeship agency’ means an agency
13 of a State government that has responsibility and
14 accountability for apprenticeship programs within
15 the State.

16 “(20) SUBGROUP OF PARTICIPANTS.—The term
17 ‘subgroup of participants’—

18 “(A) means each subgroup of students de-
19 scribed in section 1111(h)(1)(C)(ii) (including
20 students with homeless status or another status
21 described in that section) of the Elementary
22 and Secondary Education Act of 1965 (20
23 U.S.C. 6311(h)(1)(C)(ii));

24 “(B) in-school youth;

25 “(C) opportunity youth; and

1 “(D) each of the special populations, as de-
2 fined in section 3 of the Carl D. Perkins Career
3 and Technical Education Act of 2006 (20
4 U.S.C. 2302).

5 “(21) WORKFORCE DEVELOPMENT SYSTEM EN-
6 TITY.—The term ‘workforce development system en-
7 tity’ means an entity that is involved in admin-
8 istering a workforce development system established
9 under this Act, which shall be a State board, a local
10 board, or an Indian Tribe, Tribal organization, or
11 Native Hawaiian organization, as defined in section
12 166(b).

13 “(22) YOUTH.—The term ‘youth’ means an in-
14 dividual who is not younger than age 16 or older
15 than age 24.

16 “(23) YOUTH APPRENTICE.—The term ‘youth’,
17 used with respect to an apprentice, means a youth
18 who is participating in an apprenticeship program
19 that serves youth.

20 “(24) YOUTH APPRENTICESHIP AGREEMENT.—
21 The term ‘youth apprenticeship agreement’ means a
22 written agreement under subsection (c)(3)(F) that is
23 agreed to by each of the following:

24 “(A) A youth.

1 “(B) The youth’s parent or legal guardian,
2 as applicable.

3 “(C) One or more local educational agen-
4 cies, if the eligible entity involved is serving in-
5 school youth.

6 “(D) The youth apprenticeship sponsor,
7 which may be an employer.

8 “(E) As applicable, a qualified inter-
9 mediary for an apprenticeship program that
10 serves youth.

11 “(F) As applicable, one or more institu-
12 tions of higher education.

13 “(G) As applicable, one or more employers.

14 “(25) YOUTH PRE-APPRENTICE.—The term
15 ‘youth’, used with respect to a pre-apprentice, means
16 a youth who is participating in a pre-apprenticeship
17 program.”.

18 (b) TABLE OF CONTENTS.—The table of contents in
19 section 1(b) of the Workforce Innovation and Opportunity
20 Act, as amended by section 176(b), is further amended
21 by inserting after the item relating to section 172 the fol-
22 lowing:

“Sec. 173. Youth apprenticeship readiness grant program.

“Sec. 174. Authorization of appropriations.”.

1 **SEC. 178. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 174 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3227), as redesignated by section
4 176, is amended—

5 (1) by redesignating subsections (e) and (f) as
6 subsections (g) and (h), respectively; and

7 (2) by striking subsections (a) through (d) and
8 inserting the following:

9 “(a) **NATIVE AMERICAN PROGRAMS.**—There is au-
10 thorized to be appropriated to carry out section 166 (not
11 including subsection (k) of such section) such sums as
12 may be necessary for each of fiscal years 2025 through
13 2029.

14 “(b) **MIGRANT AND SEASONAL FARMWORKER PRO-**
15 **GRAMS.**—There is authorized to be appropriated to carry
16 out section 167 such sums as may be necessary for each
17 of fiscal years 2025 through 2029.

18 “(c) **TECHNICAL ASSISTANCE.**—There is authorized
19 to be appropriated to carry out section 168 such sums as
20 may be necessary for each of fiscal years 2025 through
21 2029.

22 “(d) **EVALUATIONS AND RESEARCH.**—There is au-
23 thorized to be appropriated to carry out section 169 such
24 sums as may be necessary for each of fiscal years 2025
25 through 2029.

1 “(e) REENTRY EMPLOYMENT OPPORTUNITIES.—
2 There is authorized to be appropriated to carry out section
3 172 such sums as may be necessary for each of fiscal years
4 2025 through 2029.”.

5 **Subtitle F—Administration**

6 **SEC. 191. REQUIREMENTS AND RESTRICTIONS.**

7 Section 181 of the Workforce Innovation and Oppor-
8 tunity Act (29 U.S.C. 3241) is amended—

9 (1) in subsection (b)—

10 (A) by redesignating paragraphs (5)
11 through (7) as paragraphs (6) through (8), re-
12 spectively; and

13 (B) by inserting after paragraph (4) the
14 following:

15 “(5) COMPLIANCE WITH APPLICABLE LAWS.—

16 “(A) IN GENERAL.—Each recipient of
17 funds under this title shall provide to the Sec-
18 retary a commitment by the recipient to comply
19 with each applicable covered Federal labor law
20 and a representation that, to the best of the re-
21 cipient’s knowledge, there has not been any
22 final administrative merits determination, arbi-
23 trary award or decision, or civil judgment, for a
24 violation of a covered Federal labor law ren-

1 dered against the recipient in the 2 years pre-
2 ceding the submission of the commitment.

3 “(B) DEFINITION.—In this paragraph, the
4 term ‘covered Federal labor law’ means a law
5 enforced by the Equal Employment Opportunity
6 Commission, the National Labor Relations
7 Board, or the Department of Labor.”;

8 (2) in subsection (c), in the second sentence of
9 paragraph (1)—

10 (A) by striking “for a hearing and” and
11 inserting “for a hearing, to begin within 30
12 days after the filing, and the procedure shall”;
13 and

14 (B) by inserting a comma after “60 days
15 after the date of the filing”;

16 (3) in subsection (f)(3), by striking
17 “134(a)(3)(B)” and inserting “134(a)(3)(C)”; and

18 (4) by adding at the end the following:

19 “(h) SUPPORTIVE SERVICES.—

20 “(1) PARTICIPANTS.—Supportive services may
21 only be provided using funding provided under this
22 Act to individuals who are—

23 “(A) participating in career or training
24 services as defined in paragraph (2) or (3) of
25 sections 134(c); and

1 “(B) unable to obtain supportive services
2 through programs listed in section 121(b)(2).

3 “(2) PROVISION OF SERVICES.—Supportive
4 services may only be provided using funding pro-
5 vided under this Act when they are necessary to en-
6 able individuals to participate in career services or
7 training services.”.

8 **SEC. 192. FISCAL CONTROLS.**

9 Section 184(a) of the Workforce Innovation and Op-
10 portunity Act (29 U.S.C. 3244(a)) is amended—

11 (1) in paragraph (2)(B), by striking
12 “134(a)(3)(B)” and inserting “134(a)(3)(C)”; and

13 (2) in paragraph (6), in the matter preceding
14 subparagraph (A), by striking “every 2 years” and
15 inserting “every 30 months”.

16 **SEC. 193. SECRETARIAL ADMINISTRATIVE AUTHORITIES**
17 **AND RESPONSIBILITIES.**

18 Section 189(i)(3) of the Workforce Innovation and
19 Opportunity Act (29 U.S.C. 3249(i)(3)) is amended—

20 (1) in subparagraph (A)(i), by striking “proce-
21 dures for review and approval of plans” and insert-
22 ing “procedures for review and approval of plans,
23 performance reports described in section 116(d), and
24 use of funds described in section 134(c)(1)(B)”;

1 (2) in subparagraph (B)(iv), by striking “waiv-
2 er” and inserting “waiver and how the State will
3 continue to promote access to services under this
4 title for such individuals”; and

5 (3) in subparagraph (D), by striking “Secretary
6 shall” and inserting “Secretary may”.

7 **SEC. 194. STATE FLEXIBILITY PILOT PROGRAM.**

8 (a) IN GENERAL.—Section 190 of the Workforce In-
9 novation and Opportunity Act (29 U.S.C. 3250) is amend-
10 ed to read as follows:

11 **“SEC. 190. STATE FLEXIBILITY PILOT PROGRAM.**

12 “(a) PURPOSE.—The purpose of this section is to—

13 “(1) authorize States to apply under this sec-
14 tion, in the case of an eligible State, on behalf of the
15 entire State, or for any State, on behalf of a local
16 area or a consortium of local areas in the State, to
17 receive the allotments or allocations of the State or
18 the local areas, respectively, for youth workforce in-
19 vestment activities under chapter 2 of subtitle B and
20 adult and dislocated worker employment and train-
21 ing activities under chapter 3 of subtitle B, as a con-
22 solidated grant for 5 years for the purpose of car-
23 rying out a pilot project to pursue innovative re-
24 forms to achieve better outcomes for jobseekers,
25 workers, employers, and taxpayers; and

1 “(2) require that rigorous evaluations be con-
2 ducted to demonstrate if better outcomes and oppor-
3 tunities to achieve economic self-sufficiency for par-
4 ticipants, including individuals with a barrier to em-
5 ployment and opportunity youth, and associated in-
6 novative reforms to improve service delivery were
7 achieved as a result of such pilot projects.

8 “(b) GENERAL AUTHORITY.—

9 “(1) WAIVERS, RESERVATION, AND PILOT
10 PROJECT GRANT AMOUNTS.—During the pilot
11 project period applicable to a pilot project approved
12 for a State pursuant to subsection (d)(3), the Sec-
13 retary, the Governor of a State participating in such
14 pilot project on behalf of the entire State, local area,
15 or consortium of local areas, and a local area or con-
16 sortium of local areas on whose behalf a Governor
17 is participating in such a pilot project, shall, as ap-
18 plicable, comply with each of the following:

19 “(A) SECRETARY WAIVERS.—Subject to
20 paragraph (2), the Secretary shall waive for the
21 State as a whole, or for the local area or the
22 consortium of local areas in such State selected
23 by the State to carry out such pilot project, all
24 the statutory and regulatory requirements of
25 subtitle A and subtitle B.

1 “(B) STATE RESERVATION.—The Governor
2 of a State participating in a pilot project grant
3 on behalf of the entire State shall reserve 50
4 percent of the consolidated sum allotted to the
5 State, as described in subparagraph (D), for
6 the purpose of developing and implementing evi-
7 dence-based workforce development activities in
8 the State. Such activities—

9 “(i) shall be targeted toward popu-
10 lations and communities not sufficiently
11 served by existing models, as of the date of
12 application, in the State and dem-
13 onstrating the highest need for services
14 under this title, as determined by the Gov-
15 ernor and considering economic and labor
16 market conditions in the State and local
17 areas within the State; and

18 “(ii) may include strategies such as—

19 “(I) innovative skills development
20 programs to improve employment out-
21 comes in the State for jobseekers, in-
22 cumbent workers, and dislocated
23 workers;

24 “(II) job training programs and
25 assistance with removing barriers to

1 employment for justice-involved indi-
2 viduals;

3 “(III) pre-apprenticeships, ap-
4 prenticeships, and other evidence-
5 based workforce development and em-
6 ployment opportunities, including for
7 youth (particularly opportunity
8 youth);

9 “(IV) the development and
10 strengthening of industry or sector
11 partnerships and training programs
12 offered under such partnerships;

13 “(V) the optimization of sup-
14 portive service delivery and the inte-
15 gration of such services within the
16 workforce system to promote retention
17 in and completion of training pro-
18 grams for participants served under
19 this title; and

20 “(VI) other strategies as may be
21 appropriate and necessary to achieve
22 better outcomes for jobseekers, work-
23 ers, employers, and taxpayers, as de-
24 termined by the Governor.

1 project under this section on behalf of the
2 State as a whole, distribute as a consoli-
3 dated sum to the State, for purposes of
4 carrying out the project, the State's total
5 allotment for such fiscal year under—

6 “(I) subsections (b)(1)(C) and
7 (c) of section 127;

8 “(II) paragraphs (1)(B) and
9 (2)(B) of section 132(b); and

10 “(III) section 132(c).

11 “(ii) LOCAL AREA.—In a case of a
12 local area selected by a State to carry out
13 a pilot project under this section, require
14 the State to—

15 “(I) distribute as a consolidated
16 sum to the local board for such local
17 area, for purposes of carrying out the
18 project, the local area's allocation for
19 such fiscal year under—

20 “(aa) subsections (b) and (c)
21 of section 128; and

22 “(bb) subsections (b) and
23 (c) of section 133; or

24 “(II) if the local board of the
25 local area enters into a written agree-

1 ment with the State for the State to
2 serve as the fiscal agent for the local
3 board during the pilot project, use the
4 funds described in subclause (I) for
5 purposes of carrying out the project
6 on behalf of the local board.

7 “(iii) CONSORTIUM OF LOCAL
8 AREAS.—In a case of a consortium of local
9 areas selected by a State to carry out a
10 pilot project under this section, require the
11 State to—

12 “(I) distribute as a consolidated
13 sum to the consortium, for purposes
14 of carrying out the project, the total
15 amount of the allocations for the local
16 areas in such consortium for such fis-
17 cal year under—

18 “(aa) subsections (b) and (c)
19 of section 128; and

20 “(bb) subsections (b) and
21 (c) of section 133; or

22 “(II) if the consortium enters
23 into a written agreement with the
24 State for the State to serve as the fis-
25 cal agent for the consortium during

1 the pilot project, use the funds de-
2 scribed in subclause (I) for purposes
3 of carrying out the project on behalf
4 of such consortium.

5 “(2) EXCEPTIONS.—

6 “(A) IN GENERAL.—A State, local area, or
7 consortium of local areas carrying out a pilot
8 project under this section shall comply with
9 statutory or regulatory requirements of this Act
10 relating to—

11 “(i) performance accountability and
12 reporting under section 116, except as oth-
13 erwise provided in this section;

14 “(ii) the membership of local or State
15 boards in instances where a State carrying
16 out a pilot project will maintain the use of
17 such boards during the pilot project period;

18 “(iii) the establishment of the one-
19 stop delivery system described in section
20 121;

21 “(iv) the eligible training provider list
22 described in section 122 or determinations
23 under section 123 for eligibility as a pro-
24 vider of youth workforce investment activi-
25 ties; and

1 “(v) the priority of service described
2 in section 134(c)(3)(E).

3 “(B) REDESIGNATION AS A SINGLE STATE
4 LOCAL AREA.—A State that receives authority
5 for a pilot project on behalf of itself under this
6 section, is eligible for such authority under sub-
7 section (c)(3)(B), and is proposing to redesign-
8 nate as a single State local area to administer
9 the pilot project, shall follow the requirements
10 for such redesignation described under section
11 106(d)(2).

12 “(C) APPLICABILITY OF DEFINED
13 TERMS.—In carrying out a pilot project under
14 this section, a State, local area, or consortium
15 of local areas may only use a term defined in
16 section 3 to describe an activity carried out
17 under such pilot project if the State, local area,
18 or consortium of local areas gives such term the
19 same meaning as such term is given under such
20 section.

21 “(3) AUTHORITY FOR THIRD-PARTY EVALUA-
22 TION.—

23 “(A) IN GENERAL.—Not later than 180
24 days after the date on which funds are first dis-
25 tributed under paragraph (1)(D) to the first

1 pilot project awarded under this section, the
2 Secretary shall contract with a third-party eval-
3 uator to conduct a rigorous evaluation of each
4 pilot project under this section for each State,
5 local area, or consortium of local areas awarded
6 a pilot project. The evaluation shall—

7 “(i) cover the 5-year period of each
8 pilot project;

9 “(ii) include a detailed description
10 of—

11 “(I) the populations served under
12 the pilot project, including the share
13 of individuals with a barrier to em-
14 ployment, individuals with disabilities,
15 and opportunity youth served among
16 the total population, disaggregated by
17 the type of barrier to employment and
18 race, ethnicity, sex, and disability sta-
19 tus;

20 “(II) the services provided
21 through the pilot project, the pro-
22 viders of such services, and the cost of
23 such services, disaggregated by the
24 type of service provided;

1 “(III) if the pilot project is car-
2 ried out by a State, the geographic
3 areas in the State receiving the most
4 services under the pilot project, and
5 the geographic areas in the State re-
6 ceiving the fewest services under the
7 pilot project;

8 “(IV) if the pilot project is car-
9 ried out by a local area or a consor-
10 tium of local areas, the service pro-
11 viders available to carry out the pilot
12 project in such local area or consor-
13 tium of local areas; and

14 “(V) the workforce systems in
15 the State, local area, or consortium of
16 local areas that were affected, and the
17 nature of such effects, as a result of
18 the pilot project;

19 “(iii) compare the employment and
20 earnings outcomes of participants in activi-
21 ties carried out under the pilot project
22 to—

23 “(I) the outcomes of similarly sit-
24 uated individuals that do not partici-
25 pate in such activities who are located

1 in such State, local area, or a local
2 area in such consortium;

3 “(II) the outcomes of similarly
4 situated States and local areas within
5 such States that do not receive au-
6 thority to carry out a pilot project
7 under this section; and

8 “(III) the outcomes of partici-
9 pants in activities under this title in
10 the State, the local area, or a local
11 area in the consortium that received
12 authority to carry out a pilot project
13 under this section, prior to receiving
14 such authority;

15 “(iv) conduct a qualitative analysis
16 that identifies any practices or strategies
17 (including promising, evidence-based, or in-
18 novative practice and strategies) that—

19 “(I) would not have been imple-
20 mented without the waiving of statu-
21 tory or regulatory provisions through
22 the pilot project; and

23 “(II)(aa) led to positive employ-
24 ment and earnings outcomes for the
25 participants, including employment

1 and earnings outcomes for partici-
2 pants who are opportunity youth, in-
3 dividuals with disabilities, and individ-
4 uals with a barrier to employment;

5 “(bb) led to improved delivery of
6 training services, supportive services,
7 and career services for the partici-
8 pants and individuals described in
9 item (aa); or

10 “(cc) led to any lapses in service
11 provision and disparate outcomes for
12 individuals with a barrier to employ-
13 ment, individuals with disabilities, and
14 opportunity youth; and

15 “(v) compare the outcomes for sub-
16 clauses (I), (II), and (III) of clause (iii)
17 with respect to the subpopulations de-
18 scribed in section 116(d)(2)(B)(i).

19 “(B) REPORT.—Not later than 2 years
20 after the fifth year of each pilot project under
21 this section, the Secretary shall submit to the
22 Committee on Health, Education, Labor, and
23 Pensions of the Senate and the Committee on
24 Education and the Workforce of the House of

1 Representatives the results of the evaluation
2 conducted on such project.

3 “(c) PILOT PROJECT PERIOD; LIMITATIONS.—

4 “(1) IN GENERAL.—A pilot project approved
5 under this section for a State, local area, or consor-
6 tium—

7 “(A) shall be carried out for a 5-year pilot
8 project period; and

9 “(B) may be renewed for an additional 3-
10 year pilot project period if the State, local area,
11 or consortium—

12 “(i) meets its expected levels of per-
13 formance established under subsection
14 (f)(1) for each of the final 3 years of the
15 preceding 5-year period; and

16 “(ii) achieves a performance improve-
17 ment of not less than an average of a 5
18 percent increase across all of the primary
19 indicators of performance on the final year
20 of the preceding 5-year period, compared
21 with the expected levels of performance for
22 the first year of the 5-year period.

23 “(2) LIMITATIONS.—

24 “(A) PILOT PROJECT PERIOD LIMITA-
25 TIONS.—For each pilot project period (includ-

1 ing renewals of such period), the Secretary may
2 not award—

3 “(i) more than 4 pilot projects to eli-
4 gible States described in paragraph (3) for
5 the State as a whole under this section;
6 and

7 “(ii) more than 4 pilot projects to
8 local areas (or consortia of local areas) for
9 a local area (or a consortium) under this
10 section.

11 “(B) STATE LIMITATIONS.—Not more
12 than 1 pilot project may be approved under this
13 section per State. For purposes of this para-
14 graph, a pilot project approved for a local area
15 or a consortium of local areas in a State shall
16 be considered a pilot project approved under
17 this section for the State.

18 “(C) SUBSEQUENT APPROVAL.—Notwith-
19 standing subparagraph (A)(i), the Secretary
20 may award authority to carry out a pilot project
21 under this section for a State as a whole to 2
22 additional States that are eligible States under
23 paragraph (3), if—

24 “(i) beginning on the third year of the
25 pilot project awarded to the 4 eligible

1 States under subparagraph (A)(i), each of
2 such States demonstrates that the State
3 has met or exceeded expected levels of per-
4 formance under the primary indicators of
5 performance described in section
6 116(b)(2)(A); and

7 “(ii) each of the eligible States de-
8 scribed in clause (i) demonstrates that the
9 State has improved and expanded service
10 delivery for target populations in the State,
11 as identified in the application submitted
12 under subsection (d) and verified under the
13 indicators of performance for such popu-
14 lations reported under subsection
15 (e)(5)(A).

16 “(3) ELIGIBLE STATES.—The Secretary may
17 not approve a statewide pilot project under sub-
18 section (b)(1)(D)(i) for a State, unless, at the time
19 of submission of the application, such State is an eli-
20 gible State, meaning—

21 “(A) a State designated as a single State
22 local area under section 106(d); or

23 “(B) a State with a labor force participa-
24 tion rate that is less than 60 percent for the
25 most recent program year and a population of

1 less than 5,000,000, as determined by the most
2 recent data released by the Census Bureau.

3 “(4) ELIGIBLE LOCAL AREAS AND CON-
4 SORTIA.—The Secretary may approve a pilot project
5 under subsection (b)(1)(D)(ii) for a State—

6 “(A) applying on behalf of a local area or
7 consortium of local areas in the State; and

8 “(B) that does not meet the eligibility cri-
9 teria under paragraph (3).

10 “(5) EQUITABLE FLEXIBILITY PILOT AUTHOR-
11 ITY.—Exactly 50 percent of the States for which the
12 Secretary provides statewide flexibility authority
13 under this section shall be States eligible under
14 paragraph (3)(B), at the time of submission of the
15 application.

16 “(d) APPLICATION; APPROVAL.—

17 “(1) IN GENERAL.—To be eligible to carry out
18 a pilot project under this section, a State shall sub-
19 mit to the Secretary an application at such time and
20 in such manner as the Secretary may reasonably re-
21 quire, and containing the information described in
22 paragraph (2).

23 “(2) CONTENT.—Each application submitted by
24 a State under this subsection shall include the fol-
25 lowing:

1 “(A) A description of the pilot project to
2 be carried out under this section, including—

3 “(i) whether the project will be car-
4 ried out—

5 “(I) by the State as a whole;

6 “(II) by a local area, and if so—

7 “(aa) an identification of—

8 “(AA) such local area;

9 and

10 “(BB) whether the
11 local board for such local
12 area is the fiscal agent for
13 the project, or whether the
14 local board has entered into
15 a written agreement with
16 the State for the State to
17 serve as the fiscal agent dur-
18 ing the project; and

19 “(bb) written verification
20 from the local board for such
21 local area that such local board
22 agrees—

23 “(AA) to carry out such
24 project; and

1 “(BB) to the fiscal
2 agent identified in item
3 (aa)(BB); or

4 “(III) by a consortium of local
5 areas in the State, and if so—

6 “(aa) an identification of—

7 “(AA) each local area
8 that comprises the consor-
9 tium; and

10 “(BB) the local area
11 that will serve as the fiscal
12 agent for the consortium
13 during the project or wheth-
14 er the consortium has en-
15 tered into a written agree-
16 ment with the State for the
17 State to serve as the fiscal
18 agent; and

19 “(bb) written verification
20 from each local board of each
21 local area identified in item
22 (aa)(AA) that such local board
23 agrees—

24 “(AA) to carry out such
25 project as a consortium; and

1 “(BB) to the fiscal
2 agent for the consortium
3 identified in item (aa)(BB);

4 “(ii) a description of the activities to
5 be carried out under the project, includ-
6 ing—

7 “(I) the activities to be carried
8 out under the reservation required
9 under subsection (b)(1)(B);

10 “(II) the populations the project
11 will serve, which shall include individ-
12 uals with a barrier to employment,
13 youth (particularly opportunity
14 youth), and individuals with disabil-
15 ities; and

16 “(III) a description of how par-
17 ticipation in the pilot project will not
18 reduce access in services for the indi-
19 viduals and youth described in sub-
20 clause (II);

21 “(iii) the goals the State, local area,
22 or consortium intends to achieve through
23 such activities, which shall be aligned with
24 the purpose described in subsection (a);
25 and

1 “(iv) a description of the innovative
2 reforms and improvements, including re-
3 forms and improvements that may be evi-
4 dence-based, to service delivery for individ-
5 uals with a barrier to employment and op-
6 portunity youth that the State, local area,
7 or consortium intends to achieve through
8 such activities.

9 “(B) A description of the performance out-
10 comes the State, the local area, or consortium
11 expects to achieve for such activities for each
12 year of the pilot project period, as described in
13 subsection (f)(1).

14 “(C) A description of how the State, local
15 area, or consortium consulted with labor organi-
16 zations and other organizations representing
17 workers (to the extent practicable), the State
18 board, and the local boards in the State in de-
19 termining the activities to carry out under the
20 pilot project.

21 “(D) A description of how the State will
22 make such activities available to jobseekers,
23 workers, and employers in each of the local
24 areas in the State or, in a case of a project that
25 will be carried out by a local area or a consor-

1 tium, a description of how such services will be
2 made available to jobseekers, workers, and em-
3 ployers in such local area or each of the local
4 areas in the consortium.

5 “(E) A description, to the extent prac-
6 ticable, of how the State, local area, or consor-
7 tium will align the funds received, and the ac-
8 tivities carried out, under the pilot project
9 under this section with State workforce develop-
10 ment programs and other Federal, State, or
11 local workforce, education, or social service pro-
12 grams (including the programs and activities
13 listed in section 103(a)(2), the program of adult
14 education and literacy activities authorized
15 under title II, and the program authorized
16 under title I of the Rehabilitation Act of 1973
17 (29 U.S.C. 720 et seq.)), in a manner that im-
18 proves service delivery for participants served
19 under this title, including individuals with a
20 barrier to employment and opportunity youth.

21 “(F) An assurance that the State, local
22 area, or consortium will meet the requirements
23 of this section.

24 “(3) SECRETARIAL APPROVAL.—

1 “(A) IN GENERAL.—Not later than 60
2 days after the date on which a State submits an
3 application under this subsection, the Secretary
4 shall—

5 “(i) in a case in which the application
6 meets the requirements of this section and
7 the pilot project described in such applica-
8 tion is not precluded by the limitations de-
9 scribed in subsection (c), approve such ap-
10 plication and the pilot project; or

11 “(ii) provide to the State a written ex-
12 planation of initial disapproval that meets
13 the requirements of subparagraph (B).

14 “(B) INITIAL DISAPPROVAL.—If the Sec-
15 retary disapproves an application by a State for
16 a pilot project that is not precluded by the limi-
17 tations described in subsection (c), the expla-
18 nation of initial disapproval provided under sub-
19 paragraph (A)(ii) shall provide the State with—

20 “(i) an opportunity to revise and re-
21 submit the State’s application under this
22 section; and

23 “(ii) the steps a State may take to
24 demonstrate the State meets the require-
25 ments of this section.

1 “(4) PRIORITY.—In granting pilot project au-
2 thority under this section, the Secretary shall give
3 priority to eligible States, and local areas and con-
4 sortia of local areas, that—

5 “(A) demonstrate a commitment to serving
6 individuals with a barrier to employment, indi-
7 viduals with disabilities, and youth (particularly
8 opportunity youth) effectively; and

9 “(B) met the expected levels of perform-
10 ance for the program year that ended prior to
11 the beginning of the first year of the pilot
12 project period.

13 “(e) STATE PILOT PROJECT REQUIREMENTS.—A
14 State, local area, or consortium of local areas that has
15 been approved to carry out a pilot project under this sec-
16 tion shall meet each of the following requirements:

17 “(1) USE OF NON-RESERVED FUNDS.—Use the
18 funds provided pursuant to subsection (b)(1)(D) and
19 not reserved under subparagraph (B) or (C) of sub-
20 section (b)(1), as the case may be, solely to carry
21 out the activities of the pilot project to achieve the
22 goals described in subsection (d)(2)(A)(iii).

23 “(2) ADMINISTRATIVE COSTS LIMITATION.—
24 Use not more than 10 percent of the funds received
25 pursuant to subsection (b)(1)(D) for a fiscal year for

1 the administrative costs of carrying out the pilot
2 project.

3 “(3) PRIORITY FOR SERVICES.—Give priority
4 for services under the project to recipients of public
5 assistance, low-income individuals, individuals with a
6 barrier to employment, opportunity youth, individ-
7 uals who have foundational skill needs, and veterans
8 and their eligible spouses in accordance with the re-
9 quirements of section 4215 of title 38, United States
10 Code.

11 “(4) NUMBER OF PARTICIPANTS.—Serve a
12 number of participants under the activities of the
13 pilot project for each year of the pilot project period
14 that—

15 “(A) is greater than the number of partici-
16 pants served by such State, local area, or con-
17 sortium, as applicable, under the programs de-
18 scribed in subparagraphs (A) and (C) of section
19 3(13) for the most recent program year that
20 ended prior to the beginning of the first year of
21 the pilot project period; or

22 “(B) is not less than the number of par-
23 ticipants and the share of individuals with a
24 barrier to employment, youth (particularly op-
25 portunity youth), and individuals with disabil-

1 ities to be served under the activities of the
2 pilot project that is agreed upon between the
3 State, local area, or consortium, respectively,
4 and the Secretary—

5 “(i) prior to the Secretary’s approval
6 of the application submitted under sub-
7 section (d); and

8 “(ii) after the Secretary takes into ac-
9 count—

10 “(I) the goals the State, local
11 area, or consortium, respectively, in-
12 tends to achieve through the pilot
13 project; and

14 “(II) the participants the State,
15 local area, or consortium, respectively,
16 intends to serve under such project.

17 “(5) REPORTING OUTCOMES.—Submit, on an
18 annual basis, to the Secretary a report, with respect
19 to such State, local area, or consortium—

20 “(A) on participant outcomes for each in-
21 dicator of performance described in subsection
22 (f)(1)(A) for the activities carried out under the
23 project, disaggregated by race, ethnicity, sex,
24 disability status, and whether such participants
25 are individuals with a barrier to employment;

1 “(B) on the applicable requirements of sec-
2 tion 116(d)(2), including subparagraphs (B)
3 through (G) and subparagraph (J), as such
4 subparagraphs are applicable to activities under
5 the pilot project; and

6 “(C) containing a detailed description of
7 how the State spent the amounts reserved
8 under subsection (b)(1)(B) or the local area or
9 consortium spent the amounts reserved under
10 subsection (b)(1)(C)(i), and how the State, local
11 area, or consortium promoted access to services
12 under this title for jobseekers and workers
13 through such expenditures.

14 “(6) COMPLIANCE WITH CERTAIN EXISTING RE-
15 QUIREMENTS.—Comply with the statutory or regu-
16 latory requirements listed in subsection (b)(2).

17 “(f) PERFORMANCE ACCOUNTABILITY.—

18 “(1) ESTABLISHMENT OF BASELINE LEVELS OF
19 PERFORMANCE.—

20 “(A) IN GENERAL.—Each State shall de-
21 scribe in the application submitted under sub-
22 section (d), for each year of the pilot project pe-
23 riod—

24 “(i) with respect to participants who
25 are at least 25 years old, the expected lev-

1 els of performance for each of the indica-
2 tors of performance under section
3 116(b)(2)(A)(i) for the activities carried
4 out under the project under this section,
5 which shall meet the requirements of sub-
6 paragraph (B); and

7 “(ii) with respect to participants who
8 are at least 16 years old and not older
9 than 24 years old, the expected levels of
10 performance for each of the indicators of
11 performance under section 116(b)(2)(A)(ii)
12 for the activities carried out under the
13 project under this section, which shall meet
14 the requirements of subparagraph (B).

15 “(B) FIFTH YEAR.—Each of the expected
16 levels of performance established pursuant to
17 subparagraph (A) for each of the indicators of
18 performance for the fifth year of the pilot
19 project period shall be higher than—

20 “(i) the highest level of performance
21 for the corresponding indicator of perform-
22 ance for the programs described in sub-
23 paragraph (A) of section 3(13) for the
24 most recent program year that ended prior

401

1 to the beginning of the first year of the
2 pilot project period; or

3 “(ii) an alternate baseline level of per-
4 formance that—

5 “(I) shall not be lower than the
6 level of performance for the State for
7 the most recent program year prior to
8 the commencement of the pilot project
9 authority under this section; and

10 “(II) is agreed upon between the
11 State and the Secretary—

12 “(aa) prior to the Sec-
13 retary’s approval of the applica-
14 tion submitted under subsection
15 (d); and

16 “(bb) after the Secretary
17 takes into account—

18 “(AA) the goals the
19 State intends to achieve
20 through the pilot project;
21 and

22 “(BB) the participants
23 the State intends to serve
24 under such project.

1 “(C) AGREED LEVEL FOR PERFORMANCE
2 ON EXPECTED LEVELS OF PERFORMANCE.—
3 Prior to approving an application for a pilot
4 project submitted by a State, and using the ex-
5 pected levels of performance described in such
6 application, the Secretary shall reach an agree-
7 ment with such State on the expected levels of
8 performance for each of the indicators of per-
9 formance. In reaching an agreement on such
10 expected levels of performance, the Secretary
11 and the State may consider the factors de-
12 scribed in section 116(b)(3)(A)(v).

13 “(2) SANCTIONS.—

14 “(A) IN GENERAL.—The sanctions de-
15 scribed in section 116(f)(1)(B) shall apply to a
16 State, local area, or consortium beginning on
17 the third year of the pilot project period for
18 such State, local area, or consortium, except
19 that the levels of performance established under
20 subsection (f)(1) shall be—

21 “(i) deemed to be the State negotiated
22 levels of performance for purposes of this
23 paragraph; and

24 “(ii) adjusted at the end of each pro-
25 gram year to reflect the actual characteris-

1 (B) by striking “and economic self-suffi-
2 ciency” and inserting “, economic self-suffi-
3 ciency, and full participation in all aspects of
4 adult life”;

5 (2) in paragraph (3), by striking “secondary
6 school diploma” and inserting “regular high school
7 diploma or its recognized equivalent”; and

8 (3) in the matter preceding subparagraph (A)
9 of paragraph (4), by striking “English language
10 learners” and inserting “English learners”.

11 **SEC. 202. DEFINITIONS.**

12 Section 203 of the Workforce Innovation and Oppor-
13 tunity Act (29 U.S.C. 3272) is amended—

14 (1) in paragraph (1)—

15 (A) by redesignating subparagraphs (B)
16 and (C) as subparagraphs (C) and (D), respec-
17 tively;

18 (B) in subparagraph (A)—

19 (i) by striking “and speak” and in-
20 serting “listen, speak, and comprehend”;
21 and

22 (ii) by striking “secondary” and in-
23 serting “regular high”; and

24 (C) by inserting after subparagraph (A)
25 the following:

1 “(B) develop and use digital literacy
2 skills;”;

3 (2) in paragraph (2)—

4 (A) by inserting “digital literacy skills ac-
5 tivities offered in conjunction with other activi-
6 ties described in this paragraph,” after “family
7 literacy activities,”;

8 (B) by striking “language”; and

9 (C) by inserting “college and career prepa-
10 ration activities,” after “workforce preparation
11 activities,”;

12 (3) by redesignating paragraphs (3) through
13 (17) as paragraphs (5) through (19), respectively;

14 (4) by inserting after paragraph (2) the fol-
15 lowing:

16 “(3) COLLEGE AND CAREER PREPARATION AC-
17 TIVITIES.—The term ‘college and career preparation
18 activities’ means academic instruction counseling,
19 and services designed to support enrollment and suc-
20 cess in postsecondary education that includes assist-
21 ing individuals to—

22 “(A) identify postsecondary educational op-
23 tions that prepare individuals for high-quality
24 jobs that pay family-sustaining wages;

1 “(B) navigate the transition from adult
2 education to postsecondary education;

3 “(C) navigate the transition from adult
4 education to workforce development programs
5 and services;

6 “(D) coenroll in adult education and work-
7 force development programs, if applicable;

8 “(E) improve their academic skills so that
9 they are prepared to participate in postsec-
10 ondary education without need for remediation;
11 or

12 “(F) learn notetaking, study skills, and
13 other skills that promote student success in
14 postsecondary education.

15 “(4) DIGITAL LITERACY SKILLS.—The term
16 ‘digital literacy skills’ has the meaning given the
17 term in section 202 of the Museum and Library
18 Services Act (20 U.S.C. 9101).”;

19 (5) in paragraph (6)(C) (as so redesignated)—

20 (A) by striking clause (i) and inserting the
21 following:

22 “(i) has foundational skill needs;”;

23 (B) in clause (ii), by striking “secondary”
24 and inserting “regular high”; and

25 (C) in clause (iii), by striking “language”;

1 (6) in paragraph (8) (as so redesignated)—

2 (A) in subparagraph (A), by striking “lan-
3 guage learners” and inserting “learners”; and

4 (B) in subparagraph (B)—

5 (i) in clause (i)—

6 (I) in subclause (I), by striking
7 “secondary” and inserting “regular
8 high”; and

9 (II) in subclause (II), by striking
10 “or” after the semicolon;

11 (ii) in clause (ii), by striking the pe-
12 riod and inserting “; or”; and

13 (iii) by adding at the end the fol-
14 lowing:

15 “(iii) development of digital literacy
16 skills.”;

17 (7) in paragraph (9) (as so redesignated)—

18 (A) in the paragraph heading, by striking
19 “LANGUAGE”; and

20 (B) in the matter preceding subparagraph
21 (A), by striking “language learner” and insert-
22 ing “learner”;

23 (8) in paragraph (11) (as so redesignated), in
24 the matter preceding subparagraph (A), by inserting
25 “and educational” after “the economic”;

1 (9) in paragraph (14) (as so redesignated)—

2 (A) in the first sentence, by striking
3 “English language learners” and inserting
4 “English learners”; and

5 (B) in the second sentence, by inserting
6 “skills development, preparation for postsec-
7 ondary education and application for student
8 aid or employment, financial literacy instruc-
9 tion, preparation for citizenship, digital literacy
10 instruction, and” after “and may include”; and

11 (10) in paragraph (15) (as so redesignated), by
12 striking “and speak in English, compute, and solve
13 problems” and inserting “speak, and comprehend in
14 English, compute, solve problems, and use digital lit-
15 eracy skills”.

16 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

17 Section 206 of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3275) is amended to read as follows:

19 **“SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

20 “There are authorized to be appropriated to carry out
21 this title such sums as may be necessary for fiscal years
22 2025 through 2029.”.

23 **SEC. 204. SPECIAL RULE.**

24 Section 211 of the Workforce Innovation and Oppor-
25 tunity Act (29 U.S.C. 3291) is amended—

1 (1) in subsection (d)(3), by striking “sec-
2 ondary” and inserting “regular high”; and

3 (2) in subsection (f)(1), by striking “for fiscal
4 year 2015 and each succeeding fiscal year” and in-
5 serting “for the first fiscal year beginning after the
6 date of enactment of the [_____] Act of [_____]” and
7 each succeeding fiscal year”.

8 **SEC. 205. PERFORMANCE ACCOUNTABILITY SYSTEM.**

9 Section 212 of the Workforce Innovation and Oppor-
10 tunity Act (29 U.S.C. 3292) is amended to read as follows:

11 **“SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.**

12 “(a) IN GENERAL.—Programs and activities author-
13 ized in this title are subject to the performance account-
14 ability provisions described in section 116, except that the
15 indicator described in subsection (b)(2)(A)(i)(VII) of such
16 section shall be applied as if it were the percentage of pro-
17 gram participants who exited the program during the pro-
18 gram year and completed an integrated education and
19 training program.

20 “(b) ADDITIONAL MEASURABLE SKILL GAINS.—

21 With respect to the application to programs and activities
22 authorized under this title of the indicator of measurable
23 skill gains under section 116(b)(2)(A)(i)(VI), such meas-
24 urable skill gains may include those relating to the pur-
25 pose described in section 202.”.

1 **SEC. 206. MATCHING REQUIREMENT.**

2 Section 222(b) of the Workforce Innovation and Op-
3 portunity Act (29 U.S.C. 3302(b)) is amended by adding
4 at the end the following:

5 “(3) PUBLIC AVAILABILITY OF INFORMATION
6 ON MATCHING FUNDS.—Each eligible agency shall
7 maintain, on a publicly accessible website of such
8 agency and in an easily accessible format, informa-
9 tion documenting the non-Federal contributions
10 made available to programs that offer adult edu-
11 cation and literacy activities or family literacy activi-
12 ties pursuant to this subsection, including—

13 “(A) the sources of such contributions, ex-
14 cept that in the case of private contributions,
15 names of the individuals or entities providing
16 such contributions may not be disclosed; and

17 “(B) in the case of funds made available
18 by a State or outlying area, an explanation of
19 how such funds are distributed to eligible pro-
20 viders.”.

21 **SEC. 207. STATE LEADERSHIP ACTIVITIES.**

22 Section 223(a) of the Workforce Innovation and Op-
23 portunity Act (29 U.S.C. 3303(a)) is amended—

24 (1) in paragraph (1)—

25 (A) in subparagraph (A), by striking “ac-
26 tivities.” and inserting “activities and the iden-

1 tification of opportunities to coordinate with ac-
2 tivities supported under the Carl D. Perkins
3 Career and Technical Education Act of 2006
4 (20 U.S.C. 2301 et seq.) to expand integrated
5 education and training programs.”;

6 (B) in subparagraph (C)—

7 (i) in clause (i), by striking “based on
8 the most rigorous or scientifically valid re-
9 search available and appropriate, in read-
10 ing, writing, speaking, mathematics,” and
11 inserting “based on evidence-based prac-
12 tices and valid research available and ap-
13 propriate, in reading, writing, speaking,
14 English comprehension, mathematics,”;

15 (ii) in clause (ii), by striking “and”
16 after the semicolon;

17 (iii) in clause (iii), by striking the pe-
18 riod at the end and inserting “and expand
19 options for the education of adults; and”;
20 and

21 (iv) by adding at the end the fol-
22 lowing:

23 “(iv) assistance in reporting partici-
24 pant outcomes for the performance ac-
25 countability system described in section

1 212, including facilitating partnerships
2 with the appropriate State entities to—

3 “(I) conduct matches with State
4 administrative data (such as wage
5 records); or

6 “(II) support integration with
7 statewide longitudinal data systems.”;

8 (C) by redesignating subparagraph (D) as
9 subparagraph (E); and

10 (D) by inserting after subparagraph (C)
11 the following:

12 “(D) The development, identification, ac-
13 quisition, and dissemination of evidence-based
14 instructional materials that lead to literacy,
15 English language acquisition, a recognized post-
16 secondary credential, or both, and—

17 “(i) are designed to meet the needs of
18 adult learners, including English learners,
19 and may be developed for integrated edu-
20 cation and training in an in-demand indus-
21 try sector or occupation in the State; and

22 “(ii) will improve the instruction pro-
23 vided pursuant to the local activities re-
24 quired under section 231(b).”; and

25 (2) in paragraph (2)—

413

1 (A) in subparagraph (B), by inserting
2 “digital” before “technology applications”;

3 (B) in subparagraph (I)(i)—

4 (i) by striking “mathematics, and
5 English” and inserting “mathematics,
6 English”; and

7 (ii) by striking “acquisition;” and in-
8 serting “acquisition, and digital literacy
9 skills;”;

10 (C) by striking subparagraph (J) and in-
11 serting the following:

12 “(J) Developing and piloting of strategies
13 for improving adult educator recruitment qual-
14 ity and retention, such as—

15 “(i) the provision of high-quality pro-
16 fessional development; and

17 “(ii) the development and mainte-
18 nance of policies for recognizing adult edu-
19 cators who demonstrate effectiveness at
20 improving the achievement of adult stu-
21 dents.”;

22 (D) by striking subparagraph (K) and in-
23 serting the following:

24 “(K) The development and implementation
25 of programs and services to meet the needs of

1 specific groups of adult learners, such as those
2 with learning disabilities, those at the lowest
3 levels of literacy, or those who are English
4 learners, which may include new and promising
5 assessment tools and strategies that are based
6 on scientifically valid research, where appro-
7 priate, and identify the needs and capture the
8 gains of such students in appropriate and
9 meaningful ways.”;

10 (E) in subparagraph (L), by inserting “,
11 which include partnerships with local edu-
12 cational agencies or public agencies to recruit
13 eligible individuals” after “employers”;

14 (F) by redesignating subparagraph (M) as
15 subparagraph (O); and

16 (G) by inserting after subparagraph (L)
17 the following:

18 “(M) Strengthening the quality and effec-
19 tiveness of programs that offer adult education
20 and literacy activities or family literacy activi-
21 ties in the State through support for program
22 quality standards and accreditation require-
23 ments.

24 “(N) Raising public awareness (including
25 through public service announcements, such as

1 social media campaigns) about career and tech-
2 nical education programs and community-based
3 organizations, and other endeavors focused on
4 programs that prepare individuals for in-de-
5 mand industry sectors or occupations.”.

6 **SEC. 208. EDUCATION PROGRAMS FOR JUSTICE-INVOLVED**
7 **INDIVIDUALS AND OTHER INSTITUTIONAL-**
8 **IZED INDIVIDUALS.**

9 (a) IN GENERAL.—Section 225 of the Workforce In-
10 novation and Opportunity Act (29 U.S.C. 3305) is amend-
11 ed to read as follows:

12 **“SEC. 225. EDUCATION PROGRAMS FOR JUSTICE-INVOLVED**
13 **INDIVIDUALS AND OTHER INSTITUTIONAL-**
14 **IZED INDIVIDUALS.**

15 “(a) PROGRAM AUTHORIZED.—

16 “(1) IN GENERAL.—From funds made available
17 under section 222(a)(1) for a fiscal year, each eligi-
18 ble agency shall carry out corrections education and
19 education for justice-involved individuals and other
20 institutionalized individuals.

21 “(2) PRIORITY.—In carrying out paragraph (1),
22 the Secretary shall give priority to an eligible agency
23 that proposes to operate an educational program in
24 a correctional institution that is also served by a
25 program authorized under section 172.

1 “(b) USES OF FUNDS.—The funds described in sub-
2 section (a) shall be used for the cost of educational pro-
3 grams for justice-involved individuals in correctional insti-
4 tutions and for other institutionalized individuals, includ-
5 ing academic programs for—

6 “(1) adult education and literacy activities;

7 “(2) special education, as determined by the eli-
8 gible agency;

9 “(3) attainment of a regular high school di-
10 ploma or its recognized equivalent;

11 “(4) integrated education and training;

12 “(5) career pathways;

13 “(6) concurrent enrollment;

14 “(7) peer tutoring; and

15 “(8) transition to re-entry initiatives and other
16 postrelease services with the goal of reducing recidi-
17 vism.

18 “(c) PRIORITY REQUIREMENT.—Each eligible agency
19 that is using assistance provided under this section to
20 carry out a program for justice-involved individuals within
21 a correctional institution shall give priority to serving indi-
22 viduals who are likely to leave the correctional institution
23 within 5 years of participation in the program.

24 “(d) COORDINATION.—Each eligible agency that is
25 using assistance provided under this section to carry out

1 an educational program for justice-involved individuals
2 within a correctional institution shall—

3 “(1) coordinate such educational programs with
4 career and technical education activities provided to
5 individuals in State institutions from funds reserved
6 under section 112(a)(2)(A) of the Carl D. Perkins
7 Career and Technical Education Act of 2006 (20
8 U.S.C. 2322(a)(2)(A));

9 “(2) identify opportunities to develop integrated
10 education and training opportunities for such indi-
11 viduals;

12 “(3) coordinate eligible prison education pro-
13 grams that allow an individual to apply for Federal
14 student aid; and

15 “(4) if the correctional institution is also served
16 by a program authorized under section 172, provide
17 a description of how the award funds under this sec-
18 tion will be used to carry out the activities described
19 in section 172, in conjunction with the activities de-
20 scribed in subsection (b).

21 “(e) REPORT.—In addition to any report required
22 under section 116, each eligible agency that receives as-
23 sistance provided under this section shall annually prepare
24 and submit to the Secretary a report on the progress, as
25 described in section 116, of the eligible agency with re-

1 spect to the programs and activities carried out under this
2 section, including the relative rate of recidivism for the
3 justice-involved individuals served.

4 “(f) DEFINITIONS.—In this section:

5 “(1) CORRECTIONAL INSTITUTION.—The term
6 ‘correctional institution’ means any—

7 “(A) prison;

8 “(B) jail;

9 “(C) reformatory;

10 “(D) work farm;

11 “(E) detention center; or

12 “(F) halfway house, community-based re-
13 habilitation center, or any other similar institu-
14 tion designed for the confinement or rehabilita-
15 tion of justice-involved individuals.

16 “(2) JUSTICE-INVOLVED INDIVIDUAL.—The
17 term ‘justice-involved individual’ means any indi-
18 vidual who has been adjudicated delinquent or con-
19 victed of a crime and imprisoned under Federal or
20 State law.

21 “(3) PRISON EDUCATION PROGRAM.—The term
22 ‘prison education program’ has the meaning given
23 the term in section 484 of the Higher Education Act
24 of 1965 (20 U.S.C. 1091).”.

1 (b) TABLE OF CONTENTS.—The table of contents in
2 section 1(b) of the Workforce Innovation and Opportunity
3 Act is amended by striking the item relating to section
4 225 and inserting the following:

“Sec. 225. Education programs for justice-involved individuals and other institutionalized individuals.”.

5 **SEC. 209. GRANTS AND CONTRACTS FOR ELIGIBLE PRO-**
6 **VIDERS.**

7 Section 231 of the Workforce Innovation and Oppor-
8 tunity Act (29 U.S.C. 3321) is amended—

9 (1) in subsection (d), by striking “section
10 203(4)” and inserting “section 203(6)”; and

11 (2) in subsection (e)—

12 (A) in paragraph (1)(B)(ii), by striking
13 “language”;

14 (B) in paragraph (5)—

15 (i) in subparagraph (A), by striking
16 “and” after the semicolon;

17 (ii) in subparagraph (B), by inserting
18 “and” after the semicolon; and

19 (iii) by adding at the end the fol-
20 lowing:

21 “(C) uses instructional materials that are
22 designed to meet the needs of adult learners
23 and English learners and are evidence-based (to
24 the extent practicable), which may include the

1 instructional materials disseminated by the
2 State under section 223(a)(1)(D);”;

3 (C) in paragraph (6)—

4 (i) by inserting “English comprehen-
5 sion,” after “mathematics,”; and

6 (ii) by inserting before the semicolon
7 at the end the following: “, which may in-
8 clude the application of the principles of
9 universal design for learning”; and

10 (D) in paragraph (10), by striking “ele-
11 mentary schools and secondary schools” and in-
12 serting “local educational agencies”.

13 **SEC. 210. LOCAL APPLICATION.**

14 Section 232 of the Workforce Innovation and Oppor-
15 tunity Act (29 U.S.C. 3322) is amended—

16 (1) in paragraph (4), by inserting “and coordi-
17 nate with the appropriate State entity” after “data”;

18 (2) in paragraph (6), by striking “and” after
19 the semicolon;

20 (3) by redesignating paragraph (7) as para-
21 graph (8); and

22 (4) by inserting after paragraph (6) the fol-
23 lowing:

24 “(7) a description of how the eligible provider
25 may provide adult education and literacy activities in

1 a manner integrated with college and career path-
2 ways to enable participating students to attain a rec-
3 ognized postsecondary credential or enroll in postsec-
4 ondary education; and”.

5 **SEC. 211. LOCAL ADMINISTRATIVE COST LIMITS.**

6 Section 233(a) of the Workforce Innovation and Op-
7 portunity Act (29 U.S.C. 3323(a)) is amended—

8 (1) in paragraph (1), by striking “95” and in-
9 serting “85”; and

10 (2) by striking paragraph (2) and inserting the
11 following:

12 “(2) of the remaining amount—

13 “(A) not more than 10 percent of the
14 amount made available under this title may be
15 used for professional development for adult edu-
16 cators; and

17 “(B) not more than 5 percent of the
18 amount made available under this title shall be
19 used for planning, administration (including
20 carrying out the requirements of section 116),
21 professional development of administrative
22 staff, and the activities described in paragraphs
23 (3) and (5) of section 232.”.

1 **SEC. 212. PROMPT ALLOCATION OF FUNDS.**

2 Section 241 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3331) is amended by adding at the
4 end the following:

5 “(c) PROMPT ALLOCATION OF FUNDS.—Funds shall
6 be made available under section 211 for an eligible agency
7 not later than 30 days after the date the eligible agency
8 has a unified State plan approved under section 102 or
9 a combined State plan approved under section 103 (as the
10 case may be).”.

11 **SEC. 213. NATIONAL LEADERSHIP ACTIVITIES.**

12 Section 242 of the Workforce Innovation and Oppor-
13 tunity Act (29 U.S.C. 3332) is amended—

14 (1) in subsection (b)(1), by striking “116;” and
15 inserting “116, including the dissemination of effec-
16 tive practices used by States to use statewide longi-
17 tudinal data systems or other sources of administra-
18 tive data to determine program performance;”; and

19 (2) in subsection (c)—

20 (A) in paragraph (1)—

21 (i) in subparagraph (A), by inserting
22 “including the application of the principles
23 of universal design for learning and” after
24 “literacy activities;”;

1 (ii) in subparagraph (B), by striking
2 “language learners” and inserting “learn-
3 ers”; and

4 (iii) in subparagraph (C), by inserting
5 “skills” after “digital literacy”; and

6 (B) in paragraph (2)—

7 (i) in subparagraph (C)—

8 (I) in clause (i), by striking “rig-
9 orous” and inserting “evidence-
10 based”; and

11 (II) in clause (vii)—

12 (aa) in subclause (I), by
13 striking “adults with” and all
14 that follows through the semi-
15 colon and inserting “adults with
16 disabilities, including those with
17 learning disabilities, and with
18 adults who are English learn-
19 ers;”;

20 (bb) in subclause (III), by
21 striking “and” after the semi-
22 colon;

23 (cc) in subclause (IV), by in-
24 serting “and” after the semi-
25 colon; and

1 (dd) by adding at the end
2 the following:

3 “(V) programs that offer family
4 literacy activities;”;

5 (ii) in subparagraph (D)(iii), by strik-
6 ing “support services” and inserting “sup-
7 portive services”;

8 (iii) in subparagraph (F), by striking
9 “and” after the semicolon;

10 (iv) by redesignating subparagraph
11 (G) as subparagraph (L); and

12 (v) by inserting after subparagraph
13 (F) the following:

14 “(G) developing and evaluating model pro-
15 grams for the preparation of highly effective
16 adult educators;

17 “(H) carrying out initiatives to support the
18 professionalization of adult education through
19 the creation and implementation of full-time
20 staffing models;

21 “(I) carrying out initiatives to support the
22 effectiveness and impact of adult education,
23 that States may adopt on a voluntary basis,
24 through—

1 “(i) the development and dissemina-
2 tion of staffing models that prioritize dem-
3 onstrated effectiveness and continuous im-
4 provement in supporting the learning of
5 adult students; and

6 “(ii) the evaluation and improvement
7 of program quality standards and accredi-
8 tation requirements;

9 “(J) providing professional development
10 and technical assistance to adult educators that
11 is designed to help ensure that programs that
12 offer adult education and literacy activities or
13 family literacy activities build pathways to fu-
14 ture success for all adult learners;

15 “(K) strengthening the quality of pro-
16 grams that offer adult education and literacy
17 activities or family literacy activities through
18 support for improved credentials, program qual-
19 ity standards, and certification and accredita-
20 tion requirements that States may adopt on a
21 voluntary basis; and”.

1 **SEC. 214. INTEGRATED ENGLISH LITERACY AND CIVICS**
2 **EDUCATION.**

3 Section 243(c) of the Workforce Innovation and Op-
4 portunity Act (29 U.S.C. 3333(c)) is amended to read as
5 follows:

6 “(c) GOAL.—Each program that receives funding
7 under this section shall be designed to—

8 “(1) prepare adults who are English learners
9 for full participation in the economic, educational,
10 and civic life of the community, and for unsubsidized
11 employment in in-demand industry sectors or occu-
12 pations that lead to economic self-sufficiency;

13 “(2) integrate with the local workforce develop-
14 ment system and its functions to carry out the ac-
15 tivities of the program;

16 “(3) provide career counseling;

17 “(4) provide employment-related services, such
18 as pre-apprenticeship services, integrated education
19 and training, workforce preparation, or bridges and
20 on-ramps to career pathways; and

21 “(5) assist immigrants and other individuals
22 who are English learners in acquiring an under-
23 standing of the American system of Government, in-
24 dividual freedom, and the responsibilities of citizen-
25 ship.”.

1 **TITLE III—GENERAL**
2 **PROVISIONS**
3 **Subtitle A—Data Provisions**

4 **SEC. 301. REPORT ON DATA CAPABILITY OF FEDERAL AND**
5 **STATE DATABASES AND DATA EXCHANGE**
6 **AGREEMENTS.**

7 The Workforce Innovation and Opportunity Act (29
8 U.S.C. 3101 et seq.) is amended by striking section 505
9 and inserting the following:

10 **“SEC. 505. REPORT ON DATA CAPABILITY OF FEDERAL AND**
11 **STATE DATABASES AND DATA EXCHANGE**
12 **AGREEMENTS.**

13 “(a) IN GENERAL.—The Comptroller General of the
14 United States shall prepare and submit an interim report
15 and a final report to Congress regarding existing Federal
16 and State databases and data exchange agreements, as of
17 the date of the report, that contain job training informa-
18 tion relevant to the administration of programs authorized
19 under this Act (as amended by the [_____ Act of
20 _____]).

21 “(b) REQUIREMENTS.—The report required under
22 subsection (a) shall—

23 “(1) list existing Federal and State databases
24 and data exchange agreements described in sub-
25 section (a) and, for each, describe—

1 “(A) the purposes of the database or
2 agreement;

3 “(B) the data elements, such as wage and
4 employment outcomes, contained in the data-
5 base or accessible under the agreement;

6 “(C) the data elements described in sub-
7 paragraph (B) that are shared between States;

8 “(D) the Federal and State workforce
9 training programs from which each Federal and
10 State database derives the data elements de-
11 scribed in subparagraph (B);

12 “(E) the number and type of Federal and
13 State agencies having access to such data;

14 “(F) the number and type of private re-
15 search organizations having access to, through
16 grants, contracts, or other agreements, such
17 data; and

18 “(G) whether the database or data ex-
19 change agreement provides for opt-out proce-
20 dures for individuals whose data is shared
21 through the database or data exchange agree-
22 ment;

23 “(2) study the effects that access by State
24 workforce agencies and the Secretary of Labor to
25 the databases and data exchange agreements de-

1 scribed in subsection (a) would have on efforts to
2 carry out this Act (as amended by the [_____ Act
3 of _____]), and on individual privacy;

4 “(3) explore opportunities to enhance the qual-
5 ity, reliability, and reporting frequency of the data
6 included in such databases and data exchange agree-
7 ments;

8 “(4) describe, for each database or data ex-
9 change agreement considered by the study described
10 in subsection (a), the number of individuals whose
11 data is contained in each database or accessible
12 through the data agreement, and the specific data
13 elements contained in each that could be used to
14 personally identify an individual;

15 “(5) include the number of data breaches hav-
16 ing occurred since 2014 to data systems adminis-
17 tered by Federal and State agencies;

18 “(6) include the number of data breaches re-
19 garding any type of personal data having occurred
20 since 2014 to private research organizations with
21 whom Federal and State agencies contract for stud-
22 ies;

23 “(7) include a survey of the security protocols
24 used for protecting personal data, including best
25 practices shared amongst States for access to, and

1 administration of, data elements stored and rec-
2 ommendations for improving security protocols for
3 the safe warehousing of data elements; and

4 “(8) include an evaluation of the State wage
5 interchange system developed by the Department of
6 Labor and report on the effectiveness of the system
7 in facilitating data exchange between State agencies
8 for the purpose of assessing and reporting on State
9 and local performance for the programs authorized
10 under this Act (as amended by the [_____ Act of
11 _____]).

12 “(c) TIMING OF REPORTS.—

13 “(1) INTERIM REPORT.—Not later than 1 year
14 after the date of enactment of the [_____ Act of
15 _____], the Comptroller General shall prepare and
16 submit to Congress an interim report regarding the
17 initial findings of the report required under this sec-
18 tion.

19 “(2) FINAL REPORT.—Not later than 18
20 months after the date of enactment of the [_____
21 Act of _____], the Comptroller General shall pre-
22 pare and submit to Congress the final report re-
23 quired under this section.”.

1 **SEC. 302. DATA EXCHANGE STANDARDIZATION FOR IM-**
2 **PROVED INTEROPERABILITY.**

3 (a) IN GENERAL.—The Workforce Innovation and
4 Opportunity Act (29 U.S.C. 3101 et seq.) is amended—

5 (1) by redesignating section 506 as section 507;

6 and

7 (2) by inserting after section 505 the following:

8 **“SEC. 506. DATA EXCHANGE STANDARDIZATION FOR IM-**
9 **PROVED INTEROPERABILITY.**

10 **“(a) DESIGNATION AND USE OF DATA EXCHANGE**
11 **STANDARDS.—**

12 **“(1) DESIGNATION.—**The Secretary of Labor
13 and the Secretary of Education, shall, in consulta-
14 tion with an interagency work group established by
15 the Office of Management and Budget and with
16 Governors, designate data exchange standards for
17 necessary categories of information that a State
18 agency operating a program funded under this Act
19 is required to electronically exchange with another
20 State agency under applicable Federal law.

21 **“(2) REQUIREMENT REGARDING NONPROPRI-**
22 **ETARY AND INTEROPERABLE STANDARDS.—**The
23 data exchange standards designated under para-
24 graph (1) shall, to the extent practicable, be non-
25 proprietary and interoperable.

1 “(3) OTHER REQUIREMENTS.—In designating
2 data exchange standards under paragraph (1), the
3 Secretary of Labor and the Secretary of Education
4 shall, to the extent practicable—

5 “(A) incorporate transparent, linked, open,
6 and interoperable data formats that are human
7 readable and machine actionable;

8 “(B) be searchable, easily understandable
9 by the public, and navigable allowing for the
10 public dissemination of data; and

11 “(C) incorporate—

12 “(i) interoperable standards developed
13 and maintained by intergovernmental part-
14 nerships; or

15 “(ii) interoperable standards devel-
16 oped and maintained by Federal entities
17 with authority over contracting and finan-
18 cial assistance.

19 “(b) DATA EXCHANGE STANDARDS FOR FEDERAL
20 REPORTING.—

21 “(1) DESIGNATION.—The Secretary of Labor
22 and the Secretary of Education shall, in consultation
23 with an interagency work group established by the
24 Office of Management and Budget and with Gov-
25 ernors, designate data exchange standards to govern

1 Federal reporting and exchange requirements under
2 this Act.

3 “(2) REQUIREMENTS.—The data exchange
4 standards designated under paragraph (1) shall, to
5 the extent practicable—

6 “(A) incorporate transparent, linked, open,
7 and interoperable data formats that are human
8 readable and machine actionable,

9 “(B) be searchable, easily understandable
10 by the public, and navigable allowing for the
11 public dissemination of this information.

12 “(C) be consistent with and implement ap-
13 plicable accounting principles;

14 “(D) be implemented in a manner that is
15 cost-effective and improves program efficiency
16 and effectiveness; and

17 “(E) be capable of being continually up-
18 graded as necessary.

19 “(3) INCORPORATION OF NONPROPRIETARY
20 STANDARDS.—In designating data exchange stand-
21 ards under paragraph (1), the Secretary of Labor
22 and the Secretary of Education shall, to the extent
23 practicable, incorporate nonproprietary standards ex-
24 isting as of the date of such designation.

1 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed to require a change to a data ex-
3 change standard for Federal reporting in effect as of the
4 date of enactment of the [_____ Act of _____] with
5 respect to a program receiving funding under this Act, if
6 the Secretary of Labor and the Secretary of Education
7 find the standards to be effective and efficient.”.

8 (b) TABLE OF CONTENTS.—The table of contents in
9 section 1(b) of the Workforce Innovation and Opportunity
10 Act is amended—

11 (1) by striking the item relating to section 506;

12 and

13 (2) by inserting after the item relating to sec-
14 tion 505 the following:

“Sec. 506. Data exchange standardization for improved interoperability.

“Sec. 507. Effective dates.”.

15 **Subtitle B—Transition Provisions**

16 **SEC. 311. TRANSITION.**

17 (a) IN GENERAL.—The Secretary of Labor and the
18 Secretary of Education shall take such steps as are nec-
19 essary to provide for the orderly implementation of the
20 amendments to the Workforce Innovation and Oppor-
21 tunity Act (29 U.S.C. 3101 et seq.) made by this Act,
22 including with respect to developing and disseminating the
23 objective statistical model described in section
24 116(b)(3)(A)(x).

1 (b) RULE OF CONSTRUCTION.—A reference in Fed-
2 eral law to a Job Corps center (as such term is defined
3 in section 142 of the Workforce Innovation and Oppor-
4 tunity Act (29 U.S.C. 3192), as in effect on the day before
5 the date of enactment of this Act) shall be deemed to refer
6 to a Job Corps campus (as such term is defined in such
7 section of such Act, as amended by this Act).

8 **SEC. 312. EFFECTIVE DATE.**

9 Except as otherwise provided in this Act (including
10 the amendments made by this Act), this Act (including
11 the amendments made by this Act) shall take effect on
12 the first July 1 that is not less than 1 calendar year after
13 the date of enactment of this Act.

14 **Subtitle C—Amendments to Other**
15 **Laws**

16 **SEC. 321. AMENDMENTS TO THE WAGNER-PEYSER ACT.**

17 (a) DEFINITIONS.—Section 2(5) of the Wagner-
18 Peyser Act (29 U.S.C. 49a(5)) is amended by inserting
19 “the Commonwealth of the Northern Mariana Islands,
20 American Samoa,” before “and the Virgin Islands”.

21 (b) CERTIFICATION FOR PAYMENTS.—Section
22 5(b)(1) of the Wagner-Peyser Act (29 U.S.C. 49d(b)(1))
23 is amended by inserting “the Commonwealth of the North-
24 ern Mariana Islands, and American Samoa,” after
25 “Guam,”.

1 (c) ALLOTMENTS.—Section 6 of the Wagner-Peyser
2 Act (29 U.S.C. 49e) is amended—

3 (1) in subsection (a)—

4 (A) by striking “(except for Guam” and
5 inserting “(except for Guam, the Common-
6 wealth of the Northern Mariana Islands, and
7 American Samoa”;

8 (B) by striking “allot to Guam” and in-
9 serting the following: “allot—
10 “(1) to Guam”;

11 (C) by striking the period at the end and
12 inserting “; and”; and

13 (D) by adding at the end the following:

14 “(2) beginning with the first fiscal year for
15 which the total amount available for allotments
16 under this section is greater than the total amount
17 available for allotments under this section for fiscal
18 year 2024, and for each fiscal year succeeding that
19 first fiscal year, to each of the Commonwealth of the
20 Northern Mariana Islands and American Samoa, an
21 amount which is equal to one-half of the amount al-
22 lotted to Guam under paragraph (1) for the cor-
23 responding fiscal year.”; and

24 (2) in subsection (b)(1), in the last sentence, by
25 inserting “, the Commonwealth of the Northern

1 Mariana Islands, American Samoa,” before “or the
2 Virgin Islands”.

3 (d) DISPOSITION OF ALLOTTED FUNDS.—Section 7
4 of the Wagner-Peyser Act (29 U.S.C. 49f) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1), by striking “and re-
7 ferral to employers” and inserting “referral to
8 employees, and the activities described in sec-
9 tion 134(c)(2)(A) of the Workforce Innovation
10 and Opportunity Act (29 U.S.C.
11 3174(c)(2)(A))”; and

12 (B) in paragraph (3)—

13 (i) in subparagraph (F), by inserting
14 “consistent with section 303(a)(1) of the
15 Social Security Act (42 U.S.C.
16 503(a)(1)),” after “compensation system,”;
17 and

18 (ii) in subparagraph (G), by inserting
19 “consistent with section 303(a)(1) of the
20 Social Security Act (42 U.S.C.
21 503(a)(1)),” after “(G)”; and

22 (2) in subsection (e), by inserting before the pe-
23 riod the following: “and provided in an integrated
24 manner as described in section
25 134(c)(2)(A)(i)(I)(bb) of the Workforce Innovation

1 and Opportunity Act (29 U.S.C.
2 3174(e)(2)(A)(i)(I)(bb))”.

3 (e) WORKFORCE AND LABOR MARKET INFORMATION
4 SYSTEM.—Section 15 of the Wagner-Peyser Act (29
5 U.S.C. 491–2) is amended—

6 (1) in subsection (a)(1)—

7 (A) in subparagraph (A)—

8 (i) in the matter preceding clause (i),
9 by striking “in a timely manner” and in-
10 sserting “, in a manner that as closely as
11 practicable provides for real-time data”;

12 (ii) by striking clause (i) and inserting
13 the following:

14 “(i) employment and unemployment
15 status of national, State, and local popu-
16 lations, including self-employed, part-time,
17 contingent, and seasonal workers, and
18 workers engaged in alternative employment
19 arrangements;”;

20 (iii) by redesignating clauses (iii) and
21 (iv) as clauses (iv) and (v), respectively;
22 and

23 (iv) by inserting after clause (ii) the
24 following:

1 “(iii) real-time trends in new and
2 emerging occupational roles, and in new
3 and emerging skills by occupation and in-
4 dustry, with particular attention paid to
5 State and local conditions and emerging or
6 in-demand industry sectors or occupations
7 in such States and corresponding local
8 areas;”;

9 (B) in subparagraph (B)(i), by inserting
10 “(including, to the extent practicable, real-
11 time)” after “current”; and

12 (C) in subparagraph (G), by striking
13 “user-friendly manner and” and inserting
14 “manner that makes the data, information, and
15 analysis available on-demand and that is user-
16 friendly, and of”;

17 (2) in subsection (b)(2)(F)—

18 (A) by redesignating clause (ii) as clause
19 (iii); and

20 (B) by striking clause (i) and inserting the
21 following:

22 “(i) such data and information are
23 timely (including, to the extent practicable,
24 provided in real time), open, linked, and
25 interoperable; and

1 “(ii) the capabilities of digital tech-
2 nology and modern data collection ap-
3 proaches are effectively utilized; and”; and
4 (3) by striking subsection (g) and inserting the
5 following:

6 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to carry out this section
8 such sums as may be necessary for each of fiscal years
9 2025 through 2029.”.

10 **SEC. 322. AMENDMENT TO THE AMERICAN COMPETITIVE-**
11 **NESS AND WORKFORCE IMPROVEMENT ACT.**

12 Section 414 of the American Competitiveness and
13 Workforce Improvement Act is amended by striking sub-
14 section (c) (29 U.S.C. 2916a) and inserting the following:

15 “(c) YOUTH APPRENTICESHIP READINESS
16 GRANTS.—Of the funds available under section 286(s)(2)
17 of the Immigration and Nationality Act (8 U.S.C.
18 1356(s)(2)), the Secretary of Labor shall direct—

19 “(1) \$65,000,000 of such funds toward the pro-
20 gram established under section 173 of the Workforce
21 Innovation and Opportunity Act; and

22 “(2) the remainder of such funds toward the
23 provision of supplemental individual training ac-
24 counts under section 134(e) of that Act.”.

1 **SEC. 323. ACCESS TO NATIONAL DIRECTORY OF NEW**
2 **HIRES.**

3 Section 453(j)(8) of the Social Security Act (42
4 U.S.C. 653(j)(8)) is amended—

5 (1) in the paragraph heading, by inserting
6 “AND WORKFORCE DEVELOPMENT REPORTING AND
7 EVALUATION ACTIVITIES” after “UNEMPLOYMENT
8 COMPENSATION PROGRAMS”;

9 (2) in subparagraph (A)—

10 (A) by inserting “or conducting the report-
11 ing and evaluation activities required under sec-
12 tion 116 of the Workforce Innovation and Op-
13 portunity Act (29 U.S.C. 3141)” after “State
14 law”; and

15 (B) by inserting “or for carrying out such
16 reporting and evaluation activities” after “such
17 program”; and

18 (3) in subparagraph (C)(i), by striking “pur-
19 poses of administering a program referred to” and
20 inserting “the purposes specified”.