

Union Calendar No. 368

118TH CONGRESS
2^D SESSION

H. R. 6655

[Report No. 118–444, Part I]

To amend and reauthorize the Workforce Innovation and Opportunity Act.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 7, 2023

Ms. FOXX (for herself and Mr. SCOTT of Virginia) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

APRIL 5, 2024

Additional sponsors: Mr. OWENS, Mr. THOMPSON of Pennsylvania, Mr. ALLEN, Mr. SMUCKER, Mrs. MCCLAIN, Mr. WALBERG, Mr. MORAN, Mr. DESAULNIER, Mr. COURTNEY, Mrs. MCBATH, Mr. SABLAN, Mr. NORCROSS, Ms. BONAMICI, Mr. ZINKE, Mr. LATURNER, Mrs. BICE, Mr. JOYCE of Pennsylvania, Mrs. HOUCHIN, Mr. EDWARDS, Mr. ROGERS of Kentucky, Mr. LAWLER, Mr. TAKANO, Ms. ADAMS, Ms. WILD, Mrs. HAYES, Ms. MANNING, Mr. MRVAN, and Ms. WILSON of Florida

APRIL 5, 2024

Reported from the Committee on Education and the Workforce with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

APRIL 5, 2024

Committee on Ways and Means discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on December 7, 2023]

A BILL

To amend and reauthorize the Workforce Innovation and
Opportunity 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 “A*
 5 *Stronger Workforce for America Act”.*

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

Sec. 1. Short title; table of contents.

Sec. 2. Effective date; transition authority.

TITLE I—WORKFORCE DEVELOPMENT ACTIVITIES

Subtitle A—General Provisions

Sec. 101. Definitions.

Sec. 102. Table of contents amendments.

Subtitle B—System Alignment

CHAPTER 1—STATE PROVISIONS

Sec. 111. State workforce development board.

Sec. 112. Unified State plan.

CHAPTER 2—LOCAL PROVISIONS

Sec. 115. Workforce development areas.

Sec. 116. Local workforce development boards.

Sec. 117. Local plan.

CHAPTER 3—PERFORMANCE ACCOUNTABILITY

Sec. 119. Performance accountability system.

Subtitle C—Workforce Investment Activities and Providers

CHAPTER 1—WORKFORCE INVESTMENT ACTIVITIES AND PROVIDERS

Sec. 121. Establishment of one-stop delivery systems.

Sec. 122. Identification of eligible providers and programs of training services.

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES

Sec. 131. Reservations for statewide activities.

Sec. 132. 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—AUTHORIZATION OF APPROPRIATIONS

Sec. 145. 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. Support.

Sec. 158. Operations.

Sec. 159. Standards of conduct.

Sec. 160. Community participation.

Sec. 161. Workforce councils.

Sec. 162. Advisory committees.

Sec. 163. Experimental projects and technical assistance.

Sec. 164. Special provisions.

Sec. 165. Management information.

Sec. 166. Job Corps oversight and reporting.

Sec. 167. Authorization of appropriations.

Subtitle E—National Programs

Sec. 171. Native American programs.

Sec. 172. Migrant and seasonal farmworker programs.

Sec. 173. Technical assistance.

Sec. 174. Evaluations and research.

Sec. 175. National dislocated worker grants.

Sec. 176. YouthBuild Program.

Sec. 178. Reentry employment opportunities.

Sec. 179. Strengthening community colleges grant program.

Sec. 180. Authorization of appropriations.

Subtitle F—Administration

Sec. 191. Requirements and restrictions.

Sec. 192. General waivers of statutory or regulatory requirements.

Sec. 193. State innovation demonstration authority.

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. Programs for corrections education and other institutionalized individuals.

Sec. 209. Grants and contracts for eligible providers.

Sec. 210. Local application.

Sec. 211. Local administrative cost limits.

Sec. 212. National leadership activities.

Sec. 213. Integrated English literacy and civics education.

TITLE III—AMENDMENTS TO OTHER LAWS

Sec. 301. Amendments to the Wagner-Peyser Act.

Sec. 302. Job training grants.

Sec. 303. Access to National Directory of New Hires.

1 **SEC. 2. EFFECTIVE DATE; TRANSITION AUTHORITY.**

2 (a) *EFFECTIVE DATE.*—*This Act, and the amendments*
3 *made by this Act, shall take effect on the first date of the*
4 *first program year (as determined under the Workforce In-*
5 *novation and Opportunity Act (29 U.S.C. 3101 et seq.))*
6 *that begins after the date of enactment of this Act.*

7 (b) *TRANSITION AUTHORITY.*—

8 (1) *IN GENERAL.*—*The Secretary of Labor and*
9 *the Secretary of Education shall have the authority to*
10 *take such steps as are necessary before the effective*
11 *date of this Act to provide for the orderly implemen-*
12 *tation on such date of the amendments to the Work-*
13 *force Innovation and Opportunity Act (29 U.S.C.*
14 *3101 et seq.) made by this Act.*

15 (2) *CONFORMING AMENDMENTS.*—*Section 503 of*
16 *the Workforce Innovation and Opportunity Act (29*
17 *U.S.C. 3343) is repealed (and by striking the item re-*
18 *lating to such section in the table of contents of such*
19 *Act).*

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

4 **SEC. 101. DEFINITIONS.**

5 (a) *FOUNDATIONAL SKILL NEEDS.*—Section 3(5) of
6 *the Workforce Innovation and Opportunity Act (29 U.S.C.*
7 *3102(5)) is amended to read as follows:*

8 “(5) *FOUNDATIONAL SKILL NEEDS.*—The term
9 *‘foundational skill needs’* means, with respect to an
10 *individual who is a youth or adult, that the indi-*
11 *vidual—*

12 “(A) *has English reading, writing, or com-*
13 *puting skills at or below the 8th-grade level on*
14 *a generally accepted standardized test; or*

15 “(B) *is unable to compute or solve problems,*
16 *or read, write, or speak English, or does not pos-*
17 *sess digital literacy skills, at a level necessary to*
18 *function on the job, in the individual’s family,*
19 *or in society.”.*

20 (b) *EMPLOYER-DIRECTED SKILLS DEVELOPMENT.*—
21 *Section 3(14) of the Workforce Innovation and Opportunity*
22 *Act (29 U.S.C. 3102(14)) is amended to read as follows:*

23 “(14) *EMPLOYER-DIRECTED SKILLS DEVELOP-*
24 *MENT.*—The term *‘employer-directed skills develop-*
25 *ment’* means a program—

1 “(A) that is selected or designed to meet the
2 specific skill demands of an employer (including
3 a group of employers);

4 “(B) that is conducted pursuant to the
5 terms and conditions established under an em-
6 ployer-directed skills agreement described in sec-
7 tion 134(c)(3)(I), including a commitment by
8 the employer to employ an individual upon suc-
9 cessful completion of the program; and

10 “(C) for which the employer pays a portion
11 of the cost of the program, as determined by the
12 local board involved, which shall not be less
13 than—

14 “(i) 10 percent of the cost, in the case
15 of an employer with 50 or fewer employees;

16 “(ii) 25 percent of the cost, in the case
17 of an employer with more than 50, but
18 fewer than 100 employees; and

19 “(iii) 50 percent of the cost, in the case
20 of an employer with 100 or more employ-
21 ees.”.

22 (c) *DISLOCATED WORKER*.—Section 3(15)(E)(ii) of
23 the Workforce Innovation and Opportunity Act (29 U.S.C.
24 3102(15)(E)(ii)) is amended by striking “who meets the cri-
25 teria described in paragraph (16)(B)” and inserting “who

1 *meets the criteria described in subparagraph (B) of the defi-*
2 *inition of the term ‘displaced homemaker’ in this section”.*

3 (d) *DISPLACED HOMEMAKER.*—Section 3(16) of the
4 *Workforce Innovation and Opportunity Act (29 U.S.C.*
5 *3102(16)) is amended, in the matter preceding subpara-*
6 *graph (A), by striking “family members” and inserting “a*
7 *family member”.*

8 (e) *ELIGIBLE YOUTH.*—Section 3(18) of the *Workforce*
9 *Innovation and Opportunity Act (29 U.S.C. 3102(18)) is*
10 *amended by striking “out-of-school” and inserting “oppor-*
11 *tunity”.*

12 (f) *ENGLISH LEARNER.*—Section 3 of the *Workforce*
13 *Innovation and Opportunity Act (29 U.S.C. 3102) is fur-*
14 *ther amended—*

15 (1) *in paragraph (21)—*

16 (A) *in the heading, by striking “LAN-*
17 *GUAGE”;* and

18 (B) *by striking “language”;* and

19 (2) *in paragraph (24)(I), by striking “lan-*
20 *guage”.*

21 (g) *JUSTICE-INVOLVED INDIVIDUAL.*—Section 3 of the
22 *Workforce Innovation and Opportunity Act (29 U.S.C.*
23 *3102) is further amended—*

24 (1) *in paragraph (24), by amending subpara-*
25 *graph (F) to read as follows:*

1 “(F) *Justice-involved individuals.*”; and

2 (2) *in paragraph (38)—*

3 (A) *in the heading, by striking “OF-*
4 *FENDER” and inserting “JUSTICE-INVOLVED IN-*
5 *DIVIDUAL”;* and

6 (B) *in the matter preceding subparagraph*
7 *(A), by striking “offender” and inserting “jus-*
8 *tice-involved individual”.*

9 (h) *OPPORTUNITY YOUTH.—Section 3(46) of the Work-*
10 *force Innovation and Opportunity Act (29 U.S.C. 3102(46))*
11 *is amended—*

12 (1) *in the heading, by striking “OUT-OF-*
13 *SCHOOL” and inserting “OPPORTUNITY”;* and

14 (2) *by striking “out-of-school” and inserting “op-*
15 *portunity”.*

16 (i) *PAY-FOR-PERFORMANCE CONTRACT STRATEGY.—*
17 *Section 3(47) of the Workforce Innovation and Opportunity*
18 *Act (29 U.S.C. 3102(47)) is amended to read as follows:*

19 “(47) *PAY-FOR-PERFORMANCE CONTRACT STRAT-*
20 *EGY.—The term ‘pay-for-performance contract strat-*
21 *egy’ means a specific type of performance-based ac-*
22 *quisition that uses pay-for-performance contracts in*
23 *the provision of services described in paragraph (2) or*
24 *(3) of section 134(c) or activities described in section*
25 *129(c)(2), and includes—*

1 “(A) contracts, each of which—

2 “(i) shall specify a fixed amount that
3 will be paid to an eligible service provider
4 (which may include a local or national
5 community-based organization or inter-
6 mediary, community college, or other pro-
7 vider) based on the achievement of specified
8 levels of performance on the primary indi-
9 cators of performance described in section
10 116(b)(2)(A) for target populations as iden-
11 tified by the local board (including individ-
12 uals with barriers to employment), within a
13 defined timetable;

14 “(ii) may not be required by the Sec-
15 retary to be informed by a feasibility study;
16 and

17 “(iii) may provide for bonus payments
18 to such service provider to expand capacity
19 to provide effective training;

20 “(B) a strategy for validating the achieve-
21 ment of the performance described in subpara-
22 graph (A); and

23 “(C) a description of how the State or local
24 area will reallocate funds not paid to a provider
25 because the achievement of the performance de-

1 scribed in subparagraph (A) did not occur, for
2 further activities related to such a procurement
3 strategy, subject to section 189(g)(4).”.

4 (j) *RAPID RESPONSE ACTIVITY*.—Section 3(51) of the
5 *Workforce Innovation and Opportunity Act* (29 U.S.C.
6 3102(51)) is amended—

7 (1) in the matter preceding subparagraph (A),
8 by inserting “, through a rapid response unit” after
9 “designated by a State”;

10 (2) in subparagraph (B), by inserting before the
11 semicolon at the end the following: “, including indi-
12 vidual training accounts for eligible dislocated work-
13 ers under section 414(c) of the American Competitive-
14 ness and Workforce Improvement Act of 1998 (29
15 U.S.C. 3224a)”;

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

18 (4) by redesignating subparagraph (E) as sub-
19 paragraph (F);

20 (5) by inserting after subparagraph (D) the fol-
21 lowing new subparagraph:

22 “(E) assistance in identifying employees eli-
23 gible for assistance, including workers who work
24 a majority of their time off-site or remotely;”;

1 (6) in subparagraph (F), as so redesignated, by
2 striking the period at the end and inserting “; and”;
3 and

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

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

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

12 “(ii) conducting employee skill assess-
13 ment and matching programs to different
14 occupations;

15 “(iii) establishing incumbent worker
16 training or other upskilling approaches, in-
17 cluding incumbent worker upskilling ac-
18 counts described in section 134(d)(4)(E);

19 “(iv) facilitating business support ac-
20 tivities, such as connecting employers to
21 programs that offer access to credit, finan-
22 cial support, and business consulting; and

23 “(v) partnering or contracting with
24 business-focused organizations to assess
25 risks to companies, and to propose, imple-

1 *ment, and measure the impact of strategies*
2 *and services to address such risks.”.*

3 *(k) VOCATIONAL REHABILITATION PROGRAM.—Section*
4 *3(64) of the Workforce Innovation and Opportunity Act (20*
5 *U.S.C. 3102(64)) is amended by striking “under a provi-*
6 *sion covered under paragraph (13)(D)” and inserting*
7 *“under a provision covered under subparagraph (D) of the*
8 *definition of the term ‘core program provision’ under this*
9 *section”.*

10 *(l) NEW DEFINITIONS.—Section 3 of the Workforce In-*
11 *novation and Opportunity Act (29 U.S.C. 3102) is further*
12 *amended—*

13 *(1) by adding at the end the following:*

14 *“(72) CO-ENROLLMENT.—The term ‘co-enroll-*
15 *ment’ means simultaneous enrollment in more than*
16 *one of the programs or activities carried out by a one-*
17 *stop partner in section 121(b)(1)(B).*

18 *“(73) DIGITAL LITERACY SKILLS.—The term*
19 *‘digital literacy skills’ has the meaning given the term*
20 *in section 203.*

21 *“(74) EVIDENCE-BASED.—The term ‘evidence-*
22 *based’, when used with respect to an activity, service,*
23 *strategy, or intervention, means an activity, service,*
24 *strategy, or intervention that—*

1 “(A) demonstrates a statistically significant
2 effect on improving participant outcomes or
3 other relevant outcomes based on—

4 “(i) strong evidence from at least 1
5 well-designed and well-implemented experi-
6 mental study;

7 “(ii) moderate evidence from at least 1
8 well-designed and well-implemented quasi-
9 experimental study; or

10 “(iii) promising evidence from at least
11 1 well-designed and well-implemented cor-
12 relational study with statistical controls for
13 selection bias; or

14 “(B)(i) demonstrates a rationale based on
15 high-quality research findings or positive evalua-
16 tion that such activity, strategy, or intervention
17 is likely to improve student outcomes or other
18 relevant outcomes; and

19 “(ii) includes ongoing efforts to examine the
20 effects of such activity, service, strategy, or inter-
21 vention.

22 “(75) LABOR ORGANIZATION.—The term ‘labor
23 organization’ has the meaning given the term in sec-
24 tion 2(5) of the National Labor Relations Act (29
25 U.S.C. 152(5)).

1 “(76) *WORK-BASED LEARNING*.—The term ‘work-
 2 based learning’ has the meaning given the term in
 3 section 3 of the Carl D. Perkins Career and Technical
 4 Education Act of 2006 (20 U.S.C. 2302).”; and

5 (2) by reordering paragraphs (1) through (71),
 6 as amended by this section, and the paragraphs
 7 added by paragraph (1) of this subsection in alpha-
 8 betical order, and renumbering such paragraphs as so
 9 reordered.

10 **SEC. 102. TABLE OF CONTENTS AMENDMENTS.**

11 *The table of contents in section 1(b) of the Workforce
 12 Innovation and Opportunity Act is amended—*

13 (1) by redesignating the item relating to section
 14 172 as section 174;

15 (2) by inserting after the item relating to section
 16 171, the following:

“Sec. 172. *Reentry employment opportunities.*

“Sec. 173. *Strengthening community colleges workforce development grants pro-
 gram.*”; and

17 (3) by striking the item relating to section 190
 18 and inserting the following:

“Sec. 190. *State innovation demonstration authority.*”.

19 ***Subtitle B—System Alignment***

20 ***CHAPTER 1—STATE PROVISIONS***

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

22 *Section 101(b)(1)(C)(i)(IV) of the Workforce Innova-
 23 tion and Opportunity Act (29 U.S.C.*

1 3112(b)(1)(C)(ii)(IV)) is amended by striking “out-of-school
2 youth” and inserting “opportunity youth”.

3 **SEC. 112. UNIFIED STATE PLAN.**

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

6 (1) in subsection (b)—

7 (A) in paragraph (1)—

8 (i) by redesignating subparagraphs (C)
9 through (E) as subparagraphs (D) through
10 (F), respectively;

11 (ii) by inserting the following after
12 subparagraph (B):

13 “(C) a description of—

14 “(i) how the State will use real-time
15 labor market information to continually as-
16 sess the economic conditions and workforce
17 trends described in subparagraphs (A) and
18 (B); and

19 “(ii) how the State will communicate
20 changes in such conditions or trends to the
21 workforce system in the State;”;

22 (iii) in subparagraph (D), as so reded-
23 igned, by inserting “the extent to which
24 such activities are evidence-based,” after “of
25 such activities,”;

1 (iv) in subparagraph (E), as so redesi-
2 gnated, by striking “and” at the end;

3 (v) in subparagraph (F), as so redesi-
4 gnated, by striking the period at the end and
5 inserting a semicolon; and

6 (vi) by adding at the end the following:

7 “(G) a description of any activities the
8 State is conducting to expand economic oppor-
9 tunity for individuals and reduce barriers to
10 labor market entry by—

11 “(i) developing, in cooperation with
12 employers, education and training pro-
13 viders, and other stakeholders, statewide
14 skills-based initiatives that promote the use
15 of demonstrated skills and competencies as
16 an alternative to the exclusive use of degree
17 attainment as a requirement for employ-
18 ment or advancement in a career; and

19 “(ii) evaluating the existing occupa-
20 tional licensing policies in the State and
21 identifying potential changes to recommend
22 to the appropriate State entity to—

23 “(I) remove or streamline licens-
24 ing requirements, as appropriate; and

1 “(II) improve the reciprocity of li-
2 censing, including through partici-
3 pating in interstate licensing com-
4 pacts; and

5 “(H) an analysis of the opportunity youth
6 population in the State, including the estimated
7 number of opportunity youth and any gaps in
8 services provided to such population by other ex-
9 isting workforce development activities, as iden-
10 tified under subparagraph (D).”; and

11 (B) in paragraph (2)—

12 (i) in subparagraph (B), by striking
13 “including a description” and inserting
14 “which may include a description”;

15 (ii) in subparagraph (C)—

16 (I) in clause (ii)(I), by inserting
17 “utilizing a continuous quality im-
18 provement approach,” after “year,”

19 (II) in clause (vi), by inserting
20 “and” at the end;

21 (III) in clause (vii), by striking “;
22 and” and inserting a period; and

23 (IV) by striking clause (viii);

24 (iii) in subparagraph (D)(i)(II), by
25 striking “any”; and

- 1 (iv) in subparagraph (E)—
- 2 (I) in clause (viii)(II), by insert-
- 3 ing “and” at the end;
- 4 (II) in clause (ix), by striking “;
- 5 and” at the end and inserting a pe-
- 6 riod; and
- 7 (III) by striking clause (x); and
- 8 (2) in subsection (c)(3)—
- 9 (A) in subparagraph (A), by striking
- 10 “shall” the second place it appears and inserting
- 11 “may”; and
- 12 (B) in subparagraph (B)—
- 13 (i) by striking “required”; and
- 14 (ii) by inserting “, except that commu-
- 15 nicating changes in economic conditions
- 16 and workforce trends to the workforce sys-
- 17 tem in the State as described in subsection
- 18 (b)(1)(C) shall not be considered modifica-
- 19 tions subject to approval under this para-
- 20 graph” before the period at the end.

21 **CHAPTER 2—LOCAL PROVISIONS**

22 **SEC. 115. WORKFORCE DEVELOPMENT AREAS.**

23 (a) *REGIONS.*—Section 106(a) of the Workforce Inno-

24 vation and Opportunity Act (29 U.S.C. 3121(a)) is amend-

25 ed by adding at the end the following:

1 “(3) *REVIEW.*—*Before the second full program*
2 *year after the date of enactment of the A Stronger*
3 *Workforce for America Act, in order for a State to re-*
4 *ceive an allotment under section 127(b) or 132(b) and*
5 *as part of the process for developing the State plan,*
6 *a State shall—*

7 “(A) *review each region in the State identi-*
8 *fied under this subsection (as such subsection*
9 *was in effect on the day before the date of enact-*
10 *ment of the A Stronger Workforce for America*
11 *Act); and*

12 “(B) *after consultation with the local boards*
13 *and chief elected officials in the local areas and*
14 *consistent with the considerations described in*
15 *subsection (b)(1)(B)—*

16 “(i) *revise such region and any other*
17 *region impacted by such revision; or*

18 “(ii) *make a determination to main-*
19 *tain such region with no revision.”.*

20 (b) *LOCAL AREAS.*—*Section 106(b) of the Workforce*
21 *Innovation and Opportunity Act (29 U.S.C. 3121(b)) is*
22 *amended—*

23 (1) *in paragraph (1)—*

24 (A) *in subparagraph (A), by striking “and*
25 *consistent with paragraphs (2) and (3),”; and*

1 (B) in subparagraph (B), by striking “(ex-
2 cept for those local areas described in paragraphs
3 (2) and (3))”; and

4 (2) by striking paragraphs (2) through (7), and
5 inserting the following:

6 “(2) *CONTINUATION PERIOD.*—Subject to para-
7 graph (5), in order to receive an allotment under sec-
8 tion 127(b) or 132(b), the Governor shall maintain
9 the designations of local areas in the State under this
10 subsection (as in effect on the day before the date of
11 enactment of the *A Stronger Workforce for America*
12 *Act*) until the end of the third full program year after
13 the date of enactment of the *A Stronger Workforce for*
14 *America Act*.

15 “(3) *INITIAL ALIGNMENT REVIEW.*—

16 “(A) *IN GENERAL.*—Prior to the third full
17 program year after the date of enactment of the
18 *A Stronger Workforce for America Act*, the Gov-
19 ernor shall—

20 “(i) review the designations of local
21 areas in the State (as in effect on the day
22 before the date of enactment of the *A*
23 *Stronger Workforce for America Act*); and

24 “(ii) based on the considerations de-
25 scribed in paragraph (1)(B), issue proposed

1 *redesignations of local areas in the State*
2 *through the process described in paragraph*
3 *(1)(A), which shall—*

4 *“(I) include an explanation of the*
5 *strategic goals and objectives that the*
6 *State intends to achieve through such*
7 *redesignations; and*

8 *“(II) be subject to the approval of*
9 *the local boards in the State in accord-*
10 *ance with the process described in sub-*
11 *paragraph (C).*

12 *“(B) DESIGNATION OF LOCAL AREAS.—A*
13 *redesignation of local areas in a State that is*
14 *approved by a majority of the local boards in the*
15 *State through the process described in subpara-*
16 *graph (C) shall take effect on the first day of the*
17 *4th full program year after the date of enactment*
18 *of the A Stronger Workforce for America Act.*

19 *“(C) PROCESS TO REACH MAJORITY AP-*
20 *PROVAL.—To approve a designation of local*
21 *areas in the State, the local boards in the State*
22 *shall comply with the following:*

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

1 *chairperson of each local board shall review*
2 *the proposed redesignations and submit a*
3 *vote on behalf of such local board to the*
4 *Governor either approving or rejecting the*
5 *proposed redesignations.*

6 “(ii) *RESULTS OF INITIAL VOTE.—If a*
7 *majority of the local boards in the State*
8 *vote under clause (i)—*

9 “(I) *to approve such proposed re-*
10 *designations, such redesignations shall*
11 *take effect in accordance with subpara-*
12 *graph (B); or*

13 “(II) *to disapprove such proposed*
14 *redesignations, the chairpersons of the*
15 *local boards in the State shall comply*
16 *with the requirements of clause (iii).*

17 “(iii) *ALTERNATE REDESIGNATIONS.—*
18 *In the case of the disapproval described in*
19 *clause (ii)(II), not later than 60 days after*
20 *initial votes were submitted under clause*
21 *(i), the chairpersons of the local boards in*
22 *the State shall—*

23 “(I) *select 2 alternate redesigna-*
24 *tions of local areas—*

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

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

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

12 “(iv) *EFFECTIVE DATE OF ALTERNATE*
13 *DESIGNATIONS.—The alternate redesigna-*
14 *tions approved pursuant to clause (iii)(II)*
15 *shall take effect in accordance with sub-*
16 *paragraph (B).*

17 “(4) *SUBSEQUENT ALIGNMENT REVIEWS.—On*
18 *the date that is the first day of the 12th full program*
19 *year after the date of enactment of the A Stronger*
20 *Workforce for America Act, and every 8 years there-*
21 *after, the Governor shall review the designation of*
22 *local areas based on the considerations described in*
23 *paragraph (1)(B) and conduct a process in accord-*
24 *ance with paragraph (3).*

25 “(5) *INTERIM REVISIONS.—*

1 “(A) *AUTOMATIC APPROVAL OF CERTAIN*
2 *REDESIGNATION REQUESTS.*—

3 “(i) *IN GENERAL.*—*At any time, and*
4 *notwithstanding the requirements of para-*
5 *graphs (2), (3), and (4), the Governor, upon*
6 *receipt of a request for a redesignation of a*
7 *local area described in clause (ii), shall ap-*
8 *prove such request.*

9 “(ii) *REQUESTS.*—*The following re-*
10 *quests shall be approved pursuant to clause*
11 *(i) upon request:*

12 “(I) *A request from multiple local*
13 *areas to be redesignated as a single*
14 *local area.*

15 “(II) *A request from multiple*
16 *local areas for a revision to the des-*
17 *ignations of such local areas, which*
18 *would not impact the designations of*
19 *local areas that have not made such re-*
20 *quest.*

21 “(III) *A request for designation as*
22 *a local area from an area described in*
23 *section 107(c)(1)(C).*

24 “(B) *OTHER REDESIGNATIONS.*—*Other than*
25 *the redesignations described in subparagraph*

1 (A), the Governor may only redesignate a local
2 area outside of the process described in para-
3 graphs (3) and (4), if the local area that will be
4 subject to such redesignation has not—

5 “(i) performed successfully;

6 “(ii) sustained fiscal integrity; or

7 “(iii) in the case of a local area in a
8 planning region, met the requirements de-
9 scribed in subsection (c)(1).

10 “(C) *EFFECTIVE DATE.*—Any redesignation
11 of a local area approved by the Governor under
12 subparagraph (A) or (B) shall take effect on the
13 first date of the first full program year after such
14 date of approval.

15 “(6) *APPEALS.*—

16 “(A) *IN GENERAL.*—A local area that is
17 subject to a redesignation of such local area
18 under paragraph (3), (4), or (5) may submit an
19 appeal to maintain its existing designation to
20 the State board under an appeal process estab-
21 lished in the State plan as specified in section
22 102(b)(2)(D)(i)(III).

23 “(B) *STATE BOARD REQUIREMENTS.*—The
24 State board shall only grant an appeal to main-
25 tain an existing designation of a local area de-

1 *scribed in subparagraph (A) if the local area can*
2 *demonstrate that the process for redesignation of*
3 *such local area under paragraph (3), (4), or (5),*
4 *as applicable, has not been followed.*

5 “(C) *SECRETARIAL REQUIREMENTS.—If a*
6 *request to maintain an existing designation as a*
7 *local area is not granted as a result of such ap-*
8 *peal, the Secretary, after receiving a request for*
9 *review from such local area and determining*
10 *that the local area was not accorded procedural*
11 *rights under the appeals process referred to in*
12 *subparagraph (A), shall—*

13 “(i) *review the process for the redesign-*
14 *ation of the local area under paragraph*
15 *(3), (4), or (5), as applicable; and*

16 “(ii) *upon determining that the appli-*
17 *cable process has not been followed, require*
18 *that the local area’s existing designation be*
19 *maintained.*

20 “(7) *REDESIGNATION INCENTIVE.—The State*
21 *may provide funding from funds made available*
22 *under sections 128(a)(1) and 133(a)(1) to provide*
23 *payments to incentivize—*

1 “(A) groups of local areas to request to be
2 redesignated as a single local area under para-
3 graph (5)(A); or

4 “(B) multiple local boards in a planning
5 region to develop an agreement to operate as a
6 regional consortium under subsection (c)(3).”.

7 (c) *REGIONAL COORDINATION*.—Section 106(c) of the
8 *Workforce Innovation and Opportunity Act* (29 U.S.C.
9 3121(c)) is amended—

10 (1) in paragraph (1)—

11 (A) by redesignating subparagraphs (F)
12 through (H) as subparagraphs (G) through (I),
13 respectively; and

14 (B) by inserting the following after sub-
15 paragraph (E):

16 “(F) the establishment of cost arrangements
17 for services described in subsections (c) and (d)
18 of section 134, including the pooling of funds for
19 such services, as appropriate, for the region;”;

20 (2) in paragraph (2), by inserting “, including
21 to assist with establishing administrative costs ar-
22 rangements or cost arrangements for services under
23 subparagraphs (F) and (G) of such paragraph” after
24 “delivery efforts”;

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

3 (4) by inserting after paragraph (2), as so
4 amended, the following:

5 “(3) REGIONAL CONSORTIUMS.—

6 “(A) IN GENERAL.—The local boards and
7 chief elected officials in any planning region de-
8 scribed in subparagraph (B) or (C) of subsection
9 (a)(2) may develop an agreement to receive fund-
10 ing under section 128(b) and section 133(b) as
11 a single consortium for the planning region.

12 “(B) FISCAL AGENT.—If the local boards
13 and chief elected officials develop such an agree-
14 ment—

15 “(i) one of the chief elected officials in
16 the planning region shall be designated as
17 the fiscal agent for the consortium;

18 “(ii) the local boards shall develop a
19 memorandum of understanding to jointly
20 administer the activities for the consortium;
21 and

22 “(iii) the required activities for local
23 areas under this Act, (including the re-
24 quired functions of the local boards de-
25 scribed in section 107(d)) shall apply to

1 *such a consortium as a whole and may not*
2 *be applied separately or differently to the*
3 *local areas or local boards within such con-*
4 *sortium.”.*

5 *(d) SINGLE STATE LOCAL AREAS.—Section 106(d) of*
6 *the Workforce Innovation and Opportunity Act (29 U.S.C.*
7 *3121(d)) is amended—*

8 (1) *by redesignating paragraph (2) as para-*
9 *graph (3); and*

10 (2) *by inserting after paragraph (1), the fol-*
11 *lowing:*

12 “(2) *NEW DESIGNATION.—*

13 “(A) *IN GENERAL.—Consistent with the*
14 *process described in subsection (b)(1)(A) and*
15 *during a review of designations described in*
16 *paragraph (3) or (4) of subsection (b), the Gov-*
17 *ernor may propose to designate a State as a sin-*
18 *gle State local area for the purposes of this title.*

19 “(B) *PROCESS FOR APPROVAL.—If the Gov-*
20 *ernor proposes a single State local area, the*
21 *chairpersons of the existing local boards shall*
22 *vote to approve or reject such designation*
23 *through the process described in subsection*
24 *(b)(3)(C).*

1 “(C) *DESIGNATION AS A SINGLE STATE*
2 *LOCAL AREA.*—*If the majority of the chair-*
3 *persons of the local boards in the State vote to*
4 *approve such proposed designation, the State*
5 *shall be designated as a single State local area*
6 *and the Governor shall identify the State as a*
7 *local area in the State plan.*”.

8 (e) *DEFINITION OF “PERFORMED SUCCESSFULLY”.*—
9 *Section 106(e)(1) of the Workforce Innovation and Oppor-*
10 *tunity Act (29 U.S.C. 3121(e)) is amended by striking “ad-*
11 *justed levels of performance” and inserting “adjusted levels*
12 *of performance described in section 116(g)(1)”.*

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

14 (a) *MEMBERSHIP.*—*Section 107(b)(2)(B)(iv) of the*
15 *Workforce Innovation and Opportunity Act (29 U.S.C.*
16 *3122(b)(2)(B)(iv)) is amended by striking “out-of-school*
17 *youth” and inserting “opportunity youth”.*

18 (b) *FUNCTIONS OF LOCAL BOARD.*—*Section 107(d) of*
19 *the Workforce Innovation and Opportunity Act (29 U.S.C.*
20 *3122(d)) is amended—*

21 (1) *in paragraph (3), by inserting “, including,*
22 *to the extent practicable, local representatives of the*
23 *core programs and the programs described in section*
24 *102(a)(2),” after “system stakeholders”;*

25 (2) *in paragraph (4)(D)—*

1 (A) by striking “proven” and inserting
2 “evidence-based”;

3 (B) by inserting “individual” after “needs
4 of”; and

5 (C) by inserting “from a variety of indus-
6 tries and occupations” after “and employers”;

7 (3) in paragraph (5), by inserting “and which,
8 to the extent practicable, shall be aligned with career
9 and technical education programs of study (as defined
10 in section 3 of the Carl D. Perkins Career and Tech-
11 nical Education Act of 2006 (20 U.S.C. 2302(3)) of-
12 fered within the local area” before the period at the
13 end;

14 (4) in paragraph (6)—

15 (A) in the heading, by striking “PROVEN”
16 and inserting “EVIDENCE-BASED”;

17 (B) in subparagraph (A)—

18 (i) by striking “proven” and inserting
19 “evidence-based”;

20 (ii) by inserting “and covered veterans
21 (as defined in section 4212(a)(3)(A) of title
22 38, United States Code)” after “employ-
23 ment”;

24 (iii) by inserting “, and prioritize cov-
25 ered veterans as described in section

1 4212(a)(2) of title 38, United States Code”
2 after “delivery system”; and
3 (C) in subparagraph (B), by striking “prov-
4 en” and inserting “evidence-based”;
5 (5) in paragraph (10)(C)—
6 (A) by inserting “, on the State eligible
7 training provider list,” after “identify”; and
8 (B) by inserting “that operate in or are ac-
9 cessible to individuals” after “training services”;
10 and
11 (6) in paragraph (12)(A), by striking “activi-
12 ties” and inserting “funds allocated to the local area
13 under section 128(b) and section 133(b) for the youth
14 workforce development activities described in section
15 129 and local employment and training activities de-
16 scribed in section 134(b), and the activities”.

17 **SEC. 117. LOCAL PLAN.**

18 Section 108 of the Workforce Innovation and Oppor-
19 tunity Act (29 U.S.C. 3123) is amended—
20 (1) in subsection (a), by striking “shall prepare”
21 and inserting “may prepare”; and
22 (2) in subsection (b)—
23 (A) in paragraph (1)—

1 (i) by redesignating subparagraphs
2 (D), (E), and (F) as subparagraphs (E),
3 (F), and (H), respectively;

4 (ii) by inserting the following after
5 subparagraph (C):

6 “(D) a description of—

7 “(i) how the local area will use real-
8 time labor market information to contin-
9 ually assess the economic conditions and
10 workforce trends described in subparagraphs
11 (A), (B), and (C); and

12 “(ii) how changes in such conditions or
13 trends will be communicated to jobseekers,
14 education and training providers, and em-
15 ployers in the local area;”;

16 (iii) in subparagraph (F), as so reded-
17 ignated, by striking “and” at the end; and

18 (iv) by inserting after subparagraph
19 (F), as so redesignated, the following:

20 “(G) an analysis of the opportunity youth
21 population in the local area, including the esti-
22 mated number of such youth and any gaps in
23 services for such population from other existing
24 workforce development activities, as identified
25 under paragraph (9); and”;

1 (B) in paragraph (4)—

2 (i) in subparagraph (A)—

3 (I) by striking “and” at the end
4 of clause (iii); and

5 (II) by adding at the end the fol-
6 lowing:

7 “(v) carry out any statewide skills-
8 based initiatives identified in the State
9 plan that promote the use of demonstrated
10 skills and competencies as an alternative to
11 the exclusive use of degree attainment as a
12 requirement for employment or advance-
13 ment in a career; and”;

14 (ii) in subparagraph (B), by striking
15 “customized training” and inserting “em-
16 ployer-directed skills development”;

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

19 (D) in paragraph (9)—

20 (i) by striking “including activities”
21 and inserting the following: “including—

22 “(A) the availability of community based
23 organizations that serve youth primarily during
24 nonschool time hours to carry out activities
25 under section 129; and

1 “(B) activities”; and
 2 (ii) by inserting “or evidence-based”
 3 after “successful”; and
 4 (E) in paragraph (12), by inserting “in-
 5 cluding as described in section 134(c)(2),” after
 6 “system,”.

7 **CHAPTER 3—PERFORMANCE**
 8 **ACCOUNTABILITY**

9 **SEC. 119. PERFORMANCE ACCOUNTABILITY SYSTEM.**

10 (a) *STATE PERFORMANCE ACCOUNTABILITY MEAS-*
 11 *URES.—*

12 (1) *PRIMARY INDICATORS OF PERFORMANCE.—*
 13 *Section 116(b)(2)(A) of the Workforce Innovation and*
 14 *Opportunity Act (29 U.S.C. 3141(b)(2)(A)) is amend-*
 15 *ed—*

16 (A) *in clause (i)—*

17 (i) *in subclause (II)—*

18 (I) *by striking “fourth” and in-*
 19 *serting “second”; and*

20 (II) *by inserting “and remain in*
 21 *unsubsidized employment during the*
 22 *fourth quarter after exit from the pro-*
 23 *gram” after “the program”;*

24 (ii) *in subclause (V)—*

1 (I) by striking “, during a pro-
2 gram year,”;

3 (II) by striking “are in” and in-
4 serting “enter into”; and

5 (III) by inserting before the semi-
6 colon at the end the following: “within
7 6 months after the quarter in which
8 the participant enters into the edu-
9 cation and training program”; and

10 (iii) by amending subclause (VI) to
11 read as follows:

12 “(VI) of the program participants
13 who received training services and who
14 exited the program during a program
15 year, the percentage of such program
16 participants who completed, prior to
17 such exit, on-the-job training, em-
18 ployer-directed skills development, in-
19 cumbent worker training, or an ap-
20 prenticeship.”;

21 (B) in clause (ii)—

22 (i) in subclause (II), by striking “and”
23 at the end;

1 (ii) in subclause (III), by striking the
2 period at the end and inserting “; and”;
3 and

4 (iii) 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 paid or unpaid
9 work experiences as described in sec-
10 tion 129(c)(2)(C).”; and

11 (C) by striking clause (iv).

12 (2) *LEVELS OF PERFORMANCE.*—Section
13 116(b)(3)(A) of the Workforce Innovation and Oppor-
14 tunity Act (29 U.S.C. 3141(b)(3)(A)) is amended—

15 (A) by amending clause (iii) to read as fol-
16 lows:

17 “(iii) *IDENTIFICATION IN STATE*
18 *PLAN.*—

19 “(I) *SECRETARIES.*—For each
20 State submitting a State plan, the Sec-
21 retaries of Labor and Education shall,
22 not later than December 1 of the year
23 prior to the year in which such State
24 plan is submitted, for the first 2 pro-
25 gram years covered by the State plan,

1 *and not later than December 1 of the*
2 *year prior to the third program year*
3 *covered by the State plan, for the third*
4 *and fourth program years covered by*
5 *the State plan—*

6 *“(aa) propose expected levels*
7 *of performance for each of the cor-*
8 *responding primary indicators of*
9 *performance for each of the pro-*
10 *grams described in clause (ii) for*
11 *such State, which shall—*

12 *“(AA) be consistent with*
13 *the factors listed in clause*
14 *(v); and*

15 *“(BB) be proposed in a*
16 *manner that ensures suffi-*
17 *cient time is provided for the*
18 *State to evaluate and re-*
19 *spond to such proposals; and*

20 *“(bb) publish, on a public*
21 *website of the Department of*
22 *Labor, the statistical model devel-*
23 *oped under clause (viii) and the*
24 *methodology used to develop each*

1 *such proposed level of perform-*
2 *ance.*

3 “(II) *STATES.—Each State*
4 *shall—*

5 “(aa) *evaluate each of the ex-*
6 *pected levels of performance pro-*
7 *posed under subclause (I) with re-*
8 *spect to such State;*

9 “(bb) *based on such evalua-*
10 *tion of each such proposed level of*
11 *performance—*

12 “(AA) *accept the ex-*
13 *pected level of performance as*
14 *so proposed; or*

15 “(BB) *provide a coun-*
16 *terproposal for such proposed*
17 *expected level of performance,*
18 *including an analysis of how*
19 *the counterproposal addresses*
20 *factors or circumstances*
21 *unique to the State that may*
22 *not have been accounted for*
23 *in the proposed expected level*
24 *of performance; and*

1 “(cc) include in the State
2 plan, with respect to each of the
3 corresponding primary indicators
4 of performance for each of the pro-
5 grams described in clause (ii) for
6 such State—

7 “(AA) the expected level
8 of performance proposed
9 under subclause (I);

10 “(BB) the counter-
11 proposal for such proposed
12 level, if any; and

13 “(CC) the expected level
14 of performance that is agreed
15 to under clause (iv).”; and

16 (B) in clause (v)(II)—

17 (i) in the matter preceding item (aa),
18 by striking “based on” and inserting “based
19 on each of the following considerations that
20 are found to be predictive of performance on
21 an indicator for a program”; and

22 (ii) in item (bb), by striking “ex-of-
23 fender status” and inserting “justice-in-
24 volved individual status, foster care status,

1 *school status, education level, highest grade*
2 *level completed, low-income status”.*

3 **(b) PERFORMANCE REPORTS.**—*Section 116(d) of the*
4 *Workforce Innovation and Opportunity Act (29 U.S.C.*
5 *3141(d)) is amended—*

6 *(1) by amending paragraph (1) to read as fol-*
7 *lows:*

8 **“(1) IN GENERAL.**—

9 **“(A) TEMPLATE FOR PERFORMANCE RE-**
10 *PORTS.*—*Not later than 12 months after the date*
11 *of enactment of the A Stronger Workforce for*
12 *America Act, the Secretary of Labor, in conjunc-*
13 *tion with the Secretary of Education, shall de-*
14 *velop, or review and modify, as appropriate, to*
15 *comply with the requirements of this subsection,*
16 *the template for performance reports that shall*
17 *be used by States (including by States on behalf*
18 *of eligible providers of training services under*
19 *section 122) and local boards to produce a report*
20 *on outcomes achieved by the core programs. In*
21 *developing, or reviewing and modifying, such*
22 *templates, the Secretary of Labor, in conjunction*
23 *with the Secretary of Education, shall take into*
24 *account the need to maximize the value of the*
25 *templates for workers, jobseekers, employers, local*

1 *electd officials, State officials, Federal policy-*
2 *makers, and other key stakeholders.*

3 “(B) *STANDARDIZED REPORTING.*—*In de-*
4 *veloping, or reviewing and modifying, the tem-*
5 *plate under subparagraph (A), the Secretary of*
6 *Labor, in conjunction with the Secretary of Edu-*
7 *cation, shall ensure that performance reports*
8 *produced by States and local areas for core pro-*
9 *grams and eligible training providers collect and*
10 *report, in a comparable and uniform format,*
11 *common data elements, which use terms that are*
12 *assigned identical meanings across all such re-*
13 *ports.*

14 “(C) *ADDITIONAL REPORTING.*—*The Sec-*
15 *retary of Labor, in conjunction with the Sec-*
16 *retary of Education—*

17 “(i) *in addition to the common data*
18 *elements described under subparagraph (B),*
19 *may require a core program to provide ad-*
20 *ditional information as necessary for effec-*
21 *tive reporting; and*

22 “(ii) *shall periodically review any re-*
23 *quirement for additional information to en-*
24 *sure the requirement is necessary and does*
25 *not impose an undue reporting burden.”.*

1 (2) in paragraph (2)—

2 (A) by redesignating subparagraphs (J)
3 through (L) as subparagraphs (K) through (M),
4 respectively and inserting after subparagraph (I)
5 the following:

6 “(J) the median earnings gain of partici-
7 pants who received training services, calculated
8 as the difference between—

9 “(i) median participant earnings in
10 unsubsidized employment during the second
11 quarter after program exit; and

12 “(ii) median participant earnings in
13 the second quarter prior to entering the pro-
14 gram;”.

15 (B) in subparagraph (L), as so redesign-
16 ated, by striking clause (ii); and

17 (C) by striking “strategies for programs”
18 and all that follows through “the performance”,
19 and inserting “strategies for programs, the per-
20 formance”;

21 (3) in paragraph (3)—

22 (A) in subparagraph (B), by striking “and”
23 at the end;

24 (B) by redesignating subparagraph (C) as
25 subparagraph (E); and

1 (C) by inserting after subparagraph (B) the
2 following:

3 “(C) the percentage of a local area’s alloca-
4 tion under section 133(b) that the local area
5 spent on services paid for through an individual
6 training account described in section
7 134(c)(3)(F)(iii) or a training contract described
8 in section 134(c)(3)(G)(ii);

9 “(D) the percentage of a local area’s alloca-
10 tion under section 133(b) that the local area
11 spent on supportive services; and”;

12 (4) by amending paragraph (4) to read as fol-
13 lows:

14 “(4) CONTENTS OF ELIGIBLE TRAINING PRO-
15 VIDERS PERFORMANCE REPORT.—

16 “(A) IN GENERAL.—The State shall use the
17 information submitted by the eligible providers
18 of training services under section 122 and ad-
19 ministrative records, including quarterly wage
20 records, of the participants of the programs of-
21 fered by the providers to produce a performance
22 report on the eligible providers of training serv-
23 ices in the State, which shall include, subject to
24 paragraph (6)(C)—

1 “(i) with respect to each program of
2 study (or the equivalent) of such a pro-
3 vider—

4 “(I) information specifying the
5 levels of performance achieved with re-
6 spect to the primary indicators of per-
7 formance described in subclauses (I)
8 through (IV) of subsection (b)(2)(A)(i)
9 with respect to all individuals engag-
10 ing in the program of study (or the
11 equivalent); and

12 “(II) the total number of individ-
13 uals exiting from the program of study
14 (or the equivalent); and

15 “(ii) with respect to all such pro-
16 viders—

17 “(I) the total number of partici-
18 pants who received training services
19 through each adult and dislocated
20 worker program authorized under
21 chapter 3 of subtitle B, disaggregated
22 by the type of entity that provided the
23 training, during the most recent pro-
24 gram year and the 3 preceding pro-
25 gram years;

1 “(II) the total number of partici-
2 pants who exited from training serv-
3 ices, disaggregated by the type of entity
4 that provided the training, during the
5 most recent program year and the 3
6 preceding program years;

7 “(III) the average cost per partici-
8 pant for the participants who received
9 training services, disaggregated by the
10 type of entity that provided the train-
11 ing, during the most recent program
12 year and the 3 preceding program
13 years; and

14 “(IV) the number of individuals
15 with barriers to employment served by
16 each adult and dislocated worker pro-
17 gram authorized under chapter 3 of
18 subtitle B, disaggregated by each sub-
19 population of such individuals, and by
20 race, ethnicity, sex, and age.

21 “(iii) with respect to each recognized
22 postsecondary credential on the list of cre-
23 dentials awarded by eligible providers in
24 the State described in section 116(d)(2)—

1 “(I) information specifying the
2 levels of performance achieved with re-
3 spect to the primary indicators of per-
4 formance described in subclauses (I)
5 through (IV) of subsection (b)(2)(A)(i)
6 for all participants in the State receiv-
7 ing such credential; and

8 “(II) information specifying the
9 levels of performance achieved with re-
10 spect to the primary indicators of per-
11 formance described in subclauses (I)
12 through (IV) of subsection (b)(2)(A)(i)
13 for participants in the State receiving
14 such credential with respect to individ-
15 uals with barriers to employment,
16 disaggregated by each subpopulation of
17 such individuals, and by race, eth-
18 nicity, sex, and age.”; and

19 (5) in paragraph (6)—

20 (A) by amending subparagraph (A) to read
21 as follows:

22 “(A) STATE PERFORMANCE REPORTS.—The
23 Secretary of Labor and the Secretary of Edu-
24 cation shall annually make available the per-
25 formance reports for States containing the infor-

1 *mation described in paragraph (2), which shall*
2 *include making such reports available—*

3 *“(i) digitally using transparent,*
4 *linked, open, and interoperable data for-*
5 *formats that are human readable and machine*
6 *actionable such that the data from these re-*
7 *ports—*

8 *“(I) are easily understandable;*

9 *and*

10 *“(II) can be easily included in*
11 *web-based tools and services supporting*
12 *search, discovery, comparison, anal-*
13 *ysis, navigation, and guidance; and*

14 *“(ii) in a printable format.”; and*

15 *(B) in subparagraph (B)—*

16 *(i) by striking “(including by elec-*
17 *tronic means), in an easily understandable*
18 *format,”; and*

19 *(ii) by adding at the end the following:*

20 *“The Secretary of Labor and the Secretary*
21 *of Education shall include, on the website*
22 *where the State performance reports re-*
23 *quired under subparagraph (A) are made*
24 *available, a link to local area performance*
25 *reports and the eligible training provider*

1 report for each State. Such reports shall be
2 made available in each of the formats de-
3 scribed in subparagraph (A).”.

4 (c) *EVALUATION OF STATE PROGRAMS.*—Section
5 116(e) of the Workforce Innovation and Opportunity Act(29
6 U.S.C. 3141(e)) is amended—

7 (1) in paragraph (1)—

8 (A) by striking “shall conduct ongoing” and
9 inserting “shall use data to conduct analyses and
10 ongoing”; and

11 (B) by striking “conduct the” and inserting
12 “conduct such analyses and”; and

13 (2) in paragraph (2), by adding “A State may
14 use other forms of analysis, such as machine learning
15 or other advanced analytics, to improve program op-
16 erations and outcomes and to identify areas for fur-
17 ther evaluation.” at the end;

18 (d) *SANCTIONS FOR STATE FAILURE TO MEET STATE*
19 *PERFORMANCE ACCOUNTABILITY MEASURES.*—Section
20 116(f) of the Workforce Innovation and Opportunity Act
21 (29 U.S.C. 3141(f)) is amended to read as follows:

22 “(f) *SANCTIONS FOR STATE FAILURE TO MEET STATE*
23 *PERFORMANCE ACCOUNTABILITY MEASURES.*—

24 “(1) *TARGETED SUPPORT AND ASSISTANCE.*—

1 “(A) *IN GENERAL.*—*If a State fails to meet*
2 *80 percent of the State adjusted level of perform-*
3 *ance for an indicator described in subsection*
4 *(b)(2)(A) for a program for any program year,*
5 *the Secretary of Labor and the Secretary of Edu-*
6 *cation shall provide technical assistance.*

7 “(B) *SANCTIONS.*—

8 “(i) *IN GENERAL.*—*If the State fails in*
9 *the manner described in subclause (I) or*
10 *(II) of clause (ii) with respect to a program*
11 *year, the percentage of each amount that*
12 *would (in the absence of this paragraph) be*
13 *reserved by the Governor under section*
14 *128(a)(1) for the immediately succeeding*
15 *program year shall be reduced by 5 percent-*
16 *age points until such date as the Secretary*
17 *of Labor or the Secretary of Education, as*
18 *appropriate, determines that the State*
19 *meets the State adjusted level of perform-*
20 *ance, in the case of a failure described in*
21 *clause (ii)(I), or has submitted the reports*
22 *for the appropriate program years, in the*
23 *case of a failure described in clause (ii)(II).*

24 “(ii) *FAILURES.*—*A State shall be sub-*
25 *ject to clause (i)—*

1 “(I) if (except in the case of excep-
2 tional circumstances as determined by
3 the Secretary of Labor or the Secretary
4 of Education, as appropriate), such
5 State fails to submit a report under
6 subsection (d) for any program year;
7 or

8 “(II) for a failure under subpara-
9 graph (A) that continues for a second
10 consecutive year.

11 “(2) *COMPREHENSIVE SUPPORT AND ASSIST-*
12 *ANCE.—*

13 “(A) *IN GENERAL.—*If a State fails to meet
14 an average of 90 percent of the State adjusted
15 levels of performance for a program across all
16 performance indicators for any program year, or
17 if a State fails to meet an average of 90 percent
18 of the State adjusted levels of performance for a
19 single performance indicator across all programs
20 for any program year, the Secretary of Labor
21 and the Secretary of Education shall provide
22 technical assistance, as described and authorized
23 under section 168(b), including assistance in the
24 development of a comprehensive performance im-
25 provement plan.

1 “(B) *SECOND CONSECUTIVE YEAR FAIL-*
2 *URE.—If such failure under subparagraph (A)*
3 *continues for a second consecutive year, the per-*
4 *centage of each amount that would (in the ab-*
5 *sence of this subsection) be reserved by the Gov-*
6 *ernor under section 128(a)(1) for the imme-*
7 *diately succeeding program year shall be reduced*
8 *by 10 percentage points until such date as the*
9 *Secretary of Labor or the Secretary of Edu-*
10 *cation, as appropriate, determines that the State*
11 *meets such State adjusted levels of performance.*

12 “(3) *REALLOTMENT OF REDUCTIONS.—Any*
13 *amounts not reserved under section 128(a)(1) for a*
14 *State for a program year pursuant to paragraph*
15 *(1)(B) or (2)(B) of this subsection shall be reallocated*
16 *to other States in a manner consistent with para-*
17 *graph (1)(B) or (2)(B) of section 132(b).”;*

18 “(e) *SANCTIONS FOR LOCAL AREA FAILURE TO MEET*
19 *LOCAL PERFORMANCE ACCOUNTABILITY MEASURES.—Sec-*
20 *tion 116(g) of the Workforce Innovation and Opportunity*
21 *Act (29 U.S.C. 3141(g)) is amended—*

22 (1) *in paragraph (1)—*

23 (A) *by inserting “80 percent of the” before*
24 *“local performance”; and*

1 (B) by striking “accountability measures”
2 and inserting “accountability levels of perform-
3 ance on an indicator of performance, an average
4 of 90 percent of the local levels of performance
5 across indicators for a single program, or an av-
6 erage of 90 percent for a single performance in-
7 dicator across all programs”; and

8 (2) in paragraph (2)—

9 (A) by amending subparagraph (A) to read
10 as follows:

11 “(A) *IN GENERAL.*—If such failure con-
12 tinues, the Governor shall take corrective actions,
13 which shall include—

14 “(i) in the case of a failure, for a sec-
15 ond consecutive year, on any individual in-
16 dicator, across indicators for a single pro-
17 gram, or on a single indicator across pro-
18 grams, a 5-percent reduction in the amount
19 that would have otherwise been provided (in
20 the absence of this clause) to the local area
21 for the immediately succeeding program
22 year under chapter 2 or 3 of subtitle B for
23 the program subject to the performance fail-
24 ure;

1 “(ii) in the case of a failure, as de-
2 scribed in paragraph (1), for a third con-
3 secutive year, the development of a reorga-
4 nization plan through which the Governor
5 shall—

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

10 “(II) prohibit the use of one-stop
11 partners identified as achieving a poor
12 level of performance; and

13 “(III) revise or redesignate a local
14 area, which may include merging a
15 local area with another local area if
16 the Governor determines that the likely
17 cause of such continued performance
18 failure of a local area is due to such
19 local area’s designation being granted
20 without the appropriate consideration
21 of parameters described under section
22 106(b)(1)(B); or

23 “(iii) other significant actions deter-
24 mined appropriate by the Governor.”;

1 (B) in subparagraph (B)(i), by inserting
2 “(ii)” after “subparagraph (A)”; and

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

4 “(D) *REALLOCATION OF REDUCTIONS.*—
5 *Any amounts not allocated under chapter 2 or 3*
6 *of subtitle B to a local area for a program year*
7 *pursuant to subparagraph (A)(i) shall be reallo-*
8 *cated to other local areas in a manner consistent*
9 *with subparagraph (A) or (B) of section*
10 *133(b)(2) or subparagraph (A) of section*
11 *128(b)(2), as applicable.”.*

12 (f) *ESTABLISHING PAY-FOR-PERFORMANCE CONTRACT*
13 *STRATEGY INCENTIVES.*—*Section 116(h) of the Workforce*
14 *Innovation and Opportunity Act (29 U.S.C. 3141(h)) is*
15 *amended by striking “non-Federal funds” and inserting*
16 *“the funds reserved under section 128(a)(1)”.*

17 (g) *FISCAL AND MANAGEMENT ACCOUNTABILITY IN-*
18 *FORMATION SYSTEMS.*—*Section 116(i) of the Workforce In-*
19 *novation and Opportunity Act (29 U.S.C. 3141(i)) is*
20 *amended—*

21 (1) *in the first sentence of paragraph (2), by in-*
22 *serting “, and may use information provided from the*
23 *National Directory of New Hires in accordance with*
24 *section 453(j)(8) of the Social Security Act (42 U.S.C.*
25 *653(j)(8))” after “State law”;*

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

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

5 “(3) *DESIGNATED ENTITY.*—*The Governor shall*
6 *designate a State agency (or appropriate State enti-*
7 *ty) to assist in carrying out the performance report-*
8 *ing requirements for core programs and eligible train-*
9 *ing providers. The designated State agency (or appro-*
10 *priate State entity) shall be responsible for—*

11 “(A) *facilitating data matches using quar-*
12 *terly wage record information, including wage*
13 *record information made available by other*
14 *States, to measure employment and earnings*
15 *outcomes;*

16 “(B) *data validation and reliability, as de-*
17 *scribed in subsection (d)(5); and*

18 “(C) *protection against disaggregation that*
19 *would violate applicable privacy standards, as*
20 *described in subsection (d)(6)(C).”.*

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

3 ***CHAPTER 1—WORKFORCE INVESTMENT***

4 ***ACTIVITIES AND PROVIDERS***

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

7 *(a) ONE-STOP PARTNERS.—Section 121(b) of the*
8 *Workforce Innovation and Opportunity Act (29 U.S.C.*
9 *3151(b)) is amended—*

10 *(1) in paragraph (1)(B)—*

11 *(A) in clause (xi), by inserting “and” at the*
12 *end; and*

13 *(B) by striking clause (xii);*

14 *(2) in paragraph (2)(A), by striking “With” and*
15 *inserting “At the direction of the Governor or with”;*
16 *and*

17 *(3) in paragraph (2)(B)—*

18 *(A) in clause (vi), by striking “and” at the*
19 *end;*

20 *(B) by redesignating clause (vii) as clause*
21 *(viii); and*

22 *(C) by inserting after clause (vi) the fol-*
23 *lowing:*

1 “(vii) workforce and economic develop-
2 ment programs carried out by the Economic
3 Development Administration; and”.

4 (b) ONE-STOP OPERATORS.—Section 121(d) of the
5 Workforce Innovation and Opportunity Act (29 U.S.C.
6 3151(d)) is amended—

7 (1) in paragraph (2)(B)—

8 (A) in clause (i), by inserting after “edu-
9 cation” the following: “or an area career and
10 technical education school”;

11 (B) in clause (v), by striking “and”;

12 (C) by redesignating clause (vi) as clause
13 (viii);

14 (D) by inserting after clause (v) the fol-
15 lowing:

16 “(vi) a public library;

17 “(vii) a local board that meets the re-
18 quirements of paragraph (4); and”;

19 (E) in clause (viii), as so redesignated, by
20 inserting after “labor organization” the fol-
21 lowing: “joint labor-management organization”;
22 and

23 (2) by redesignating paragraphs (3) and (4) as
24 paragraphs (5) and (6), respectively; and

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

3 “(3) *RESPONSIBILITIES.*—

4 “(A) *IN GENERAL.*—In operating a one-stop
5 system referred to in subsection (e), a one-stop
6 operator—

7 “(i) shall—

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

12 “(II) facilitate coordination
13 among the partners in such one-stop
14 system; and

15 “(ii) may, subject to the requirements
16 under subparagraph (B), directly provide
17 services to job seekers and employers.

18 “(B) *INTERNAL CONTROLS.*—In a case in
19 which a one-stop operator seeks to operate as a
20 service provider pursuant to subparagraph
21 (A)(ii), the local board shall establish internal
22 controls (which shall include written policies and
23 procedures)—

24 “(i) with respect to the competition in
25 which the one-stop operator will compete to

1 *be selected as such service provider, and the*
2 *subsequent oversight, monitoring, and eval-*
3 *uation of the performance of such one-stop*
4 *operator as such service provider; and*

5 “(ii) *which—*

6 “(I) *require compliance with—*

7 “(aa) *relevant Office of Man-*
8 *agement and Budget circulars re-*
9 *lating to conflicts of interest; and*

10 “(bb) *any applicable State*
11 *conflict of interest policy; and*

12 “(II) *prohibit a one-stop operator*
13 *from developing, managing, or con-*
14 *ducting the competition in which the*
15 *operator intends to compete to be se-*
16 *lected as a service provider.*

17 “(4) *LOCAL BOARDS AS ONE-STOP OPERATORS.—*

18 *Subject to approval from the chief elected official and*
19 *Governor and in accordance with any other eligibility*
20 *criteria established by the State, a local board may*
21 *serve as a one-stop operator, if the local board—*

22 “(A) *enters into a written agreement with*
23 *the chief elected official that clarifies how the*
24 *local board will carry out the functions and re-*
25 *sponsibilities as a one-stop operator in a manner*

1 that complies with the appropriate internal con-
2 trols to prevent any conflicts of interest, which
3 shall include how the local board, while serving
4 as a one-stop operator, will—

5 “(i) comply with the relevant Office of
6 Management and Budget circulars relating
7 to conflicts of interest; and

8 “(ii) any applicable State conflict of
9 interest policy; and

10 “(B) complies with the other applicable re-
11 quirements of this subsection.”.

12 (c) *ONE-STOP DELIVERY*.—Section 121(e)(2) of the
13 *Workforce Innovation and Opportunity Act* (29 U.S.C.
14 *3151(e)(2)*) is amended—

15 (1) in subparagraph (A), to read as follows:

16 “(A) shall make each of the programs, serv-
17 ices, and activities described in paragraph (1)
18 accessible—

19 “(i) to individuals through electronic
20 means, in a single, virtually accessible loca-
21 tion, and in a manner that improves effi-
22 ciency, coordination, and quality, as deter-
23 mined by the State, in the delivery of such
24 programs, services, and activities; or

1 “(ii) at not less than 1 physical center
2 in each local area of the State; and”;

3 (2) in subparagraph (B)(i), by inserting after
4 “affiliated sites” the following: “(such as any of the
5 entities described in subsection (d)(2)(B))”;

6 (3) in subparagraph (C), by inserting after “cen-
7 ters” the following: “(which may be virtual or phys-
8 ical centers)”;

9 (4) in subparagraph (D)—

10 (A) by striking “as applicable and prac-
11 ticable, shall” and inserting “in the case of a
12 one-stop delivery system that is making each of
13 the programs, services, and activities described
14 in paragraph (1) accessible at not less than 1
15 physical center, as described in subparagraph
16 (A)(ii), the one-stop delivery system shall, as ap-
17 plicable and practicable,”; and

18 (B) by striking the period at the end and
19 inserting “; and”; and

20 (5) by inserting after subparagraph (D) the fol-
21 lowing:

22 “(E) in the case of a one-stop delivery sys-
23 tem that is making each of the programs, serv-
24 ices, and activities accessible through electronic
25 means, as described in subparagraph (A)(i), the

1 *one-stop delivery system shall have not less than*
2 *two affiliated sites with a physical location*
3 *where individuals can access, virtually, each of*
4 *the programs, services, and activities described*
5 *in paragraph (1) that are virtually accessible.”.*

6 *(d) CERTIFICATION AND IMPROVEMENT CRITERIA.—*
7 *Section 121(g)(2)(A) of the Workforce Innovation and Op-*
8 *portunity Act is amended by striking “under subsections*
9 *(h)(1)” and inserting “under subsections (h)(1)(C)”.*

10 *(e) FUNDING OF ONE-STOP INFRASTRUCTURE.—Sec-*
11 *tion 121(h) of the Workforce Innovation and Opportunity*
12 *Act is amended—*

13 *(1) by striking paragraph (1);*

14 *(2) by redesignating paragraphs (2) and (3) as*
15 *paragraphs (1) and (2), respectively;*

16 *(3) in paragraph (1), as so redesignated—*

17 *(A) by amending subparagraph (B) to read*
18 *as follows:*

19 *“(B) PARTNER CONTRIBUTIONS.—Subject to*
20 *subparagraph (D), the covered portions of fund-*
21 *ing for a fiscal year shall be provided to the Gov-*
22 *ernor from the programs described in subsection*
23 *(b)(1) to pay the costs of infrastructure of one-*
24 *stop centers in local areas of the State.”; and*

25 *(B) in subparagraph (C)—*

1 *(i) in clause (i)—*

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

5 *(II) by striking the fourth sen-*
6 *tence; and*

7 *(ii) in clause (ii), by striking “under*
8 *a provision covered by section 3(13)(D)”*
9 *and inserting “under a provision covered by*
10 *subparagraph (D) of the definition of the*
11 *term ‘core program provision’ under section*
12 *3”;*

13 *(C) in subparagraph (D)—*

14 *(i) in clause (ii), by striking “For local*
15 *areas in a State that are not covered by*
16 *paragraph (1)(A)(i)(I), the” and inserting*
17 *“The”;*

18 *(ii) in clause (ii)—*

19 *(I) in subclause (I)—*

20 *(aa) by striking “WIA” in*
21 *the header and inserting “WIOA”;*
22 *and*

23 *(bb) by striking “3 percent”*
24 *and inserting “5 percent”; and*

1 (II) by striking subclause (III);

2 and

3 (iii) in clause (iii), by striking “For
4 local areas in a State that are not covered
5 by paragraph (1)(A)(i)(I), an” and insert-
6 ing “An”;

7 (4) in paragraph (2), as so redesignated—

8 (A) in subparagraph (A), by striking “pur-
9 poses of assisting in” and inserting “purpose of”;
10 and

11 (B) in subparagraph (B)—

12 (i) in the first sentence, by striking
13 “not funding costs of infrastructure under
14 the option described in paragraph
15 (1)(A)(i)(I)”;

16 (ii) in the second sentence, by inserting
17 after “local area,” the following: “the inten-
18 sity of services provided by such centers,”;

19 (5) by inserting after paragraph (2), as so redesi-
20 gnated, the following:

21 “(3) SUPPLEMENTAL INFRASTRUCTURE FUND-
22 ING.—For any fiscal year in which the allocation re-
23 ceived by a local area under paragraph (2) is insuffi-
24 cient to cover the total costs of infrastructure of one-
25 stop centers in such local area, the local board, the

1 *chief elected official, and the one-stop partners that*
2 *have entered into the local memorandum of under-*
3 *standing with the local board under subsection (c)*
4 *may agree to fund any such remaining costs using a*
5 *method described in such memorandum.”; and*

6 *(6) in paragraph (4), by inserting after “oper-*
7 *ation of the one-stop center” the following: “(whether*
8 *for in-person or virtual service delivery)”.*

9 **SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS AND**
10 **PROGRAMS OF TRAINING SERVICES.**

11 *(a) ELIGIBILITY.—Section 122(a) of the Workforce In-*
12 *novation and Opportunity Act (29 U.S.C. 3152(a)) is*
13 *amended—*

14 *(1) by amending paragraph (1) to read as fol-*
15 *lows:*

16 *“(1) IN GENERAL.—Except as provided in sub-*
17 *section (i), the Governor, after consultation with the*
18 *State board and considering the State’s adjusted levels*
19 *of performance described in section 116(b)(3)(A)(iv),*
20 *shall establish—*

21 *“(A) procedures regarding the eligibility of*
22 *providers of training services to receive funds*
23 *provided under section 133(b) for the provision*
24 *of training services by programs with standard*
25 *eligibility or conditional eligibility under this*

1 *section (in this section referred to as ‘eligible*
2 *programs’) in local areas in the State; and*

3 *“(B) the minimum levels of performance on*
4 *the criteria for a program to receive such stand-*
5 *ard or conditional eligibility.”;*

6 *(2) in paragraph (2)—*

7 *(A) in subparagraph (A), by inserting be-*
8 *fore the semicolon at the end the following:*
9 *“(other than an institution of higher education*
10 *described in subparagraph (C))”;*

11 *(B) in subparagraph (B), by striking “or”*
12 *at the end;*

13 *(C) by redesignating subparagraph (C) as*
14 *subparagraph (D);*

15 *(D) by inserting after subparagraph (B) the*
16 *following:*

17 *“(C) an institution of higher education that*
18 *offers a program that—*

19 *“(i) is of at least 150 clock hours of in-*
20 *struction, but less than 600 clock hours of*
21 *instruction, or an equivalent number of*
22 *credit hours;*

23 *“(ii) is offered during a minimum of 8*
24 *weeks, but less than 15 weeks; and*

1 “(iii) is an eligible program for pur-
2 poses of the Federal Pell Grant program;
3 or”;

4 (E) in subparagraph (D), as so redesign-
5 ated—

6 (i) by inserting “(including providers
7 of such a program that is conducted (in
8 whole or in part) online)” before “, which
9 may”;

10 (ii) by inserting “providers of entre-
11 preneurial skills development programs, in-
12 dustry or sector partnerships, groups of em-
13 ployers, trade or professional associations,”
14 after “organizations,”;

15 (3) in paragraph (3)—

16 (A) in the first sentence, by striking “(C)”
17 and inserting “(D)”;

18 (B) in the second sentence, by striking
19 “paragraph (2)(B)” the first place it appears
20 and inserting “subparagraph (B) or (C) of para-
21 graph (2)”;

22 (C) by inserting before the period at the end
23 the following: “or remains eligible for the Federal
24 Pell Grant program as described in paragraph
25 (2)(C)”.

1 **(b) CRITERIA AND INFORMATION REQUIREMENTS.—**
2 *Section 122(b) of the Workforce Innovation and Oppor-*
3 *tunity Act (29 U.S.C. 3152(b)) is amended to read as fol-*
4 *lows:*

5 **“(b) CRITERIA AND INFORMATION REQUIREMENTS.—**

6 **“(1) GENERAL REQUIREMENTS.—**

7 **“(A) GENERAL CRITERIA FOR PROGRAMS.—**

8 *Each provider shall demonstrate that the pro-*
9 *gram for which the provider is seeking eligibility*
10 *under this section—*

11 *“(i) prepares participants to meet the*
12 *hiring requirements of potential employers*
13 *in the State or a local area within the State*
14 *for employment that—*

15 *“(I) is high skill and high wage;*

16 *or*

17 *“(II) is in in-demand industry*
18 *sectors or occupations;*

19 *“(ii) leads to a recognized postsec-*
20 *ondary credential;*

21 *“(iii) has been offered by the provider*
22 *for not less than 1 year; and*

23 *“(iv)(I) meets the performance require-*
24 *ments for standard eligibility described in*
25 *paragraph (2); or*

1 “(II) has received conditional eligi-
2 bility described in paragraph (3).

3 “(B) PROVIDER ELIGIBILITY ELECTION.—
4 Any provider may elect to seek standard eligi-
5 bility under paragraph (2) or conditional eligi-
6 bility under paragraph (3).

7 “(2) PERFORMANCE CRITERIA FOR STANDARD
8 ELIGIBILITY.—

9 “(A) IN GENERAL.—The Governor shall—

10 “(i) establish and publicize minimum
11 levels of performance for each of the criteria
12 listed in subparagraph (B) that a program
13 offered by a provider of training services
14 shall achieve to receive and maintain stand-
15 ard eligibility under this section; and

16 “(ii) verify the performance achieved
17 by such a program with respect to each such
18 criteria to determine whether the program
19 meets the corresponding minimum level of
20 performance established under clause (i)—

21 “(I) in the case of the criteria de-
22 scribed in (ii) through (iv) of subpara-
23 graph (B), using State administrative
24 data (such as quarterly wage records);
25 and

1 “(II) in the case of the criteria de-
2 scribed in subparagraph (B)(i), using
3 any applicable method for such
4 verification; and

5 “(iii) in verifying the performance
6 achievement of a program, verify that such
7 program included a sufficient number of
8 program participants to protect participant
9 personally identifiable information, and to
10 be a reliable indicator of performance
11 achievement.

12 “(B) PERFORMANCE CRITERIA.—The per-
13 formance criteria to receive and maintain stand-
14 ard eligibility for a program under this section
15 are as follows:

16 “(i) The credential attainment rate of
17 program participants calculated as the per-
18 centage of program participants who obtain
19 the recognized postsecondary credential for
20 which the program prepares participants to
21 earn within 6 months of exit from the pro-
22 gram.

23 “(ii) The job placement rate of pro-
24 gram participants calculated as the percent-
25 age of program participants in unsub-

1 *sidized employment during the second quar-*
2 *ter after exit from the program.*

3 “(iii) *The median earnings of program*
4 *participants who are in unsubsidized em-*
5 *ployment during the second quarter after*
6 *exit from the program.*

7 “(iv) *The ratio of median earnings in-*
8 *crease to the total cost of program, cal-*
9 *culated as follows:*

10 “(I) *The difference between—*

11 “(aa) *the median participant*
12 *wages from unsubsidized employ-*
13 *ment during the second quarter*
14 *after program exit; and*

15 “(bb) *the median earnings of*
16 *participants wages during the*
17 *quarter prior to entering the pro-*
18 *gram, to*

19 “(II) *The total cost of the pro-*
20 *gram (as described in paragraph*
21 *(5)(B)(iii)).*

22 “(C) *LOCAL CRITERIA.—With respect to*
23 *any program receiving standard eligibility*
24 *under this section from a Governor, a local board*
25 *in the State may require higher levels of per-*

1 *formance than the minimum performance levels*
2 *established by the Governor under this para-*
3 *graph, but may not—*

4 “(i) *require any information or appli-*
5 *cation from the provider that is not re-*
6 *quired for such standard eligibility; or*

7 “(ii) *establish a performance require-*
8 *ment with respect to any criteria not listed*
9 *in subparagraph (B).*

10 “(3) *CONDITIONAL ELIGIBILITY.—*

11 “(A) *REQUIREMENTS.—*

12 “(i) *IN GENERAL.—The Governor shall*
13 *establish procedures and criteria for condi-*
14 *tional eligibility for a program of a pro-*
15 *vider of training services that does not meet*
16 *the requirements under subparagraph (2).*

17 “(ii) *PROCEDURES AND CRITERIA.—In*
18 *establishing the procedures and criteria*
19 *under this subparagraph for conditional eli-*
20 *gibility under this paragraph, the Gov-*
21 *ernor—*

22 “(I) *shall establish the maximum*
23 *period, not to exceed a 4-year period,*
24 *that a program may receive and main-*
25 *tain such conditional eligibility;*

1 “(II) with respect to a program
2 that has received conditional eligibility
3 for the maximum period established
4 under subclause (I) and that is seeking
5 approval for an additional period of
6 conditional eligibility, may not con-
7 sider such program for such condi-
8 tional eligibility during the 3-year pe-
9 riod that begins on the day after the
10 end of most recent period for which the
11 program received conditional eligi-
12 bility; and

13 “(III) may establish other require-
14 ments related to program performance,
15 including setting separate minimum
16 levels of performance on the criteria de-
17 scribed in paragraph (2) for a pro-
18 gram to maintain such conditional eli-
19 gibility.

20 “(B) PAYMENTS.—Payments under this Act
21 for the provision of training services by a pro-
22 gram with conditional eligibility shall be made
23 to the provider of such program, on the basis of
24 the achievement of successful outcomes by a par-

1 *participant of such training services, in accordance*
2 *with the following:*

3 *“(i) Upon participant enrollment, the*
4 *provider shall receive not less than 25 per-*
5 *cent of the total funds to be provided under*
6 *section 133(b) for the provision of training*
7 *services by such program to such partici-*
8 *pant.*

9 *“(ii) Upon participant completion and*
10 *credential attainment, the provider shall re-*
11 *ceive not less than 25 percent of such total*
12 *funds.*

13 *“(iii) Upon verification of the partici-*
14 *pant’s employment during the second quar-*
15 *ter after program completion, the provider*
16 *shall receive not less than 25 percent of such*
17 *total funds.*

18 *“(iv) The remainder of such total funds*
19 *may be awarded at any of the intervals de-*
20 *scribed in clauses (i) through (iii) as deter-*
21 *mined by the Governor in accordance with*
22 *the procedures established under subpara-*
23 *graph (A).*

24 *“(C) LIMITATION ON BILLING PARTICI-*
25 *PANTS.—With respect to a program participant*

1 *for whom a provider expects to be paid pursuant*
2 *to subparagraph (B), the provider may not—*

3 “(i) *charge such participant tuition*
4 *and refund such charges after receiving such*
5 *payments; or*

6 “(ii) *if such program participant does*
7 *not achieve the outcomes necessary for the*
8 *provider to receive the provider’s full pay-*
9 *ment pursuant to subparagraph (B) for*
10 *such participant, bill a participant for any*
11 *of the amounts described in subparagraph*
12 *(B).*

13 “(4) *EMPLOYER-SPONSORED OR INDUSTRY OR*
14 *SECTORAL PARTNERSHIP DESIGNATION.—*

15 “(A) *IN GENERAL.—The Governor shall es-*
16 *tablish procedures and criteria for providers to*
17 *apply for an employer-sponsored designation for*
18 *a program that has received standard or condi-*
19 *tional eligibility under this paragraph, which*
20 *shall include a commitment from an employer or*
21 *an industry or sectoral partnership to—*

22 “(i) *pay to the provider, on behalf of*
23 *each participant enrolled in such program*
24 *under this Act, not less than 25 percent of*
25 *the cost of the program (as described in*

1 paragraph (5)(B)(iii)), which shall be pro-
2 vided in lieu of 25 percent of the amount
3 that the provider would have otherwise re-
4 ceived under section 133(b) for the provision
5 of training services by such program to such
6 participant; and

7 “(ii) guarantee an interview and con-
8 sideration for a job with the employer, or in
9 the case of an industry or sectoral partner-
10 ship, an employer within such partnership,
11 for each such participant that successfully
12 completes the program.

13 “(B) RESTRICTION ON FINANCIAL ARRANGE-
14 MENT.—A provider receiving an employer-spon-
15 sored designation under this paragraph may
16 not—

17 “(i) have an ownership stake in the
18 employer or industry or sectoral partner-
19 ship making a commitment described in
20 subparagraph (A); or

21 “(ii) enter into an arrangement to re-
22 imburse an employer or partnership for the
23 costs of a participant paid by such em-
24 ployer or partnership.

1 “(5) *INFORMATION REQUIREMENTS.*—*An eligible*
2 *provider shall submit appropriate, accurate, and*
3 *timely information to the Governor, to enable the*
4 *Governor to carry out subsection (d), with respect to*
5 *all participants of each eligible program (including*
6 *participants for whom the provider receives payments*
7 *under this title) offered by the provider, which shall—*

8 “(A) *be made available by the State in a*
9 *common, linked, open, and interoperable data*
10 *format;*

11 “(B) *include information on—*

12 “(i) *the performance of the program*
13 *with respect to the performance account-*
14 *ability measures described in section 116 for*
15 *such participants;*

16 “(ii) *the recognized postsecondary cre-*
17 *dentials received by such participants, in-*
18 *cluding, in relation to each such credential,*
19 *the issuing entity, any third-party endorse-*
20 *ments, the occupations for which the creden-*
21 *tial prepares individuals, the competencies*
22 *achieved, the level of mastery of such com-*
23 *petencies (including how mastery is as-*
24 *essed), and any transfer value or*
25 *stackability;*

1 “(iii) the total cost of the program, in-
2 cluding the costs of the published tuition
3 and fees, supplies, books, and any other
4 costs required by the provider for partici-
5 pants in the program;

6 “(iv) the percentage of such partici-
7 pants that complete the program within the
8 number of weeks that full-time participants
9 would take to complete the program; and

10 “(v) in the case of a provider offering
11 programs seeking or maintaining standard
12 eligibility, the criteria described in para-
13 graph (2) and not otherwise included in
14 clause (i) of this subparagraph; and

15 “(C) with respect to employment and earn-
16 ings measures described in subclauses (I) through
17 (III) of section 116(b)(2)(A)(i) for such partici-
18 pants—

19 “(i) the necessary information for the
20 State to develop program performance data
21 using State administrative data (such as
22 wage records); and

23 “(ii) the necessary information to de-
24 termine the percentage of such participants
25 who entered unsubsidized employment in an

1 *occupation related to the program, to the extent practicable.”.*

2
3 *(c) PROCEDURES.—Section 122(c) of the Workforce In-*
4 *novation and Opportunity Act (29 U.S.C. 3152(c)) is*
5 *amended—*

6 *(1) in the first sentence of paragraph (1), by in-*
7 *serting “, which shall be implemented in a manner*
8 *that minimizes the financial and administrative bur-*
9 *den on the provider and shall not require the submis-*
10 *sion of information in excess of the information re-*
11 *quired to determine a program’s eligibility under sub-*
12 *section (b)” after “provision of training services”;*

13 *(2) by redesignating paragraph (2) as para-*
14 *graph (3), and inserting the following after para-*
15 *graph (1):*

16 *“(2) APPROVAL.—A Governor shall make an eli-*
17 *gibility determination with respect to a provider of*
18 *training services and the program for which the pro-*
19 *vider is seeking eligibility under this section not later*
20 *than 30 days after receipt of an application sub-*
21 *mitted by such provider consistent with the proce-*
22 *dures in paragraph (1).”;*

23 *(3) in paragraph (3), as so redesignated—*

24 *(A) by striking “biennial” and inserting*
25 *“annual”; and*

1 (B) by inserting before the period at the end
2 the following: “that continue to meet the require-
3 ments under subsection (b)”;

4 (C) by adding at the end the following:
5 “Any program with standard or conditional eli-
6 gibility that, upon such review, does not meet the
7 eligibility criteria established under subsection
8 (b) for standard or conditional eligibility, respec-
9 tively, shall, except as otherwise provided in sub-
10 section (g)(1)(E), no longer be an eligible pro-
11 gram and shall be removed from the list de-
12 scribed in subsection (d).”;

13 (4) by inserting at the end the following:

14 “(4) *MULTISTATE PROVIDERS.*—The procedures
15 established under subsection (a) shall specify the proc-
16 ess for any provider of training services offering a
17 program in multiple States to establish eligibility in
18 such States, which shall, to the extent practicable,
19 minimize financial and administrative burdens on
20 any such provider by authorizing the provider to sub-
21 mit the same application materials and information
22 to the Governor of each State in which such program
23 will be providing services, as long as the program
24 meets the applicable State requirements established
25 under subsection (b) for each such State.

1 “(5) *ONLINE PROVIDERS.*—If a participant
2 chooses a provider that delivers training services ex-
3 clusively online and is not located in the State of the
4 local area that approved such training services for the
5 participant in accordance with section
6 133(c)(3)(A)(i), such provider shall be ineligible to re-
7 ceive payment for such participant from funds allo-
8 cated to such State unless such provider is on the list
9 of eligible providers of training services described in
10 subsection (d) for such State.”.

11 (d) *LIST AND INFORMATION TO ASSIST PARTICIPANTS*
12 *IN CHOOSING PROVIDERS.*—Section 122(d) of the Workforce
13 Innovation and Opportunity Act (29 U.S.C. 3152(d)) is
14 amended—

15 (1) by redesignating paragraphs (2), (3), and (4)
16 as paragraphs (3), (4), and (6), respectively;

17 (2) by inserting after paragraph (1) the fol-
18 lowing:

19 “(2) *CREDENTIAL NAVIGATION FEATURE.*—In
20 order to enhance the ability of participants and em-
21 ployers to understand and compare the value of the
22 recognized postsecondary credentials awarded by eli-
23 gible programs offered by providers of training serv-
24 ices in a State, the Governor shall establish (or de-
25 velop in partnership with other States), a credential

1 *navigation feature that allows participants and the*
2 *public to search a list of such recognized postsec-*
3 *ondary credentials, and the providers and programs*
4 *awarding such a credential, which shall include, with*
5 *respect to each such credential (aggregated for all par-*
6 *ticipants in the State that have received such creden-*
7 *tial)—*

8 *“(A) the information required under sub-*
9 *section (b)(5)(B)(ii); and*

10 *“(B) the employment and earnings out-*
11 *comes described in subclause (I) through (III) of*
12 *section 116(b)(2)(i).”;*

13 *(3) in paragraph (3) (as redesignated by para-*
14 *graph (1))—*

15 *(A) by amending subparagraph (A), by*
16 *striking “(C) of subsection (a)(2)” and inserting*
17 *“(D) of subsection (a)(2)”;*

18 *(B) by amending subparagraph (B) to read*
19 *as follows:*

20 *“(B) with respect to a program described in*
21 *subsection (b)(3) that is offered by a provider,*
22 *consist of information designating the program*
23 *as having conditional eligibility;”;* and

24 *(C) by amending subparagraph (C) to read*
25 *as follows:*

1 “(C) with respect to a program described in
2 subsection (b)(4) that is offered by a provider,
3 consist of the information promoting the pro-
4 gram as having an employer-sponsored designa-
5 tion and identifying the employer or partnership
6 sponsoring the program.”.

7 (4) by amending paragraph (4) (as so redesign-
8 nated) to read as follows:

9 “(4) AVAILABILITY.—The list (including the cre-
10 dential navigation feature described in paragraph
11 (2)), and the accompanying information shall be
12 made available to such participants and to members
13 of the public through the one-stop delivery system in
14 the State—

15 “(A) on a publicly accessible website that—

16 “(i) is consumer-tested; and

17 “(ii) is searchable, easily understand-
18 able, and navigable, and allows for the com-
19 parison of eligible programs through the use
20 of common, linked, open-data descriptive
21 language; and

22 “(B) in a manner that does not reveal per-
23 sonally identifiable information about an indi-
24 vidual participant.”; and

1 (5) *by inserting before paragraph (6) (as so re-*
 2 *designated), the following:*

3 “(5) *WEBSITE TECHNICAL ASSISTANCE.—The*
 4 *Secretary shall—*

5 “(A) *upon request, provide technical assist-*
 6 *ance to a State on establishing a website that*
 7 *meets the requirements of paragraph (4); and*

8 “(B) *disseminate to each State effective*
 9 *practices or resources from States and private*
 10 *sector entities related to establishing a website*
 11 *that is consumer-tested to ensure that the website*
 12 *is easily understood, searchable, and navigable.”.*

13 (e) *PROVIDER PERFORMANCE INCENTIVES.—Section*
 14 *122 of the Workforce Innovation and Opportunity Act (29*
 15 *U.S.C. 3152), as amended by this section, is further amend-*
 16 *ed—*

17 (1) *in subsection (e), by striking “information*
 18 *requirements,” in each place it appears;*

19 (2) *by redesignating subsections (f) through (i)*
 20 *as subsection (g) through (j), respectively;*

21 (3) *by inserting after subsection (e), as so*
 22 *amended, the following:*

23 “(f) *PROVIDER PERFORMANCE INCENTIVES.—*

24 “(1) *IN GENERAL.—The Governor or a local*
 25 *board may establish a system of performance incen-*

1 *tive payments to be awarded to providers in addition*
2 *to the amount paid under section 133(b) to such pro-*
3 *viders for the provision of training services to partici-*
4 *pants of eligible programs. Such system of perform-*
5 *ance incentives may be established to award eligible*
6 *programs that—*

7 *“(A) achieve performance levels above the*
8 *minimum levels established by the Governor*
9 *under subsection (b)(2);*

10 *“(B) serve a significantly higher number of*
11 *individuals with barriers to employment com-*
12 *pared to training providers offering similar*
13 *training services; or*

14 *“(C) achieve other performance successes,*
15 *including those related to jobs that provide eco-*
16 *nomie stability and upward mobility (such as*
17 *leading to jobs with high wages and family sus-*
18 *tainable benefits) as determined by the State or*
19 *the local board.*

20 *“(2) INCENTIVE PAYMENTS.—Incentive payments*
21 *to providers established under paragraph (1) shall be*
22 *awarded to providers from the following allotments:*

23 *“(A) In the case of a system of performance*
24 *incentive payments established by the Governor,*

1 *from funds reserved by the Governor under sec-*
2 *tion 128(a).*

3 “(B) *In the case of a system of performance*
4 *incentive payments established by a local board,*
5 *from the allocations made to the local area for*
6 *youth under section 128(b), for adults under*
7 *paragraph (2)(A) or (3) of section 133(b), or for*
8 *dislocated workers under section 133(b)(2)(B), as*
9 *appropriate.”;*

10 (f) *ENFORCEMENT.—Section 122(g)(1) of the Work-*
11 *force Innovation and Opportunity Act (as redesignated by*
12 *subsection (e)(2)), is amended by adding at the end the fol-*
13 *lowing:*

14 “(D) *FAILURE TO PROVIDE REQUIRED IN-*
15 *FORMATION.—With respect to a provider of*
16 *training services that is eligible under this sec-*
17 *tion for a program year with respect to an eligi-*
18 *ble program, but that does not provide the infor-*
19 *mation described in subsection (b)(5) with re-*
20 *spect to such program for such program year*
21 *(including information on performance necessary*
22 *to determine if the program meets the minimum*
23 *levels on the criteria to maintain eligibility), the*
24 *provider shall be ineligible under this section*
25 *with respect to such program for the program*

1 year after the program year for which the pro-
2 vider fails to provide such information.

3 “(E) *FAILURE TO MEET PERFORMANCE CRI-*
4 *TERIA.*—

5 “(i) *FIRST YEAR.*—*An eligible program*
6 *that has received standard eligibility under*
7 *subsection (c)(2) for a program year but*
8 *fails to meet the minimum levels of per-*
9 *formance on the criteria described in sub-*
10 *section (b)(2) during the most recent pro-*
11 *gram year for which performance data on*
12 *such criteria are available shall be notified*
13 *of such failure by the Governor.*

14 “(ii) *SECOND CONSECUTIVE YEAR.*—*A*
15 *program that fails to meet the minimum*
16 *levels of performance for a second consec-*
17 *utive program year shall lose standard eligi-*
18 *bility for such program for at least the pro-*
19 *gram year following such second consecutive*
20 *program year.*

21 “(iii) *REAPPLICATION.*—

22 “(I) *STANDARD ELIGIBILITY.*—*A*
23 *provider may reapply to receive stand-*
24 *ard eligibility for the program accord-*
25 *ing to the criteria described in sub-*

1 *section (c) if the program performance*
 2 *for the most recent program year for*
 3 *which performance data is available*
 4 *meets the minimum levels of perform-*
 5 *ance required to receive such standard*
 6 *eligibility.*

7 “(II) *CONDITIONAL ELIGI-*
 8 *BILITY.—A program that loses stand-*
 9 *ard eligibility may apply to receive*
 10 *conditional eligibility under the proc-*
 11 *ess and criteria established by the Gov-*
 12 *ernor under subsection (b)(3).”.*

13 *(g) ON-THE-JOB TRAINING, EMPLOYER-DIRECTED*
 14 *SKILLS DEVELOPMENT, INCUMBENT WORKER TRAINING,*
 15 *AND OTHER TRAINING EXCEPTIONS.—Subsection (i) (as re-*
 16 *designated by subsection (e)(2)) of section 122 of the Work-*
 17 *force Innovation and Opportunity Act (29 U.S.C. 3152) is*
 18 *amended—*

19 *(1) in paragraph (1)—*

20 *(A) by striking “customized training” and*
 21 *inserting “employer-directed skills development”;*
 22 *and*

23 *(B) by striking “subsections (a) through (f)”*
 24 *and inserting “subsections (a) through (g)”;* *and*

1 (2) *in paragraph (2), by amending the first sen-*
2 *tence to read as follows: “A one-stop operator in a*
3 *local area shall collect the minimum amount of infor-*
4 *mation from providers of on-the-job training, em-*
5 *ployer-directed skills development, incumbent worker*
6 *training, internships, paid or unpaid work experience*
7 *opportunities, and transitional employment as nec-*
8 *essary to enable the use of State administrative data*
9 *to generate such performance information as the Gov-*
10 *ernor may require.”.*

11 *(h) TECHNICAL ASSISTANCE.—Section 122 of the*
12 *Workforce Innovation and Opportunity Act (29 U.S.C.*
13 *3152) is further amended by adding at the end the fol-*
14 *lowing:*

15 *“(k) TECHNICAL ASSISTANCE.—The Governor may*
16 *apply to the Secretary for technical assistance, as described*
17 *in section 168(c), for purposes of carrying out the require-*
18 *ments of subsection (c)(4), or paragraph (2) or (5) of sub-*
19 *section (d), or any other amendments made by the A*
20 *Stronger Workforce for America Act to this section, and the*
21 *Secretary shall provide such technical assistance in a time-*
22 *ly manner.”.*

23 *(i) TRANSITION.—A Governor and local boards shall*
24 *implement the requirements of section 122 of the Workforce*
25 *Innovation and Opportunity Act (29 U.S.C. 3152), as*

1 *amended by this Act, not later than 12 months after the*
 2 *date of enactment of this Act. In order to facilitate early*
 3 *implementation of this section, the Governor may establish*
 4 *transition procedures under which providers eligible to pro-*
 5 *vide training services under chapter 1 of subtitle B of title*
 6 *I of the Workforce Innovation and Opportunity Act (29*
 7 *U.S.C. 3151 et seq.), as such chapter was in effect on the*
 8 *day before the date of enactment of this Act, may continue*
 9 *to be eligible to provide such services until December 31,*
 10 *2024, or until such earlier date as the Governor determines*
 11 *to be appropriate.*

12 **CHAPTER 2—YOUTH WORKFORCE**

13 **INVESTMENT ACTIVITIES**

14 **SEC. 131. RESERVATIONS FOR STATEWIDE ACTIVITIES.**

15 *Section 128(a) of the Workforce Innovation and Op-*
 16 *portunity Act (29 U.S.C. 3173(a)) is amended—*

17 (1) *in paragraph (2), by striking “reserved*
 18 *amounts” in each place and inserting “reserved*
 19 *amounts under paragraph (1)”;* and

20 (2) *by adding at the end the following:*

21 “(3) **STATEWIDE CRITICAL INDUSTRY SKILLS**
 22 **FUND.—**

23 “(A) **AUTHORIZED RESERVATION.—***In addi-*
 24 *tion to the reservations required under para-*
 25 *graph (1) and section 133(a)(2), and subject to*

1 *subparagraph (B), the Governor may reserve not*
2 *more than 10 percent of each of the amounts al-*
3 *lotted to the State under section 127(b)(1)(C)*
4 *and paragraphs (1)(B) and (2)(B) of section*
5 *132(b) for a fiscal year to establish and admin-*
6 *ister a critical industry skills fund described in*
7 *section 134(a)(4).*

8 “(B) *MATCHING FUNDS.—*

9 “(i) *REQUIREMENT.—The amount of*
10 *funds reserved by a Governor under sub-*
11 *paragraph (A) for a fiscal year may not ex-*
12 *ceed the amount of funds that such Gov-*
13 *ernor commits to using from any of the*
14 *funds listed in clause (ii) for such fiscal*
15 *year for the purposes of establishing and*
16 *administering the critical industry skills*
17 *fund for which funds are reserved under*
18 *subparagraph (A).*

19 “(ii) *SOURCES OF MATCHING FUNDS.—*
20 *The funds listed in this clause are as fol-*
21 *lows:*

22 “(I) *Funds reserved by the Gov-*
23 *ernor under paragraph (1) of this sub-*
24 *section.*

1 “(II) Other Federal funds not de-
2 scribed in subclause (I).

3 “(III) State funds.”.

4 **SEC. 132. USE OF FUNDS FOR YOUTH WORKFORCE INVEST-**
5 **MENT ACTIVITIES.**

6 (a) *OPPORTUNITY YOUTH.*—Section 129 of the Work-
7 *force Innovation and Opportunity Act (29 U.S.C. 3164)* is
8 *amended by striking “out-of-school” each place it appears*
9 *and inserting “opportunity”.*

10 (b) *YOUTH PARTICIPANT ELIGIBILITY.*—

11 (1) *ELIGIBILITY DETERMINATION.*—

12 (A) *ELIGIBILITY.*—Subparagraph (A) of
13 *section 129(a)(1) of the Workforce Innovation*
14 *and Opportunity Act (29 U.S.C. 3164(a)(1)) is*
15 *amended to read as follows:*

16 “(A) *ELIGIBILITY DETERMINATION.*—

17 “(i) *IN GENERAL.*—To be eligible to
18 *participate in activities carried out under*
19 *this chapter during any program year, an*
20 *individual shall, at the time the eligibility*
21 *determination is made, be an opportunity*
22 *youth or an in-school youth.*

23 “(ii) *ENROLLMENT.*—If a one-stop op-
24 *erator or eligible provider of youth work-*
25 *force activities carrying out activities under*

1 *this chapter reasonably believes that an in-*
2 *dividual is eligible to participate in such*
3 *activities, the operator or provider may*
4 *allow such individual to participate in such*
5 *activities for not more than a 30-day period*
6 *during which the operator or provider shall*
7 *obtain the necessary information to make*
8 *an eligibility determination with respect to*
9 *such individual (which may involve work-*
10 *ing with such individual, other entities in*
11 *the local area, and available sources of ad-*
12 *ministrative data to obtain the necessary*
13 *information).*

14 *“(iii) DETERMINATION OF INELIGI-*
15 *BILITY.—With respect to an individual who*
16 *is determined to be ineligible for activities*
17 *under this chapter by a one-stop operator or*
18 *a service provider during the period de-*
19 *scribed in clause (ii) and who does not*
20 *qualify for an exception under paragraph*
21 *(3)(A)(ii) applicable to the local area in-*
22 *volved, such operator or service provider—*

23 *“(I) may—*

1 “(aa) continue serving such
2 individual using non-Federal
3 funds; or

4 “(bb) end the participation
5 of such individual in activities
6 under this chapter and refer the
7 individual to other services that
8 may be available in the local area
9 for which the individual may be
10 eligible; and

11 “(II) shall be paid for any serv-
12 ices provided to such individual under
13 this chapter during the period de-
14 scribed in clause (ii) by the local area
15 involved using funds allocated to such
16 area under section 128(b).

17 “(iv) *DETERMINATION PROCESS FOR*
18 *HOMELESS AND FOSTER YOUTH.*—*In deter-*
19 *mining whether an individual is eligible to*
20 *participate in activities carried out under*
21 *this chapter on the basis of being an indi-*
22 *vidual who is a homeless child or youth, or*
23 *a youth in foster care, as described in sub-*
24 *paragraph (B)(iii)(V), the one-stop operator*
25 *or service provider involved shall—*

1 “(I) if determining whether the
2 individual is a homeless child or
3 youth, use a process that is in compli-
4 ance with the requirements of sub-
5 section (a) of section 479D of the High-
6 er Education Act of 1965, as added by
7 section 702(l) of the FAFSA Sim-
8 plification Act (Public Law 116–260),
9 for financial aid administrators; and

10 “(II) if determining whether the
11 individual is a youth in foster care,
12 use a process that is in compliance
13 with the requirements of subsection (b)
14 of section 479D of the Higher Edu-
15 cation Act of 1965, as added by section
16 702(l) of the FAFSA Simplification
17 Act (Public Law 116–260), for finan-
18 cial aid administrators.”.

19 (B) DEFINITION OF OPPORTUNITY YOUTH.—
20 Subparagraph (B) of section 129(a)(1) of the
21 Workforce Innovation and Opportunity Act (29
22 U.S.C. 3164(a)(1) is amended—

23 (i) in the subparagraph heading, by
24 striking “OUT-OF-SCHOOL” and inserting
25 “OPPORTUNITY”;

1 (ii) in clause (i), by inserting “, except
2 that an individual described in subpara-
3 graph (IV) or (V) of clause (iii) may be at-
4 tending school” after “(as defined under
5 State law)”; and

6 (iii) in clause (iii)(III)(bb), by striking
7 “language”.

8 (C) *DEFINITION OF IN-SCHOOL YOUTH.*—
9 Subparagraph (C)(iv) of section 129(a)(1) of the
10 Workforce Innovation and Opportunity Act (29
11 U.S.C. 3164(a)(1)) is amended—

12 (i) in subclause (II), by striking “lan-
13 guage”;

14 (ii) by striking subclauses (III) and
15 (IV); and

16 (iii) by redesignating subclauses (V),
17 (VI), and (VII) as subclauses (III), (IV),
18 and (V), respectively.

19 (2) *EXCEPTION AND LIMITATION.*—Section
20 129(a)(3) of the Workforce Innovation and Oppor-
21 tunity Act (29 U.S.C. 3164(a)(1)) is amended—

22 (A) in subparagraph (A)(ii), by striking
23 “5” and inserting “10”; and

24 (B) in subparagraph (B)—

25 (i) by striking “5” inserting “10”; and

1 (ii) by striking “paragraph
2 (1)(C)(iv)(VII)” and inserting “paragraph
3 (1)(C)(iv)(V)”.

4 (3) *OPPORTUNITY YOUTH PRIORITY*.—Section
5 129(a)(4) of the Workforce Innovation and Oppor-
6 tunity Act (29 U.S.C. 3164(a)(1)) is amended—

7 (A) in the paragraph heading, by striking
8 “OUT-OF-SCHOOL” and inserting “OPPOR-
9 TUNITY”;

10 (B) in subparagraph (A)—

11 (i) by striking “75” each place it ap-
12 pears and inserting “65”;

13 (ii) by inserting “the total amount of”
14 before “funds available”; and

15 (iii) by inserting “in the State” after
16 “subsection (c)”;

17 (C) in subparagraph (B)(i), by striking
18 “75” and inserting “65”;

19 (D) by redesignating subparagraph (B), as
20 so amended, as subparagraph (C); and

21 (E) by inserting after subparagraph (A) the
22 following:

23 “(B) *LOCAL AREA TARGETS*.—The local
24 board, the chief elected official, and the Governor
25 shall negotiate and reach agreement on the min-

1 *imum amount of funds provided to a local area*
2 *under subsection (c) that shall be used to provide*
3 *youth workforce investment activities for oppor-*
4 *tunity youth based on the needs of youth in the*
5 *local area, as necessary for the State to meet the*
6 *percentage described in subparagraph (A).”.*

7 *(c) REQUIRED STATEWIDE YOUTH ACTIVITIES.— Sec-*
8 *tion 129(b)(1) of the Workforce Innovation and Oppor-*
9 *tunity Act (29 U.S.C. 3164(b)(1))—*

10 *(1) in the matter preceding subparagraph (A),*
11 *by striking “sections 128(a)” and inserting “sections*
12 *128(a)(1)”;* and

13 *(2) in subparagraph (B), by inserting “through*
14 *a website that is consumer-tested to ensure that the*
15 *website is easily understood, searchable, and navigable*
16 *and allows for comparison of eligible providers based*
17 *on the program elements offered by such providers*
18 *and the performance of such providers on the primary*
19 *indicators of performance for the youth program as*
20 *described in section 116(b)(2)(A)(ii)” after “under*
21 *section 123”.*

22 *(d) ALLOWABLE STATEWIDE YOUTH ACTIVITIES.—*
23 *Section 129(b)(2) of the Workforce Innovation and Oppor-*
24 *tunity Act (29 U.S.C. 3164(b)(2)) is amended—*

1 (1) *in the matter preceding subparagraph (A),*
2 *by striking “sections 128(a)” and inserting “sections*
3 *128(a)(1)”;*

4 (2) *in subparagraph (C), by inserting “, which*
5 *may include providing guidance on career options in*
6 *in-demand industry sectors or occupations” after “in*
7 *the State”;*

8 (3) *in subparagraph (D)—*

9 (A) *in clause (iv), by striking “and” at the*
10 *end; and*

11 (B) *by inserting after clause (v) the fol-*
12 *lowing:*

13 *“(vi) supporting the ability to under-*
14 *stand relevant tax information and obliga-*
15 *tions;”;*

16 (4) *in subparagraph (E), by striking the period*
17 *at the end and inserting a semicolon; and*

18 (5) *by adding at the end the following:*

19 *“(F) establishing, supporting, and expand-*
20 *ing work-based learning opportunities, including*
21 *transitional jobs, that are aligned with career*
22 *pathways;*

23 *“(G) raising public awareness (including*
24 *through public service announcements, such as*
25 *social media campaigns and elementary and sec-*

1 *ondary school showcases and school visits) about*
2 *career and technical education programs and*
3 *community-based and youth services organiza-*
4 *tions, and other endeavors focused on programs*
5 *that prepare students for in-demand industry*
6 *sectors or occupations; and*

7 *“(H) developing partnerships between edu-*
8 *cational institutions (including area career and*
9 *technical schools and institutions of higher edu-*
10 *cation) and employers to create or improve*
11 *workforce development programs to address the*
12 *identified education and skill needs of the work-*
13 *force and the employment needs of employers in*
14 *the regions or local areas of the State, as deter-*
15 *mined based on the most recent analysis con-*
16 *ducted under subparagraphs (B) and (C) of sec-*
17 *tion 102(b)(1).”.*

18 *(e) LOCAL ELEMENTS AND REQUIREMENTS.—*

19 *(1) PROGRAM DESIGN.—Section 129(c)(1) of the*
20 *Workforce Innovation and Opportunity Act (29*
21 *U.S.C. 3164(c)(1)) is amended—*

22 *(A) in subparagraph (B), by inserting*
23 *“(which, in the case of a participant 18 years or*
24 *older, may include co-enrollment in any employ-*
25 *ment or training activity provided under section*

1 134 for adults)” after “services for the partici-
2 pant”;

3 (B) in subparagraph (C)(v), by inserting
4 “high-skill, high-wage, or” after “small employ-
5 ers, in”; and

6 (C) in subparagraph (D)—

7 (i) by striking “10” and inserting
8 “40”; and

9 (ii) by inserting before the period the
10 following: “, except that after 2 consecutive
11 years of the local board implementing such
12 a pay-for-performance contract strategy, the
13 local board may reserve and use not more
14 than 60 percent of such total funds allocated
15 to the local area for such strategy if—

16 “(i) the local board demonstrates to the
17 Governor that such strategy resulted in per-
18 formance improvements; and

19 “(ii) the Governor approves a request
20 to use such percentage of total funds”.

21 (2) *PROGRAM ELEMENTS*.—Section 129(c)(2) of
22 the Workforce Innovation and Opportunity Act (29
23 U.S.C. 3164(c)(2)) is amended—

24 (A) in subparagraph (C)—

25 (i) in clause (i)—

1 (I) by striking “other” and insert-
2 ing “year-round”; and

3 (II) by inserting “that meet the
4 requirements of paragraph (10)” after
5 “school year”;

6 (ii) in clause (iii), by striking “and
7 job shadowing; and” and inserting the fol-
8 lowing: “that, to the extent practicable, are
9 aligned with in-demand industry sectors or
10 occupations in the State or local area and
11 for which participants shall be paid (by the
12 entity providing the internship, through
13 funds allocated to the local area pursuant to
14 paragraph (1) for the program, or by an-
15 other entity) if such internships are longer
16 than—

17 “(I) 4 weeks in the summer or 8
18 weeks during the school year for in-
19 school youth and opportunity youth
20 who are enrolled in school; or

21 “(II) 8 weeks for opportunity
22 youth who are not enrolled in school;”;

23 (iii) by redesignating clause (iv) as
24 clause (v); and

1 *(iv) by inserting after clause (iii), as*
2 *so amended, the following:*

3 *“(iv) job shadowing; and”;*

4 *(B) in subparagraph (H), by striking*
5 *“adult mentoring” and inserting “coaching and*
6 *adult mentoring services”;*

7 *(C) in subparagraph (M)—*

8 *(i) by inserting “high-skill, high-wage,*
9 *or” before “in-demand industry”; and*

10 *(ii) by striking the “and” at the end;*

11 *(D) in subparagraph (N), by striking the*
12 *period at the end and inserting “; and”; and*

13 *(E) by adding at the end the following:*

14 *“(O) activities to develop fundamental*
15 *workforce readiness, which may include cre-*
16 *ativity, collaboration, critical thinking, digital*
17 *literacy, persistence, and other relevant skills.”.*

18 *(3) PRIORITY.—Section 129(c)(4) of the Work-*
19 *force Innovation and Opportunity Act (29 U.S.C.*
20 *3164(c)(2)) is amended, by striking “20” and insert-*
21 *ing “40”.*

22 *(4) RULE OF CONSTRUCTION.—Section 129(c)(5)*
23 *of the Workforce Innovation and Opportunity Act (29*
24 *U.S.C. 3164(c)(2)) is amended by inserting “or local*
25 *area” after “youth services”.*

1 (5) *INDIVIDUAL TRAINING ACCOUNTS.*—Section
2 129(c) of the Workforce Innovation and Opportunity
3 Act (29 U.S.C. 3164(c)(2)) is further amended by
4 adding at the end the following:

5 “(9) *INDIVIDUAL TRAINING ACCOUNTS.*—Funds
6 allocated pursuant to paragraph (1) to a local area
7 may be used to pay, through an individual training
8 account, an eligible provider of training services de-
9 scribed in section 122(d) for training services de-
10 scribed in section 134(c)(3) provided to in-school
11 youth who are not younger than age 16 and not older
12 than age 21 and opportunity youth, in the same
13 manner that an individual training account is used
14 to pay an eligible provider of training services under
15 section 134(c)(3)(F)(iii) for training services provided
16 to an adult or dislocated worker.”.

17 (6) *SUMMER AND YEAR-ROUND EMPLOYMENT OP-
18 PORTUNITIES REQUIREMENTS.*—Section 129(c) of the
19 Workforce Innovation and Opportunity Act (29
20 U.S.C. 3164(c)(2)) is further amended by adding at
21 the end the following:

22 “(10) *SUMMER AND YEAR-ROUND EMPLOYMENT
23 OPPORTUNITIES REQUIREMENTS.*—

24 “(A) *IN GENERAL.*—A summer employment
25 opportunity or a year-round employment oppor-

1 *tunity referred to in paragraph (2)(C)(i) shall be*
2 *a program that matches eligible youth partici-*
3 *parting in such program with an appropriate*
4 *employer (based on factors including the needs of*
5 *the employer and the age, skill, and informed as-*
6 *pirations of the eligible youth) that—*

7 *“(i) shall include—*

8 *“(I) a component of occupational*
9 *skills education; and*

10 *“(II) not less than 2 of the activi-*
11 *ties described in subparagraphs (G),*
12 *(H), (I), (K), (M), and (O) of para-*
13 *graph (2);*

14 *“(ii) may not use funds allocated*
15 *under this chapter to subsidize more than*
16 *50 percent of the wages of each eligible*
17 *youth participant in such program;*

18 *“(iii) in the case of a summer employ-*
19 *ment opportunity, complies with the re-*
20 *quirements of subparagraph (B); and*

21 *“(iv) in the case of a year-round em-*
22 *ployment opportunity, complies with the re-*
23 *quirements of subparagraph (C).*

24 *“(B) SUMMER EMPLOYMENT OPPOR-*
25 *TUNITY.—In addition to the applicable require-*

1 *ments described in subparagraph (A), a summer*
2 *employment opportunity—*

3 *“(i) may not be less than 4 weeks; and*

4 *“(ii) may not pay less than the greater*
5 *of the applicable Federal, State, or local*
6 *minimum wage.*

7 *“(C) YEAR-ROUND EMPLOYMENT OPPOR-*
8 *TUNITY.—In addition to the applicable require-*
9 *ments described in subparagraph (B), a year-*
10 *round employment opportunity—*

11 *“(i) may not be shorter than 180 days*
12 *or longer than 1 year;*

13 *“(ii) may not pay less than the greater*
14 *of the applicable Federal, State, or local*
15 *minimum wage; and*

16 *“(iii) may not employ the eligible*
17 *youth for less than 20 hours per week, ex-*
18 *cept in instances when the eligible youth are*
19 *under the age of 18 or enrolled in school.*

20 *“(D) PRIORITY.—In selecting summer em-*
21 *ployment opportunities or year-round employ-*
22 *ment opportunities for purposes of paragraph*
23 *(2)(C)(i), a local area shall give priority to pro-*
24 *grams that meet the requirements of this para-*
25 *graph, which are in existing or emerging high-*

1 *skill, high-wage, or in-demand industry sectors*
2 *or occupations.”.*

3 **CHAPTER 3—ADULT AND DISLOCATED**
4 **WORKER EMPLOYMENT AND TRAINING**
5 **ACTIVITIES**

6 **SEC. 141. STATE ALLOTMENTS.**

7 *Section 132(a)(2)(A) of the Workforce Innovation and*
8 *Opportunity Act (29 U.S.C. 3172(a)(2)(A)) is amended*
9 *by—*

10 (1) *striking “, 169(c) (relating to dislocated*
11 *worker projects),”;* and

12 (2) *by inserting “, and under subsections (c) (re-*
13 *lated to dislocated worker projects) and (d) (related to*
14 *workforce data quality initiatives) of section 169” be-*
15 *fore “; and”*

16 **SEC. 142. RESERVATIONS FOR STATE ACTIVITIES; WITHIN**
17 **STATE ALLOCATIONS.**

18 (a) *RESERVATIONS FOR STATE ACTIVITIES.—Section*
19 *133(a) of the Workforce Innovation and Opportunity Act*
20 *(29 U.S.C. 3173(a)) is amended—*

21 (1) *in paragraph (1), by striking “section*
22 *128(a)” and inserting “section 128(a)(1)”;*

23 (2) *by adding at the end the following:*

24 “(3) *STATEWIDE CRITICAL INDUSTRY SKILLS*
25 *FUND.—In addition to the reservations required*

1 under paragraphs (1) and (2) of this subsection, the
 2 Governor may make the reservation authorized under
 3 section 128(a)(3).”.

4 **(b) WITHIN STATE ALLOCATIONS.**—Section 133(b)(1)
 5 of the Workforce Innovation and Opportunity Act (29
 6 U.S.C. 3173(b)) is amended—

7 (1) in subparagraph (A), by striking “subsection
 8 (a)(1)” and inserting “paragraph (1) or (3) of sub-
 9 section (a)”; and

10 (2) in subparagraph (B), by striking “paragraph
 11 (1) or (2) of subsection (a)” and inserting “para-
 12 graph (1), (2), or (3) of subsection (a)”.

13 **SEC. 143. USE OF FUNDS FOR EMPLOYMENT AND TRAINING**
 14 **ACTIVITIES.**

15 **(a) STATEWIDE EMPLOYMENT AND TRAINING ACTIVI-**
 16 **TIES.**—

17 (1) **IN GENERAL.**—Section 134(a)(1) of the
 18 Workforce Innovation and Opportunity Act (29
 19 U.S.C. 3174(a)(1))—

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

22 (B) in subparagraph (B)—

23 (i) in the matter preceding clause (i),
 24 by striking “128(a)” and inserting
 25 “128(a)(1)”; and

1 (ii) in clause (ii)—

2 (I) by striking the comma at the
3 end and inserting “or to establish and
4 administer a critical skills fund under
5 paragraph (4); and” ; and

6 (C) by inserting before the flush left text at
7 the end the following:

8 “(C) as described in section 128(a)(3), shall
9 be used to establish and administer a critical in-
10 dustry skills fund described in paragraph (4).”.

11 (2) *REQUIRED STATEWIDE EMPLOYMENT AND*
12 *TRAINING ACTIVITIES.*—

13 (A) *STATEWIDE RAPID RESPONSE ACTIVI-*
14 *TIES.*—Section 134(a)(2)(A) of the *Workforce In-*
15 *novation and Opportunity Act (29 U.S.C.*
16 *3174(a)(2)(A)) is amended—*

17 (i) in clause (i)—

18 (I) in subclause (I)—

19 (aa) by striking “working”
20 and inserting “as a rapid re-
21 sponse unit working”; and

22 (bb) by striking “and” at the
23 end;

1 (II) in subclause (II), by striking
2 the period at the end and inserting “;
3 and”; and

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

6 “(III) provision of additional as-
7 sistance to a local area that has excess
8 demand for individual training ac-
9 counts for dislocated workers in such
10 local area and requests such assistance
11 under paragraph (5) of section 414(c)
12 of the American Competitiveness and
13 Workforce Improvement Act of 1998
14 (29 U.S.C. 3224a(5)), upon a deter-
15 mination by the State that, in using
16 funds allocated to such local area pur-
17 suant to paragraph (1) of such section
18 414(c) and subsection (c)(1)(B) of this
19 section for the purpose described in
20 paragraph (2)(A) of such section
21 414(c), the local area was in compli-
22 ance with the requirements of such sec-
23 tion 414(c).”; and
24 (ii) by adding at the end the following:

1 “(iii) *INSUFFICIENT FUNDS TO MEET*
2 *EXCESS DEMAND.*—If a State determines
3 that a local area with excess demand as de-
4 scribed in clause (i)(III) met the compliance
5 requirements described in such clause, but
6 the State does not have sufficient funds re-
7 served under section 133(a)(2) to meet such
8 excess demand, the State—

9 “(I) shall notify the Secretary of
10 such excess demand; and

11 “(II) if eligible, may apply for a
12 national dislocated worker grant under
13 section 170 of this Act.”.

14 (B) *STATEWIDE EMPLOYMENT AND TRAIN-*
15 *ING ACTIVITIES.*—Section 134(a)(2)(B) of the
16 *Workforce Innovation and Opportunity Act* (29
17 *U.S.C. 3174(a)(2)(B)* is amended—

18 (i) in clause (i)—

19 (I) in subclause (III), by striking
20 “and” at the end;

21 (II) in subclause (IV)—

22 (aa) by inserting “the devel-
23 opment and education of staff to
24 increase expertise in providing
25 opportunities for covered veterans

1 (as defined in section
2 4212(a)(3)(A) of title 38, United
3 States Code) to enter in-demand
4 industry sectors or occupations
5 and nontraditional occupations),”
6 after “exemplary program activi-
7 ties,”; and

8 (bb) by adding “and” at the
9 end; and

10 (III) by adding at the end the fol-
11 lowing:

12 “(V) local boards and eligible
13 training providers in carrying out the
14 performance reporting required under
15 section 116(d), including facilitating
16 data matches for program participants
17 using quarterly wage record informa-
18 tion (including the wage records made
19 available by any other State) and other
20 sources of information, as necessary to
21 measure the performance of programs
22 and activities conducted under chapter
23 2 or chapter 3 of this subtitle;”;

24 (ii) in clause (ii), by striking “(7)”
25 and inserting “(6)”;

1 (iii) in clause (v)—

2 (I) in subclause (II), by striking
3 “customized training” and inserting
4 “employer-directed skills development”;
5 and

6 (II) in subclause (VI), by striking
7 “and” at the end;

8 (iv) in clause (vi), by striking the pe-
9 riod at the end and inserting a semicolon;
10 and

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

12 “(vii) coordinating (which may be
13 done in partnership with other States) with
14 industry organizations, employers (includ-
15 ing small and mid-sized employers), indus-
16 try or sector partnerships, training pro-
17 viders, local boards, and institutions of
18 higher education to identify or develop com-
19 petency-based assessments that are a valid
20 and reliable method of collecting informa-
21 tion with respect to, and measuring, the
22 prior knowledge, skills, and abilities of indi-
23 viduals who are adults or dislocated workers
24 for the purpose of—

1 “(I) awarding, based on the
2 knowledge, skills, and abilities of such
3 an individual validated by such assess-
4 ments—

5 “(aa) a recognized postsec-
6 ondary credential that is used by
7 employers in the State for recruit-
8 ment, hiring, retention, or ad-
9 vancement purposes;

10 “(bb) postsecondary credit to-
11 ward a recognized postsecondary
12 credential aligned with in-demand
13 industry sectors and occupations
14 in the State for the purpose of ac-
15 celerating attainment of such cre-
16 dential; and

17 “(cc) postsecondary credit for
18 progress along a career pathway
19 developed by the State or a local
20 area within the State;

21 “(II) developing individual em-
22 ployment plans under subsection
23 (c)(2)(B)(vi)(II) that incorporate the
24 knowledge, skills, and abilities of such
25 an individual to identify—

1 “(aa) *in-demand industry*
2 *sectors or occupations that require*
3 *similar knowledge, skills, and*
4 *abilities; and*

5 “(bb) *any upskilling needed*
6 *for the individual to secure em-*
7 *ployment in such a sector or occu-*
8 *pation; and*

9 “(III) *helping such an individual*
10 *communicate such knowledge, skills,*
11 *and abilities to prospective employers*
12 *through a skills-based resume, profile,*
13 *or portfolio; and*

14 “(viii) *disseminating to local areas*
15 *and employers information relating to the*
16 *competency-based assessments identified or*
17 *developed pursuant to clause (vii), includ-*
18 *ing—*

19 “(I) *any credential or credit*
20 *awarded pursuant to items (aa)*
21 *through (cc) of clause (vii)(I);*

22 “(II) *the industry organizations,*
23 *employers, training providers, and in-*
24 *stitutions of higher education located*
25 *within the State that recognize the*

1 *knowledge, skills, and abilities of an*
2 *individual validated by such assess-*
3 *ments;*

4 “(III) *how such assessments may*
5 *be provided to, and accessed by, indi-*
6 *viduals through the one-stop delivery*
7 *system; and*

8 “(IV) *information on the extent to*
9 *which such assessments are being used*
10 *by employers and local areas in the*
11 *State.”.*

12 (3) *ALLOWABLE STATEWIDE EMPLOYMENT AND*
13 *TRAINING ACTIVITIES.—Section 134(a)(3)(A) of the*
14 *Workforce Innovation and Opportunity Act (29*
15 *U.S.C. 3174(a)(3)(A))—*

16 (A) *in clause (i)—*

17 (i) *by inserting “or evidence-based”*
18 *after “innovative”; and*

19 (ii) *by striking “customized training”*
20 *and inserting “employer-directed skills de-*
21 *velopment”;*

22 (B) *in clause (ii), by inserting “, or bring-*
23 *ing evidence-based strategies to scale,” after*
24 *“strategies”;*

1 (C) in clause (iii), by striking “and prior
2 learning assessment to” and inserting “, prior
3 learning assessment, or a competency-based as-
4 sessment identified or developed by the State
5 under paragraph (2)(B)(vii), to”;

6 (D) in clause (viii)(II)—

7 (i) in item (dd), by striking “and lit-
8 eracy” and inserting “, literacy, and digital
9 literacy”;

10 (ii) in item (ee), by striking “ex-of-
11 fenders in reentering the workforce; and”
12 and inserting “justice-involved individuals
13 in reentering the workforce;”; and

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

16 “(gg) programs under the
17 Older Americans Act of 1965 (42
18 U.S.C. 3001 et seq.) that support
19 employment and economic secu-
20 rity; and”;

21 (E) in clause (xiii), by striking “and” at
22 the end;

23 (F) in clause (xiv), by striking the period at
24 the end and inserting a semicolon; and

25 (G) by adding at the end the following:

1 “(xv) supporting employers seeking to
2 implement skills-based hiring practices,
3 which may include technical assistance on
4 the use and validation of employment as-
5 sessments (including competency-based as-
6 sessments developed or identified by the
7 State pursuant to paragraph (2)(B)(vii)),
8 and support in the creation of skills-based
9 job descriptions;

10 “(xvi) developing partnerships between
11 educational institutions (including area ca-
12 reer and technical education schools, local
13 educational agencies, and institutions of
14 higher education) and employers to create
15 or improve workforce development programs
16 to address the identified education and skill
17 needs of the workforce and the employment
18 needs of employers in regions of the State,
19 as determined by the most recent analysis
20 conducted under subparagraphs (A), (B),
21 and (C) of section 102(b)(1);

22 “(xvii) identifying and making avail-
23 able to residents of the State, free or reduced
24 cost access to online skills development pro-
25 grams that are aligned with in-demand in-

1 *dustries or occupations in the State and*
2 *lead to attainment of a recognized postsec-*
3 *ondary credential valued by employers in*
4 *such industries or occupations; and*

5 *“(xviii) establishing and administering*
6 *critical skills fund under paragraph (4).”.*

7 *(4) CRITICAL INDUSTRY SKILLS FUND.—Section*
8 *134(a) of the Workforce Innovation and Opportunity*
9 *Act (29 U.S.C. 3174(a)), as amended, is further*
10 *amended by adding at the end the following:*

11 *“(4) CRITICAL INDUSTRY SKILLS FUND.—*

12 *“(A) PERFORMANCE-BASED PAYMENTS.—A*
13 *State shall use funds reserved under paragraph*
14 *(3)(A) of section 128(a), and any funds reserved*
15 *under paragraph (3)(B) of section 128(a), to es-*
16 *tablish and administer a critical industry skills*
17 *fund to award performance-based payments on a*
18 *per-worker basis to eligible entities that provide*
19 *eligible skills development programs to prospec-*
20 *tive workers or incumbent workers (which may*
21 *include youth age 18 through age 24) in indus-*
22 *tries and occupations identified by the Governor*
23 *under subparagraph (B) that will result in em-*
24 *ployment or retention with a participating em-*
25 *ployer.*

1 “(B) *INDUSTRIES AND OCCUPATIONS.*—

2 “*(i) IN GENERAL.*—*The Governor (in*
3 *consultation with the State board)*—

4 “*(I) shall identify the industries*
5 *and occupations for which an eligible*
6 *skills development program carried out*
7 *by an eligible entity in the State may*
8 *receive funds under this paragraph;*
9 *and*

10 “*(II) may select the industries*
11 *and occupations identified under sub-*
12 *clause (I) that will receive priority for*
13 *funds under this paragraph.*

14 “*(ii) HIGH GROWTH AND HIGH*
15 *WAGE.*—*In selecting industries or occupa-*
16 *tions to prioritize pursuant to clause*
17 *(i)(II), the Governor may consider—*

18 “*(I) industries that have, or are*
19 *expected to have, a high rate of growth*
20 *and an unmet demand for skilled*
21 *workers; and*

22 “*(II) occupations—*

23 “*(aa) with wages that are*
24 *significantly higher than an occu-*

1 *pation of similar level of skill or*
2 *needed skill development; or*

3 *“(bb) that are aligned with*
4 *career pathways into higher wage*
5 *occupations.*

6 *“(C) SUBMISSION OF PROPOSALS.—*

7 *“(i) IN GENERAL.—To be eligible to re-*
8 *ceive a payment under the critical industry*
9 *skills fund established under this paragraph*
10 *by a State, an eligible entity shall submit*
11 *a proposal to the Governor in such form*
12 *and at such time as the Governor may re-*
13 *quire (subject to the requirements of clause*
14 *(ii)), which shall include—*

15 *“(I) a description of the indus-*
16 *tries or occupations in which the par-*
17 *ticipating employer is seeking to fill*
18 *jobs, the specific skills or credentials*
19 *necessary for an individual to obtain*
20 *such a job, and the salary range of*
21 *such a job;*

22 *“(II) the expected number of indi-*
23 *viduals who will participate in the*
24 *skills development program to be car-*
25 *ried out by the eligible entity;*

1 “(III) a description of the eligible
2 skills development program, including
3 the provider, the length of the program,
4 the skills to be gained, and any recog-
5 nized postsecondary credentials that
6 will be awarded;

7 “(IV) the total cost of providing
8 the program;

9 “(V) for purposes of receiving a
10 payment pursuant to subparagraph
11 (D)(i)(II)(bb), a commitment from the
12 participating employer in the eligible
13 entity to employ each participant of
14 the program for not less than a 6-
15 month period (or a longer period as
16 determined by the State) after success-
17 ful completion of the program; and

18 “(VI) an assurance that the entity
19 will—

20 “(aa) establish the written
21 agreements described in subpara-
22 graph (D)(ii)(I);

23 “(bb) maintain and submit
24 the documentation described in
25 subparagraph (D)(ii)(II); and

1 “(cc) maintain and submit
2 the necessary documentation for
3 the State to verify participant
4 outcomes and report such out-
5 comes as described in subpara-
6 graph (F).

7 “(ii) ADMINISTRATIVE BURDEN.—The
8 Governor shall ensure that the form and
9 manner in which a proposal required to be
10 submitted under clause (i) is designed to
11 minimize paperwork and administrative
12 burden for entities.

13 “(iii) APPROVAL OF SUBSEQUENT PRO-
14 POSALS.—With respect to an eligible entity
15 that has had a proposal approved by the
16 Governor under this subparagraph and that
17 submits a subsequent proposal under this
18 subparagraph, the eligible entity may only
19 receive approval from the Governor for the
20 subsequent proposal if—

21 “(I) with respect to the most re-
22 cent proposal approved under this sub-
23 paragraph—

24 “(aa) the skills development
25 program has ended;

1 “(bb) for any participants
2 employed by the participating em-
3 ployer in accordance with sub-
4 paragraph (C)(i)(V), the min-
5 imum periods of such employment
6 described in such subparagraph
7 have ended;

8 “(cc) all the payments under
9 subparagraph (D) owed to the eli-
10 gible entity have been made; and

11 “(dd) not fewer than 70 per-
12 cent of the participants who en-
13 rolled in the skills development
14 program—

15 “(AA) completed such
16 program; and

17 “(BB) after such com-
18 pletion, were employed by the
19 participating employer for
20 the minimum period de-
21 scribed in subparagraph
22 (C)(i)(V); and

23 “(II) the eligible entity meets any
24 other requirements that the Governor
25 may establish with respect to eligible

1 *entities submitting subsequent pro-*
2 *posals.*

3 *“(D) REIMBURSEMENT FOR APPROVED PRO-*
4 *POSALS.—*

5 *“(i) STATE REQUIREMENTS.—*

6 *“(I) IN GENERAL.—With respect*
7 *to each eligible entity whose proposal*
8 *under subparagraph (C) has been ap-*
9 *proved by the Governor, the Governor*
10 *shall make payments (in an amount*
11 *determined by the Governor and sub-*
12 *ject to the requirements of subclause*
13 *(II) of this clause, subparagraphs (E)*
14 *and (G), and any other limitations de-*
15 *termined necessary by the State) from*
16 *the critical industry skills fund estab-*
17 *lished under this paragraph to such el-*
18 *igible entity for each participant of the*
19 *eligible skills development program de-*
20 *scribed in such proposal and with re-*
21 *spect to whom the eligible entity meets*
22 *the requirements of clause (ii).*

23 *“(II) PAYMENTS.—In making*
24 *payments to an eligible entity under*

1 *subclause (I) with respect to a partici-*
2 *part—*

3 “(aa) 50 percent of the total
4 payment shall be made after the
5 participant completes the eligible
6 skills development program offered
7 by the eligible entity; and

8 “(bb) the remaining 50 per-
9 cent of such total payment shall
10 be made after the participant has
11 been employed by the partici-
12 pating employer for the minimum
13 period described in subparagraph
14 (C)(i)(V).

15 “(ii) *ELIGIBLE ENTITY REQUIRE-*
16 *MENTS.—To be eligible to receive the pay-*
17 *ments described in clause (i) with respect to*
18 *a participant, an eligible entity described*
19 *in such clause shall—*

20 “(I) establish a written agreement
21 with the participant that includes the
22 information described in subclauses (I)
23 and (III) of subparagraph (C)(i); and

24 “(II) submit documentation as the
25 Governor determines necessary to

1 *verify that such participant has com-*
2 *pleted the skills development program*
3 *offered by the eligible entity and has*
4 *been employed by the participating*
5 *employer for the minimum period de-*
6 *scribed in subparagraph (C)(i)(V).*

7 “(E) *NON-FEDERAL COST SHARING.*—

8 “(i) *LIMITS ON FEDERAL SHARE.*—*An*
9 *eligible entity may not receive funds under*
10 *subparagraph (D) with respect to a partici-*
11 *phant of the eligible skills development pro-*
12 *gram offered by the eligible entity in excess*
13 *of the following costs of such program:*

14 “(I) *In the case of a participating*
15 *employer of such eligible entity with 25*
16 *or fewer employees, 90 percent of the*
17 *costs.*

18 “(II) *In the case of a partici-*
19 *parting employer of such eligible entity*
20 *with more than 25 employees, but*
21 *fewer than 100 employees, 75 percent*
22 *of the costs.*

23 “(III) *In the case of a partici-*
24 *parting employer of such eligible entity*

1 *with 100 or more employees, 50 per-*
2 *cent of the costs.*

3 “(ii) *NON-FEDERAL SHARE.—*

4 “(I) *IN GENERAL.—Any costs of*
5 *the skills development program offered*
6 *to a participant by such eligible entity*
7 *that are not covered by the funds re-*
8 *ceived under subparagraph (D) shall be*
9 *the non-Federal share provided by the*
10 *eligible entity (in cash or in-kind).*

11 “(II) *EMPLOYER COST SHAR-*
12 *ING.—If the eligible skills development*
13 *program is being provided on-the-job,*
14 *the non-Federal share provided by an*
15 *eligible entity may include the amount*
16 *of the wages paid by the participating*
17 *employer of the eligible entity to a par-*
18 *ticipant while such participant is re-*
19 *ceiving the training.*

20 “(F) *PERFORMANCE REPORTING.—*

21 “(i) *IN GENERAL.—The State shall use*
22 *the participant information provided by eli-*
23 *gible entities to submit to the Secretary a*
24 *report, on an annual basis, with respect to*
25 *the participants of the eligible skills devel-*

1 *opment programs for which the eligible enti-*
2 *ties received funds under this paragraph for*
3 *the most recent program year, which*
4 *shall—*

5 *“(I) be made digitally available*
6 *by the Secretary using linked, open,*
7 *and interoperable data, which shall in-*
8 *clude; and*

9 *“(II) include—*

10 *“(aa) the number of individ-*
11 *uals who participated in pro-*
12 *grams, unless such information*
13 *would reveal personally identifi-*
14 *able information about an indi-*
15 *vidual); and*

16 *“(bb) performance outcomes*
17 *on the measures listed in clause*
18 *(i).*

19 *“(ii) MEASURES.—The measures listed*
20 *below are as follows:*

21 *“(I) The percentage of partici-*
22 *pants who completed the skills develop-*
23 *ment program.*

24 *“(II) The percentage of partici-*
25 *pants who were employed by the par-*

1 *ticipating employer for a 6-month pe-*
2 *riod after program completion.*

3 *“(III) The percentage of partici-*
4 *pants who were employed by the par-*
5 *ticipating employer as described in*
6 *subclause (II), and who remained em-*
7 *ployed by the participating employer 1*
8 *year after program completion.*

9 *“(IV) The median earnings of*
10 *program participants who are in un-*
11 *subsidized employment during the sec-*
12 *ond quarter after program completion.*

13 *“(V) The median earnings in-*
14 *crease of program participants, meas-*
15 *ured by comparing the earning of a*
16 *participant in the second quarter prior*
17 *to entry into the program to the earn-*
18 *ings of such participant in the second*
19 *quarter following completion of the*
20 *program.*

21 *“(G) DEFINITIONS.—In this paragraph:*

22 *“(i) ELIGIBLE ENTITY.—The term ‘eli-*
23 *gible entity’ means an employer, a group of*
24 *employers, an industry or sector partner-*
25 *ship, or another entity serving as an inter-*

1 mediary (such as a local board) that is in
2 a partnership with at least one employer in
3 an industry or occupation identified by the
4 Governor under subparagraph (B)(i) (re-
5 ferred to in this paragraph as the ‘partici-
6 pating employer’).

7 “(i) *ELIGIBLE SKILLS DEVELOPMENT*
8 *PROGRAM.*—The term ‘eligible skills develop-
9 ment program’, with respect to which a
10 State may set a maximum and minimum
11 length (in weeks)—

12 “(I) includes work-based edu-
13 cation or related occupational skills in-
14 struction that—

15 “(aa) develops the specific
16 technical skills necessary for suc-
17 cessful performance of the occupa-
18 tions in which participants are to
19 be employed upon completion; and

20 “(bb) may be provided by the
21 eligible entity or by any training
22 provider selected by the eligible
23 entity and that is not required to
24 be on a list of eligible providers of

1 training services described in sec-
2 tion 122(d); and

3 “(II) may not include employee
4 onboarding, orientation, or profes-
5 sional development generally provided
6 to employees.”.

7 (5) *STATE-IMPOSED REQUIREMENTS.*—Section
8 134(a) of the Workforce Innovation and Opportunity
9 Act (29 U.S.C. 3174(a)), as amended, is further
10 amended by adding at the end the following:

11 “(5) *STATE-IMPOSED REQUIREMENTS.*—When-
12 ever a State or outlying area implements any rule or
13 policy relating to the administration or operation of
14 activities authorized under this title that has the effect
15 of imposing a requirement that is not imposed under
16 Federal law, or is not a requirement, process, or cri-
17 teria that the Governor or State is directed to estab-
18 lish under Federal law, the State or outlying area
19 shall identify to local areas and eligible providers the
20 requirement as being imposed by the State or out-
21 lying area.”.

22 (b) *REQUIRED LOCAL EMPLOYMENT AND TRAINING*
23 *ACTIVITIES.*—

24 (1) *MINIMUM AMOUNT FOR SKILLS DEVELOP-*
25 *MENT.*—Section 134(c)(1) of the Workforce Innovation

1 *and Opportunity Act (29 U.S.C. 3174(c)(1)) is*
2 *amended—*

3 *(A) in subparagraph (A)(iv), by striking*
4 *“to” and inserting “to provide business services*
5 *described in paragraph (4) and”;*

6 *(B) by redesignating subparagraph (B) as*
7 *subparagraph (C); and*

8 *(C) by inserting after subparagraph (A), as*
9 *so amended, the following:*

10 *“(B) MINIMUM AMOUNT FOR SKILLS DEVEL-*
11 *OPMENT.—Not less than 50 percent of the funds*
12 *described in subparagraph (A) shall be used by*
13 *the local area—*

14 *“(i) for the payment of training serv-*
15 *ices—*

16 *“(I) provided to adults under*
17 *paragraph (3)(F)(iii); and*

18 *“(II) provided to adults and dis-*
19 *located workers under paragraph*
20 *(3)(G)(ii); and*

21 *“(ii) for the payment of training serv-*
22 *ices under paragraph (2)(A) of section*
23 *414(c) of the American Competitiveness and*
24 *Workforce Improvement Act of 1998 (29*
25 *U.S.C. 3224a(c)) after funds allocated to*

1 *such local area under paragraph (1) of such*
2 *section 414(c) have been exhausted.”; and*

3 *(D) in subparagraph (C), as so redesign-*
4 *ated, by striking “and (ii)” and inserting “,*
5 *(ii), and (iv)”.*

6 (2) *CAREER SERVICES.—Section 134(c)(2) of the*
7 *Workforce Innovation and Opportunity Act (29*
8 *U.S.C. 3174(c)(2)) is amended—*

9 (A) *by redesignating subparagraphs (A)*
10 *through (C) as subparagraphs (B) through (D),*
11 *respectively;*

12 (B) *by inserting before subparagraph (B),*
13 *as so redesignated, the following:*

14 “(A) *BASIC CAREER SERVICES.—*

15 “(i) *IN GENERAL.—The one-stop deliv-*
16 *ery system—*

17 “(I) *shall coordinate with the Em-*
18 *ployment Service office colocated with*
19 *the one-stop delivery system for such*
20 *Employment Service office to provide,*
21 *using the funds allotted to the State*
22 *under section 6 of the Wagner-Peyser*
23 *Act (29 U.S.C. 49e), basic career serv-*
24 *ices, which shall—*

1 “(aa) include, at a min-
2 imum, the services listed in clause
3 (ii); and

4 “(bb) be available to individ-
5 uals who are adults or dislocated
6 workers in an integrated manner
7 to streamline access to assistance
8 for such individuals, to avoid du-
9 plication of services, and to en-
10 hance coordination of services;
11 and

12 “(II) may use funds allocated
13 under paragraph (1)(A), as necessary,
14 to supplement the services that are pro-
15 vided pursuant to subclause (I) to in-
16 dividuals who are adults or dislocated
17 workers.

18 “(ii) SERVICES.—The basic career
19 services provided pursuant to clause (i)
20 shall include—

21 “(I) provision of workforce and
22 labor market employment statistics in-
23 formation, including the provision of
24 accurate (and, to the extent prac-
25 ticable, real-time) information relating

1 to local, regional, and national labor
2 market areas, including—

3 “(aa) job vacancy listings in
4 such labor market areas;

5 “(bb) information on job
6 skills necessary to obtain the jobs
7 described in item (aa); and

8 “(cc) information relating to
9 local occupations in demand
10 (which may include entrepreneur-
11 ship opportunities), and the earn-
12 ings, skill requirements, and op-
13 portunities for advancement for
14 such occupations;

15 “(II) labor exchange services, in-
16 cluding job search and placement as-
17 sistance and, in appropriate cases, ca-
18 reer counseling, including—

19 “(aa) provision of informa-
20 tion on in-demand industry sec-
21 tors and occupations;

22 “(bb) provision of informa-
23 tion on nontraditional employ-
24 ment; and

1 “(cc) provision of informa-
2 tion on entrepreneurship, as ap-
3 propriate;

4 “(III)(aa) provision of informa-
5 tion, in formats that are usable by and
6 understandable to one-stop center cus-
7 tomers, relating to the availability of
8 supportive services or assistance, in-
9 cluding child care, child support, med-
10 ical or child health assistance under
11 title XIX or XXI of the Social Security
12 Act (42 U.S.C. 1396 et seq. and
13 1397aa et seq.), benefits under the sup-
14 plemental nutrition assistance pro-
15 gram established under the Food and
16 Nutrition Act of 2008 (7 U.S.C. 2011
17 et seq.), assistance through the earned
18 income tax credit under section 32 of
19 the Internal Revenue Code of 1986,
20 and assistance under a State program
21 for temporary assistance for needy
22 families funded under part A of title
23 IV of the Social Security Act (42
24 U.S.C. 601 et seq.) and other sup-
25 portive services and transportation

1 *provided through funds made available*
2 *under such part, available in the local*
3 *area; and*

4 “(bb) *referral to the services or as-*
5 *istance described in item (aa), as ap-*
6 *propriate;*

7 “(IV) *provision of information*
8 *and assistance regarding filing claims*
9 *for unemployment compensation; and*

10 “(V) *assistance in establishing eli-*
11 *gibility for programs of financial aid*
12 *assistance for training and education*
13 *programs that are not funded under*
14 *this Act.”;*

15 (C) *in subparagraph (B), as so redesign-*
16 *ated—*

17 (i) *in the heading, by striking the*
18 *heading and inserting “INDIVIDUALIZED*
19 *CAREER”;*

20 (ii) *by inserting “individualized” be-*
21 *fore “career services”;*

22 (iii) *by inserting “shall, to the extent*
23 *practicable, be evidence-based,” before “and*
24 *shall”;*

1 *(iv) in clause (iii), by inserting “, and*
2 *a determination (considering factors includ-*
3 *ing prior work experience, military service,*
4 *education, and in-demand industry sectors*
5 *and occupations in the local area) of wheth-*
6 *er such an individual would benefit from a*
7 *competency-based assessment developed or*
8 *identified by the State pursuant to sub-*
9 *section (a)(2)(B)(vii) to accelerate the time*
10 *to obtaining employment that leads to eco-*
11 *nomie self-sufficiency or career advance-*
12 *ment” before the semi-colon at the end;*

13 *(v) by striking clauses (iv), (vi), (ix),*
14 *(x), and (xi);*

15 *(vi) by redesignating clauses (v), (vii),*
16 *(viii), (xii), and (xiii) as clauses (iv), (v),*
17 *(vi), (vii), and (viii), respectively;*

18 *(vii) in clause (v), as so redesignated,*
19 *by inserting “and credential” after “by pro-*
20 *gram”; and*

21 *(viii) in clause (vii)(I)(aa), as so re-*
22 *designated, by inserting “, including a com-*
23 *petency-based assessment developed or iden-*
24 *tified by the State pursuant to subsection*
25 *(a)(2)(B)(vii)” after “tools”;*

1 (D) by amending subparagraph (C), as so
2 redesignated, to read as follows:

3 “(C) *USE OF PREVIOUS ASSESSMENTS.*—A
4 one-stop operator or one-stop partner shall not be
5 required to conduct a new interview, evaluation,
6 or assessment of a participant under subpara-
7 graph (B)(vii) if the one-stop operator or one-
8 stop partner determines that—

9 “(i) it is appropriate to use a recent
10 interview, evaluation, or assessment of the
11 participant conducted pursuant to another
12 education or training program; and

13 “(ii) using such recent interview, eval-
14 uation, or assessment will accelerate an eli-
15 gibility determination.”; and

16 (E) in subparagraph (D), as so redesign-
17 nated—

18 (i) by inserting “individualized” before
19 “career”; and

20 (ii) in clause (ii), by inserting “, li-
21 braries, and community-based organiza-
22 tions” after “nonprofit service providers”.

23 (3) *TRAINING SERVICES.*—Section 134(c)(3) of
24 the Workforce Innovation and Opportunity Act (29
25 U.S.C. 3174(c)(3)) is amended—

1 (A) in subparagraph (A)—

2 (i) in clause (i), in the matter pre-
3 ceding subclause (I), by striking “clause
4 (ii)” and inserting “clause (ii) or (iii)”

5 (ii) in clause (i)(II)—

6 (I) by striking “or in” and insert-
7 ing “in” and

8 (II) by inserting “, or that may
9 be performed remotely” after “relo-
10 cate”;

11 (iii) by redesignating clause (iii) as
12 clause (iv);

13 (iv) by inserting after clause (ii) the
14 following:

15 “(iii) EMPLOYER REFERRAL.—

16 “(I) IN GENERAL.—A one-stop op-
17 erator or one-stop partner shall not be
18 required to conduct an interview, eval-
19 uation, or assessment of an individual
20 under clause (i)(I) if such indi-
21 vidual—

22 “(aa) is referred by an em-
23 ployer to receive on-the-job train-
24 ing or employer-directed skills de-

1 *velopment in connection with that*
2 *employer; and*

3 *“(bb) has been certified by*
4 *the employer as being in need of*
5 *training services to obtain unsub-*
6 *sidized employment with such em-*
7 *ployer and having the skills and*
8 *qualifications to successfully par-*
9 *ticipate in the selected program of*
10 *training services.*

11 *“(II) PRIORITY.—A one-stop oper-*
12 *ator or one-stop partner shall follow*
13 *the priority described in subparagraph*
14 *(E) to determine whether an indi-*
15 *vidual that meets the requirements of*
16 *subclause (I) of this clause is eligible to*
17 *receive training services.”; and*

18 *(v) by adding at the end the following:*

19 *“(v) ADULT EDUCATION AND FAMILY*
20 *LITERACY ACTIVITIES.—In the case of an*
21 *individual who is determined to not have*
22 *the skills and qualifications to successfully*
23 *participate in the selected program of train-*
24 *ing services under clause (i)(I)(cc), the one-*
25 *stop operator or one-stop partner shall refer*

1 *such individual to adult education and lit-*
2 *eracy activities under title II, including for*
3 *co-enrollment in such activities, as appro-*
4 *priate.”;*

5 *(B) in subparagraph (B)—*

6 *(i) in clause (i)—*

7 *(I) in subclause (I), by striking*
8 *“other grant assistance for such serv-*
9 *ices, including” and inserting “assist-*
10 *ance for such services under”;* and

11 *(II) by striking “under other*
12 *grant assistance programs, including”*
13 *and inserting “under”;* and

14 *(ii) by adding at the end the following:*

15 *“(iv) PARTICIPATION DURING ELIGI-*
16 *BILITY DETERMINATION.—An individual*
17 *may participate in a program of training*
18 *services during the period which such indi-*
19 *vidual’s eligibility for training services*
20 *under clause (i) is being determined, except*
21 *that the provider of such a program shall*
22 *only receive reimbursement under this Act*
23 *for the individual’s participation during*
24 *such period if such individual is determined*
25 *to be eligible under clause (i).”;*

1 (C) in subparagraph (D)(xi), by striking
2 “customized training” and inserting “employer-
3 directed skills development”;

4 (D) in subparagraph (E)—

5 (i) by striking “are basic skills defi-
6 cient” and inserting “have foundational
7 skill needs”; and

8 (ii) by striking “paragraph
9 (2)(A)(xii)” and inserting “paragraph
10 (2)(B)(vii)”;

11 (E) in subparagraph (G)(ii)—

12 (i) in subclause (II), by striking “cus-
13 tomized training” and inserting “employer-
14 directed skills development”; and

15 (ii) in subclause (IV), by striking “is
16 a” and inserting “is an evidence-based”;

17 (F) in subparagraph (H)—

18 (i) in clause (i), by striking “reim-
19 bursement described in section 3(44)” and
20 inserting “reimbursement described in the
21 definition of the term “on-the-job training”
22 in section 3”; and

23 (ii) in clause (ii)—

24 (I) in subclause (I), by inserting
25 “ , such as the extent to which partici-

1 *pants are individuals with barriers to*
2 *employment” after “participants”; and*
3 *(II) in subclause (III), by insert-*
4 *ing “, including whether the skills a*
5 *participant will obtain are transfer-*
6 *able to other employers, occupations, or*
7 *industries in the local area or the*
8 *State” after “opportunities”; and*
9 *(G) by adding at the end the following:*

10 *“(I) EMPLOYER-DIRECTED SKILLS DEVEL-*
11 *OPMENT.—An employer may receive a contract*
12 *from a local board to provide employer-directed*
13 *skills development to a participant or group of*
14 *participants if the employer submits to the local*
15 *board an agreement that establishes—*

16 *“(i) the provider of the skills develop-*
17 *ment program, which may be the employer;*

18 *“(ii) the length of the skills develop-*
19 *ment program;*

20 *“(iii) the recognized postsecondary cre-*
21 *dentials that will be awarded to, or the oc-*
22 *cupational skills that will be gained by,*
23 *program participants;*

24 *“(iv) the cost of the skills development*
25 *program;*

1 “(v) the amount of such cost that will
2 be paid by the employer, which shall not be
3 less than the amount specified in section
4 3(14)(C); and

5 “(vi) a commitment by the employer to
6 employ the participating individual or in-
7 dividuals upon successful completion of the
8 program.”.

9 (c) *BUSINESS SERVICES*.—Section 134(c) of the Work-
10 *force Innovation and Opportunity Act (29 U.S.C. 3174(c))*
11 *is further amended—*

12 (1) in paragraph (1)(A)(iv), by inserting “pro-
13 vide business services described in paragraph (4)
14 and” before “establish”; and

15 (2) by adding at the end the following:

16 “(4) *BUSINESS SERVICES*.—Funds described in
17 paragraph (1) shall be used to provide appropriate
18 recruitment and other business services and strategies
19 on behalf of employers, including small employers,
20 that meet the workforce investment needs of area em-
21 ployers, as determined by the local board and con-
22 sistent with the local plan under section 108, which
23 services—

24 “(A) may be provided through effective busi-
25 ness intermediaries working in conjunction with

1 *the local board, and may also be provided on a*
2 *fee-for-service basis or through the leveraging of*
3 *economic development, philanthropic, and other*
4 *public and private resources in a manner deter-*
5 *mined appropriate by the local board; and*

6 “(B) *may include one or more of the fol-*
7 *lowing:*

8 “(i) *Developing and implementing in-*
9 *dustry sector strategies (including strategies*
10 *involving industry partnerships, regional*
11 *skills alliances, industry skill panels, and*
12 *sectoral skills partnerships).*

13 “(ii) *Developing and delivering inno-*
14 *vative workforce investment services and*
15 *strategies for area employers, which may*
16 *include career pathways, skills upgrading,*
17 *skill standard development and certification*
18 *for recognized postsecondary credential or*
19 *other employer use, apprenticeship, and*
20 *other effective initiatives for meeting the*
21 *workforce investment needs of area employ-*
22 *ers and workers.*

23 “(iii) *Assistance to area employers in*
24 *managing reductions in force in coordina-*
25 *tion with rapid response activities provided*

1 *under subsection (a)(2)(A) and developing*
2 *strategies for the aversion of layoffs, which*
3 *strategies may include early identification*
4 *of firms at risk of layoffs, use of feasibility*
5 *studies to assess the needs of and options for*
6 *at-risk firms, and the delivery of employ-*
7 *ment and training activities to address risk*
8 *factors.*

9 *“(iv) The marketing of business serv-*
10 *ices offered under this title to appropriate*
11 *area employers, including small and mid-*
12 *sized employers.*

13 *“(v) Technical assistance or other sup-*
14 *port to employers seeking to implement*
15 *skills-based hiring practices, which may in-*
16 *clude technical assistance on the use and*
17 *validation of employment assessments, in-*
18 *cluding competency-based assessments devel-*
19 *oped or identified by the State pursuant to*
20 *paragraph (2)(B)(vii), and support in the*
21 *creation of skills-based job descriptions.*

22 *“(vi) Other services described in this*
23 *subsection, including providing information*
24 *and referral to microenterprise services, as*
25 *appropriate, and specialized business serv-*

1 ices not traditionally offered through the
2 one-stop delivery system.”.

3 (d) *PERMISSIBLE LOCAL EMPLOYMENT AND TRAINING*
4 *ACTIVITIES.*—

5 (1) *ACTIVITIES.*—Section 134(d)(1)(A) of the
6 *Workforce Innovation and Opportunity Act* (29
7 *U.S.C. 3174(d)(1)(A)*) is amended—

8 (A) by amending clause (iii) to read as fol-
9 lows:

10 “(iii) implementation of a pay-for-per-
11 formance contract strategy for training
12 services, for which the local board may re-
13 serve and use not more than 40 percent of
14 the total funds allocated to the local area
15 under paragraph (2) or (3) of section
16 133(b), except that after 2 fiscal years of a
17 local board implementing such pay-for-per-
18 formance contract strategy, the local board
19 may request approval from the Governor to
20 reserve and use not more than 60 percent of
21 the total funds allocated to the local area
22 under paragraph (2) or (3) of section
23 133(b) for such strategy for the following
24 fiscal year if the local board can dem-
25 onstrate to the Governor the performance

1 *improvements achieved through the use of*
2 *such strategy;”;*

3 *(B) in clause (vii)—*

4 *(i) in subclause (II), by striking “and”*
5 *at the end;*

6 *(ii) in subclause (III), by inserting*
7 *“and” at the end; and*

8 *(iii) by adding at the end the fol-*
9 *lowing:*

10 *“(IV) to strengthen, through pro-*
11 *fessional development activities, the*
12 *knowledge and capacity of staff to use*
13 *the latest digital technologies, tools,*
14 *and strategies to deliver high quality*
15 *services and outcomes for jobseekers,*
16 *workers, and employers;”;*

17 *(C) in clause (ix)(II)—*

18 *(i) in item (cc), by striking “and” at*
19 *the end;*

20 *(ii) in item (dd), by inserting “and”*
21 *at the end; and*

22 *(iii) by adding at the end the fol-*
23 *lowing:*

24 *“(ee) technical assistance or*
25 *other support to employers seeking*

1 to implement skills-based hiring
2 practices, which may include tech-
3 nical assistance on the use and
4 validation of employment assess-
5 ments, including competency-
6 based assessments developed or
7 identified by the State pursuant
8 to paragraph (2)(B)(vii), and
9 support in the creation of skills-
10 based job descriptions;”;

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

13 (E) in clause (xii), by striking the period at
14 the end and inserting a semicolon; and

15 (F) by adding at the end the following:

16 “(xiii) the use of competency-based as-
17 sessments for individuals upon initial as-
18 sessment of skills (pursuant to subsection
19 (c)(2)(A)(iii)) or completion of training
20 services or other learning experiences; and

21 “(xiv) the development of partnerships
22 between educational institutions (including
23 area career and technical education schools,
24 local educational agencies, and institutions
25 of higher education) and employers to create

1 *or improve workforce development programs*
2 *to address the identified education and skill*
3 *needs of the workforce and the employment*
4 *needs of employers in a region, as deter-*
5 *mined based on the most recent analysis*
6 *conducted by the local board under section*
7 *107(d)(2).”.*

8 (2) *INCUMBENT WORKER TRAINING PROGRAMS.—*

9 (A) *IN GENERAL.—Section 134(d)(4)(A) of*
10 *the Workforce Innovation and Opportunity Act*
11 *(29 U.S.C. 3174(d)(4)(A)) is amended—*

12 (i) *in clause (i), by striking “20” and*
13 *inserting “30”*

14 (ii) *by redesignating clauses (ii) and*
15 *(iii) as clauses (iii) and (iv), respectively;*
16 *and*

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

19 “(i) *INCREASE IN RESERVATION OF*
20 *FUNDS.—Notwithstanding clause (i)—*

21 “(I) *with respect to a local area*
22 *that had a rate of unemployment of*
23 *not more than 3 percent for not less*
24 *than 6 months during the preceding*
25 *program year, clause (i) shall be ap-*

1 plied by substituting ‘40 percent’ for
2 ‘30 percent’; or

3 “(II) with respect to a local area
4 that meets the requirement in subclause
5 (I) and is located in a State that had
6 a labor force participation rate of not
7 less than 68 percent for not less than
8 6 months during the preceding pro-
9 gram year, clause (i) shall be applied
10 by substituting ‘45 percent’ for ‘30 per-
11 cent’.”.

12 (B) *INCUMBENT WORKER UPSKILLING AC-*
13 *COUNTS.*—Section 134(d)(4) of the Workforce In-
14 novation and Opportunity Act (29 U.S.C.
15 3174(d)(4)) is further amended by adding at the
16 end the following:

17 “(E) *INCUMBENT WORKER UPSKILLING AC-*
18 *COUNTS.*—

19 “(i) *IN GENERAL.*—To establish incum-
20 bent worker upskilling accounts through
21 which an eligible provider of training serv-
22 ices under section 122 may be paid for the
23 program of training services provided to an
24 incumbent worker, a local board—

1 “(I) may use up to 5 percent of
2 the funds reserved by the local area
3 under subparagraph (A)(i) or, if the
4 local area reserved funds under sub-
5 paragraph (A)(ii), up to 10 percent of
6 such reserved funds; and

7 “(II) may use funds reserved
8 under section 134(a)(2)(A) for state-
9 wide rapid response activities and pro-
10 vided by the State to local area to es-
11 tablish such accounts.

12 “(ii) *ELIGIBILITY.*—

13 “(I) *IN GENERAL.*—Subject to
14 subclause (II), a local board that seeks
15 to establish incumbent worker
16 upskilling accounts under clause (i)
17 shall establish criteria for determining
18 the eligibility of an incumbent worker
19 to receive such an account, which shall
20 take into account factors of—

21 “(aa) the wages of the in-
22 cumbent worker as of the date of
23 determining such worker’s eligi-
24 bility under this clause;

1 “(bb) *the career advancement*
2 *opportunities for the incumbent*
3 *worker in the occupation of such*
4 *worker as of such date; and*

5 “(cc) *the ability of the in-*
6 *cumbent worker to, upon comple-*
7 *tion of the program of training*
8 *services selected by such worker,*
9 *secure employment in an in-de-*
10 *mand industry or occupation in*
11 *the local area that will lead to*
12 *economic self-sufficiency and*
13 *wages higher than the current*
14 *wages of the incumbent worker.*

15 “(II) *LIMITATION.—*

16 “(aa) *IN GENERAL.—An in-*
17 *cumbent worker described in item*
18 *(bb) shall be ineligible to receive*
19 *an incumbent worker upskilling*
20 *account under this subparagraph.*

21 “(bb) *INELIGIBILITY.—Item*
22 *(aa) shall apply to an incumbent*
23 *worker—*

24 “(AA) *whose total an-*
25 *nual wages for the most re-*

1 *cent year are greater than*
2 *the median household income*
3 *of the State; or*

4 *“(BB) who has earned a*
5 *baccalaureate or professional*
6 *degree.*

7 *“(iii) COST SHARING FOR CERTAIN IN-*
8 *CUMBENT WORKERS.—With respect to an*
9 *incumbent worker determined to be eligible*
10 *to receive an incumbent worker upskilling*
11 *account who is not a low-income indi-*
12 *vidual—*

13 *“(I) such incumbent worker shall*
14 *pay not less than 25 percent of the cost*
15 *of the program of training services se-*
16 *lected by such worker; and*

17 *“(II) funds provided through the*
18 *incumbent worker upskilling account*
19 *established for such worker shall cover*
20 *the remaining 75 percent of the cost of*
21 *the program.”.*

1 **CHAPTER 4—AUTHORIZATION OF**
2 **APPROPRIATIONS**

3 **SEC. 145. AUTHORIZATION OF APPROPRIATIONS.**

4 *Section 136 of the Workforce Innovation and Oppor-*
5 *tunity Act (29 U.S.C. 3181) is amended to read as follows:*

6 **“SEC. 136. AUTHORIZATION OF APPROPRIATIONS.**

7 “(a) *YOUTH WORKFORCE INVESTMENT ACTIVITIES.—*
8 *There are authorized to be appropriated to carry out the*
9 *activities described in section 127(a) \$976,573,900 for each*
10 *of the fiscal years 2025 through 2030.*

11 “(b) *ADULT EMPLOYMENT AND TRAINING ACTIVI-*
12 *TIES.—There are authorized to be appropriated to carry out*
13 *the activities described in section 132(a)(1) \$912,218,500*
14 *for each of the fiscal years 2025 through 2030.*

15 “(c) *DISLOCATED WORKER EMPLOYMENT AND TRAIN-*
16 *ING ACTIVITIES.—There are authorized to be appropriated*
17 *to carry out the activities described in section 132(a)(2)*
18 *\$1,451,859,000 for each of the fiscal years 2025 through*
19 *2030.”.*

20 **Subtitle D—Job Corps**

21 **SEC. 151. PURPOSES.**

22 *Section 141 of the Workforce Innovation and Oppor-*
23 *tunity Act (29 U.S.C. 3191) is amended by striking “cen-*
24 *ters” each place it appears 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), (7), (8), and (10), by*
5 *striking “center” each place it appears and inserting*
6 *“campus”; and*

7 *(2) in paragraph (7), by striking “CENTER” in*
8 *the header and inserting “CAMPUS”.*

9 **SEC. 153. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.**

10 *Section 144 of the Workforce Innovation and Oppor-*
11 *tunity Act (29 U.S.C. 3194) is amended—*

12 *(1) in subsection (a)—*

13 *(A) in paragraph (1)—*

14 *(i) by striking “21” and inserting*
15 *“24”;*

16 *(ii) by amending subparagraph (A) to*
17 *read as follows:*

18 *“(A) an individual who is age 16 or 17*
19 *shall be eligible only upon an individual deter-*
20 *mination by the director of a Job Corps campus*
21 *that such individual meets the criteria described*
22 *in subparagraph (A) or (B) of section 145(b)(1);*
23 *and”;* and

24 *(iii) in subparagraph (B), by striking*
25 *“either”;*

1 (B) in paragraph (2), by inserting after
2 “individual” the following: “or a resident of a
3 qualified opportunity zone as defined in section
4 1400Z–1(a) of the Internal Revenue Code of
5 1986”; and

6 (C) in paragraph (3), by amending sub-
7 paragraph (A) to read as follows:

8 “(A) Has foundational skill needs.”;

9 (2) in subsection (b), by inserting after “a vet-
10 eran” the following: “or a member of the Armed
11 Forces eligible for preseparation counseling of the
12 Transition Assistance Program under section 1142 of
13 title 10, United States Code”; and

14 (3) by inserting at the end the following:

15 “(c) *SPECIAL RULE FOR HOMELESS AND FOSTER*
16 *YOUTH.*—In determining whether an individual is eligible
17 to enroll for services under this subtitle on the basis of being
18 an individual who is a homeless child or youth, or a youth
19 in foster care, as described in subsection (a)(3)(C), staff
20 shall—

21 “(1) if determining whether the individual is a
22 homeless child or youth, use a process that is in com-
23 pliance with the requirements of subsection (a) of sec-
24 tion 479D of the Higher Education Act of 1965, as
25 added by section 702(l) of the FAFSA Simplification

1 *Act (Public Law 116–260), for financial aid adminis-*
2 *trators; and*

3 “(2) if determining whether the individual is a
4 youth in foster care, use a process that is in compli-
5 ance with the requirements of subsection (b) of such
6 section 479D of the Higher Education Act of 1965, as
7 added by section 702(l) of the FAFSA Simplification
8 Act (Public Law 116–260), for financial aid adminis-
9 trators.”.

10 **SEC. 154. RECRUITMENT, SCREENING, SELECTION, AND AS-**
11 **SIGNMENT OF ENROLLEES.**

12 *Section 145 of the Workforce Innovation and Oppor-*
13 *tunity Act (29 U.S.C. 3195) is amended—*

14 *(1) in subsection (a)—*

15 *(A) in paragraph (2)—*

16 *(i) by amending subparagraph (A) to*
17 *read as follows:*

18 *“(A) prescribe procedures for—*

19 *“(i) administering drug tests to enroll-*
20 *ees; and*

21 *“(ii) informing such enrollees that*
22 *drug tests will be administered;”;*

23 *(ii) in subparagraph (D), by striking*
24 *“and”;*

1 (iii) in subparagraph (E), by striking
2 the period and inserting “; and”; and

3 (iv) by adding at the end the following:

4 “(F) assist applicable one-stop centers and
5 other entities identified in paragraph (3) in de-
6 veloping joint applications for Job Corps,
7 YouthBuild, and the youth activities described in
8 section 129.”; and

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

10 “(6) DRUG TEST PROCEDURES.—The procedures
11 prescribed under paragraph (2)(A)(i) shall require
12 that—

13 “(A) each enrollee take a drug test not more
14 than 48 hours after such enrollee arrives on cam-
15 pus;

16 “(B) if the result of the drug test taken by
17 an enrollee pursuant to subparagraph (A) is
18 positive, the enrollee take a subsequent drug test
19 at the earliest appropriate time (considering the
20 substance and potency levels identified in the
21 initial test) to determine if the enrollee has con-
22 tinued to use drugs since arriving on campus,
23 the results of which must be received not later
24 than 50 days after the enrollee arrived on cam-
25 pus; and

1 “(C) if the result of the subsequent test ad-
2 ministered under subparagraph (B) is positive,
3 the enrollee be terminated from the program and
4 referred to a substance use disorder treatment
5 program.”; and

6 (2) in subsections (b), (c), and (d)—

7 (A) by striking “center” each place it ap-
8 pears and inserting “campus”; and

9 (B) by striking “centers” each place it ap-
10 pears and inserting “campus”.

11 **SEC. 155. JOB CORPS CAMPUSES.**

12 Section 147 of the Workforce Innovation and Oppor-
13 tunity Act (29 U.S.C. 3197) is amended—

14 (1) in the header, by striking “**CENTERS**” and
15 inserting “**CAMPUSES**”;

16 (2) in subsection (a)—

17 (A) in paragraph (1)—

18 (i) by striking “center” each place it
19 appears and inserting “campus”; and

20 (ii) in subparagraph (A), by inserting
21 after “area career and technical education
22 school,” the following: “an institution of
23 higher education,”;

24 (B) in paragraph (2)—

25 (i) in subparagraph (A)—

1 (I) by striking “center” each place
2 it appears and inserting “campus”;
3 and

4 (II) by inserting after “United
5 States Code,” the following: “and para-
6 graph (2)(C)(iii) of section 159(f),”;
7 and

8 (ii) in subparagraph (B)—

9 (I) in clause (i)—

10 (aa) by striking “operate a
11 Job Corps center” and inserting
12 “operate a Job Corps campus”;

13 (bb) by striking subclause
14 (IV);

15 (cc) by redesignating sub-
16 clauses (I), (II), (III), and (V), as
17 subclauses (III), (IV), (V), and
18 (VI), respectively;

19 (dd) by inserting before sub-
20 clause (III), as so redesignated,
21 the following:

22 “(I)(aa) in the case of an entity
23 that has previously operated a Job
24 Corps campus, a numeric metric of the
25 past achievement on the primary indi-

1 *icators of performance for eligible youth*
2 *described in section 116(b)(2)(A)(ii); or*

3 “*(bb) in the case of an entity that*
4 *has not previously operated a Job*
5 *Corps campus, an alternative numeric*
6 *metric on the past effectiveness of the*
7 *entity in successfully assisting at-risk*
8 *youth to connect to the labor force,*
9 *based on such primary indicators of*
10 *performance for eligible youth;*

11 “*(II) in the case of an entity that*
12 *has previously operated a Job Corps*
13 *campus, any information regarding*
14 *the entity included in any report devel-*
15 *oped by the Office of Inspector General*
16 *of the Department of Labor;”;*

17 *(ee) in subclauses (III) and*
18 *(IV), as so redesignated, by strik-*
19 *ing “center” each place it appears*
20 *and inserting “campus”;*

21 *(ff) in subclause (V), as so re-*
22 *designated, by striking “center is*
23 *located” and inserting “campus is*
24 *located, including agreements to*
25 *provide off-campus work-based*

1 *learning opportunities aligned*
2 *with the career and technical edu-*
3 *cation provided to enrollees”;* and

4 *(gg) by amending subclause*
5 *(VI), as so redesignated, to read*
6 *as follows:*

7 *“(VI) the ability of the entity to*
8 *implement an effective behavior man-*
9 *agement plan, as described in section*
10 *152(a), and maintain a safe and se-*
11 *cure learning environment for enroll-*
12 *ees.”;* and

13 *(II) in clause (ii), by striking*
14 *“center” and inserting “campus”;*

15 *(C) in paragraph (3)—*

16 *(i) by striking “center” each place it*
17 *appears and inserting “campus”;*

18 *(ii) in subparagraph (D), by inserting*
19 *after “is located” the following: “, including*
20 *agreements to provide off-campus work-*
21 *based learning opportunities aligned with*
22 *the career and technical education provided*
23 *to enrollees”;*

24 *(iii) by redesignating subparagraphs*
25 *(E), (F), (G), (H), (I), (J), and (K) as sub-*

1 paragraphs (F), (G), (H), (I), (J), (K), and
2 (L), respectively; and

3 (iv) by inserting after subparagraph
4 (D) the following:

5 “(E) A description of the policies that will
6 be implemented at the campus regarding security
7 and access to campus facilities, including proce-
8 dures to report on and respond to criminal ac-
9 tions and other emergencies occurring on cam-
10 pus.”;

11 (3) in subsection (b)—

12 (A) in the header, by striking “CENTERS”
13 and inserting “CAMPUSES”;

14 (B) by striking “center” each place it ap-
15 pears and inserting “campus”;

16 (C) by striking “centers” each place it ap-
17 pears and inserting “campuses”;

18 (D) in paragraph (2)(A), by striking “20
19 percent” and inserting “25 percent”; and

20 (E) by striking paragraph (3);

21 (4) in subsection (c)—

22 (A) by striking “centers” and inserting
23 “campuses”; and

24 (B) by striking “20 percent” and inserting
25 “30 percent”;

1 (5) in subsection (d) by striking “centers” each
2 place it appears and inserting “campuses”;

3 (6) in subsection (e)(1), by striking “centers”
4 and inserting “campuses”;

5 (7) in subsection (f), by striking “2-year period”
6 and inserting “3-year period”; and

7 (8) in subsection (g)—

8 (A) by striking “center” each place it ap-
9 pears and inserting “campus”;

10 (B) in paragraph (1)—

11 (i) by striking subparagraph (A);

12 (ii) by redesignating subparagraph (B)
13 as subparagraph (A);

14 (iii) by amending subparagraph (A),
15 as so redesignated—

16 (I) by striking “50 percent” and
17 inserting “80 percent”; and

18 (II) by striking the period at the
19 end and inserting “; or”; and

20 (iv) by inserting after subparagraph
21 (A), as so redesignated and amended, the
22 following:

23 “(B) failed to achieve an average of 80 per-
24 cent of the level of enrollment that was agreed to

1 *in the agreement described in subsection*
2 *(a)(1)(A).”;*

3 *(C) in paragraph (3) by striking “shall pro-*
4 *vide” and inserting “shall provide, at least 30*
5 *days prior to renewing the agreement”;* and

6 *(D) in paragraph (4)—*

7 *(i) in subparagraph (C), by striking*
8 *“and” after the semicolon;*

9 *(ii) by redesignating subparagraph (D)*
10 *as subparagraph (E); and*

11 *(iii) by inserting after subparagraph*
12 *(C) the following:*

13 *“(D) has maintained a safe and secure*
14 *campus environment; and”.*

15 **SEC. 156. PROGRAM ACTIVITIES.**

16 *Section 148 of the Workforce Innovation and Oppor-*
17 *tunity Act (29 U.S.C. 3198) is amended—*

18 *(1) in subsection (a)—*

19 *(A) by striking “center” and inserting*
20 *“campus”;*

21 *(B) in paragraph (1), by inserting before*
22 *the period at the end the following: “, and pro-*
23 *ductive activities, such as tutoring or other skills*
24 *development opportunities, for residential enroll-*
25 *ees to participate in outside of regular class time*

1 *and work hours in order to increase supervision*
2 *of enrollees and reduce behavior infractions”;*
3 *and*

4 *(2) in subsection (c)—*

5 *(A) by striking “centers” each place it ap-*
6 *pears and inserting “campuses”; and*

7 *(B) in paragraph (1)—*

8 *(i) by striking “the eligible providers”*
9 *and inserting “any eligible provider”; and*

10 *(ii) by inserting after “under section*
11 *122” the following: “that is aligned with the*
12 *career and technical education an enrollee*
13 *has completed”.*

14 **SEC. 157. 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 one month after graduation as such grad-*
24 *uate transitions into independent living and employment*
25 *if such graduate—*

1 “(1) has not had a behavioral infraction in the
2 90 days prior to graduation; and

3 “(2) receives written approval from the director
4 of the Job Corps campus to remain such a resident.”.

5 **SEC. 158. OPERATIONS.**

6 Section 151 of the Workforce Innovation and Oppor-
7 tunity Act (29 U.S.C. 3201) is amended—

8 (1) by striking “center” each place it appears
9 and inserting “campus”; and

10 (2) by adding at the end the following:

11 “(d) LOCAL AUTHORITY.—

12 “(1) IN GENERAL.—Subject to the limitations of
13 the budget approved by the Secretary for a Job Corps
14 campus, the operator of a Job Corps campus shall
15 have the authority, without prior approval from the
16 Secretary, to—

17 “(A) hire staff and provide staff profes-
18 sional development;

19 “(B) set terms and enter into agreements
20 with Federal, State, or local educational part-
21 ners, such as secondary schools, institutions of
22 higher education, child development centers,
23 units of Junior Reserve Officer Training Corps
24 programs established under section 2031 of title
25 10, United States Code, or employers; and

1 “(C) *engage with and educate stakeholders*
2 *about Job Corps operations and activities.*

3 “(2) *LIMITATION OF LIABILITY.—In the case of*
4 *an agreement described in paragraph (1)(B) that does*
5 *not involve the Job Corps operator providing mone-*
6 *tary compensation to the entity involved in such*
7 *agreement from the funds made available under this*
8 *subtitle, such agreement shall not be considered a sub-*
9 *contract (as defined in section 8701 of title 41,*
10 *United States Code).*

11 “(e) *PRIOR NOTICE.—Prior to making a change to the*
12 *agreement described in section 147(a) or an operating plan*
13 *described in this section, the Secretary shall solicit from the*
14 *operators of the Job Corps campuses information on any*
15 *operational costs the operators expect to result from such*
16 *change.”.*

17 **SEC. 159. STANDARDS OF CONDUCT.**

18 *Section 152 of the Workforce Innovation and Oppor-*
19 *tunity Act (29 U.S.C. 3202) is amended—*

20 (1) *by striking “centers” each place it appears*
21 *and inserting “campuses”;*

22 (2) *in subsection (a), by inserting “As part of*
23 *the operating plan required under section 151(a), the*
24 *director of each Job Corps campus shall develop and*
25 *implement a behavior management plan consistent*

1 *with the standards of conduct and subject to the ap-*
2 *proval of the Secretary.” at the end; and*

3 *(3) in subsection (b)(2)(A), by striking “or dis-*
4 *ruptive”;*

5 *(4) by amending subsection (c) to read as fol-*
6 *lows:*

7 *“(c) APPEAL PROCESS.—*

8 *“(1) ENROLLEE APPEALS.—A disciplinary meas-*
9 *ure taken by a director under this section shall be*
10 *subject to expeditious appeal in accordance with pro-*
11 *cedures established by the Secretary.*

12 *“(2) DIRECTOR APPEALS.—*

13 *“(A) IN GENERAL.—The Secretary shall es-*
14 *tablish an appeals process under which the direc-*
15 *tor of a Job Corps campus may submit a request*
16 *that an enrollee who has engaged in an activity*
17 *which is a violation of the guidelines established*
18 *pursuant to subsection (b)(2)(A) remain enrolled*
19 *in the program, but be subject to other discipli-*
20 *nary actions.*

21 *“(B) CONTENTS.—An request under para-*
22 *graph (A) shall include—*

23 *“(i) a signed certification from the di-*
24 *rector attesting that, to the belief of the di-*
25 *rector, the continued enrollment of such en-*

1 rollee would not impact the safety or learn-
2 ing environment of the campus; and

3 “(ii) the behavioral records of such en-
4 rollee.

5 “(C) *TIMELINE.*—The Secretary shall re-
6 view such appeal and either approve or deny the
7 appeal within 30 days of receiving such appeal.

8 “(D) *INELIGIBILITY FOR APPEAL.*—The Sec-
9 retary shall reject an appeal made by a director
10 of a Job Corps campus if such campus has been
11 found out of compliance with the requirements
12 under subsection (d) at any time during the pre-
13 vious 5 years.”; and

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

15 “(d) *INCIDENT REPORTING.*—

16 “(1) *IN GENERAL.*—The Secretary shall require
17 that the director of a Job Corps campus report to the
18 appropriate regional office—

19 “(A) not later than 2 hours after the cam-
20 pus management becomes aware of the occur-
21 rence of—

22 “(i) an enrollee or on-duty staff death;

23 “(ii) any incident—

24 “(I) requiring law enforcement in-
25 volvement;

1 “(II) involving a missing minor
2 student; or

3 “(III) where substantial property
4 damage has occurred; or

5 “(iii) a level 1 infraction;

6 “(B) in the case of a level 2 infraction, on
7 a quarterly basis, including the number and type
8 of such infractions that occurred during such
9 time period; and

10 “(C) in the case of a minor infraction, as
11 determined necessary by the Secretary.

12 “(2) *INFRACTIONS DEFINED.*—In this subsection:

13 “(A) *LEVEL 1 INFRACTION.*—The term ‘level
14 1 infraction’ means an activity described in sub-
15 section (b)(2)(A).

16 “(B) *LEVEL 2 INFRACTION.*—The term ‘level
17 2 infraction’ means an activity, other than a
18 level 1 infraction, determined by the Secretary to
19 be a serious infraction.

20 “(C) *MINOR INFRACTION.*—The term ‘minor
21 infraction’ means an activity, other than a level
22 1 or 2 infraction, determined by the Secretary to
23 be an infraction.

24 “(3) *LAW ENFORCEMENT AGREEMENTS.*—The di-
25 rector of each Job Corps campus shall enter into an

1 *agreement with the local law enforcement agency with*
2 *jurisdiction regarding procedures for the prompt re-*
3 *porting and investigation of potentially illegal activ-*
4 *ity on Job Corps campuses.”.*

5 **SEC. 160. COMMUNITY PARTICIPATION.**

6 *Section 153 of the Workforce Innovation and Oppor-*
7 *tunity Act (29 U.S.C. 3203) is amended—*

8 (1) *by striking “center” each place it appears*
9 *and inserting “campus”;*

10 (2) *by striking “centers” each place it appears*
11 *and inserting “campuses”; and*

12 (3) *in subsection (c), in the heading, by striking*
13 *“CENTERS” and inserting “CAMPUSES”.*

14 **SEC. 161. WORKFORCE COUNCILS.**

15 *Section 154 of the Workforce Innovation and Oppor-*
16 *tunity Act (29 U.S.C. 3204) is amended—*

17 (1) *by striking “center” each place it appears*
18 *and inserting “campus”;*

19 (2) *in subsection (d), in the heading, by striking*
20 *“NEW CENTERS” and inserting “NEW CAMPUSES”.*

21 **SEC. 162. ADVISORY COMMITTEES.**

22 *Section 155 of the Workforce Innovation and Oppor-*
23 *tunity Act (29 U.S.C. 3205) is amended—*

24 (1) *by striking “The Secretary” and inserting*
25 *“(a) IN GENERAL.—The Secretary”;*

1 (2) by striking “centers” and inserting “cam-
2 puses”

3 (3) by striking “center” and inserting “campus”;
4 and

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

6 “(b) *ADVISORY COMMITTEE TO IMPROVE JOB CORPS*
7 *SAFETY.*—Not later than 6 months after the date of enact-
8 *ment of the A Stronger Workforce for America Act, the Sec-*
9 *retary shall establish an advisory committee to provide rec-*
10 *ommendations on effective or evidence-based strategies to*
11 *improve—*

12 “(1) *safety, security, and learning conditions on*
13 *Job Corps campuses; and*

14 “(2) *the standards for campus safety established*
15 *under section 159(c)(4).”.*

16 **SEC. 163. EXPERIMENTAL PROJECTS AND TECHNICAL AS-**
17 **SISTANCE.**

18 *Section 156 of the Workforce Innovation and Oppor-*
19 *tunity Act (29 U.S.C. 3206) is amended—*

20 (1) by striking “center” and inserting “campus”;

21 (2) by striking “centers” and inserting “cam-
22 puses”;

23 (3) by redesignating subsection (b) as subsection
24 (c);

1 (4) *by inserting the following after subsection*
2 *(a):*

3 “(b) *JOB CORPS SCHOLARS.—*

4 “(1) *IN GENERAL.—The Secretary may award*
5 *grants, on a competitive basis, to institutions of high-*
6 *er education to enroll cohorts of Job Corps eligible*
7 *youth in Job Corps Scholars activities for a 24-month*
8 *period and pay the tuition and necessary costs for en-*
9 *rollees for such period.*

10 “(2) *ACTIVITIES.—Job Corps Scholar activities*
11 *shall include—*

12 “(A) *intensive counseling services and sup-*
13 *portive services;*

14 “(B) *a 12-month career and technical edu-*
15 *cation component aligned with in-demand in-*
16 *dustries and occupations in the State where the*
17 *institution of higher education that is receiving*
18 *the grant is located; and*

19 “(C) *a 12-month employment placement pe-*
20 *riod that follows the component described in sub-*
21 *paragraph (B).*

22 “(3) *PERFORMANCE DATA.—The Secretary shall*
23 *collect performance information from institutions of*
24 *higher education receiving grants under this sub-*
25 *section on the primary indicators of performance for*

1 *eligible youth described in section 116(b)(2)(A)(ii),*
2 *the cost per participant and cost per graduate, and*
3 *other information as necessary to evaluate the success*
4 *of Job Corps Scholars grantees in improving outcomes*
5 *for at-risk youth.*

6 *“(4) EVALUATION.—At the end of each 2-year*
7 *period for which the Secretary awards grants under*
8 *this subsection, the Secretary shall provide for an*
9 *independent, robust evaluation that compares—*

10 *“(A) the outcomes achieved by Job Corps*
11 *Scholars participants with the outcomes achieved*
12 *by other participants in the Job Corps program*
13 *during such 2-year period; and*

14 *“(B) the costs of the Job Corps Scholars*
15 *programs with the costs of other Job Corps pro-*
16 *grams during such 2-year period.”; and*

17 *(5) in subsection (c)(1), as so redesignated, is*
18 *amended by striking “and” at the end of subpara-*
19 *graph (C) and by adding at the end the following:*

20 *“(D) in the development and implementa-*
21 *tion of a behavior management plan under sec-*
22 *tion 152(a); and*

23 *“(E) maintaining a safe and secure learn-*
24 *ing environment; and”.*

1 **SEC. 164. SPECIAL PROVISIONS.**

2 *Section 158 of the Workforce Innovation and Oppor-*
3 *tunity Act (29 U.S.C. 3208) is amended—*

4 *(1) by striking “center” each place it appears*
5 *and inserting “campus”; and*

6 *(2) in subsection (f)—*

7 *(A) by striking “may accept on behalf of the*
8 *Job Corps or individual Job Corps centers chari-*
9 *table donations of cash” and inserting “, on be-*
10 *half of the Job Corps or Job Corps campus oper-*
11 *ators, may accept grants, charitable donations of*
12 *cash,”; and*

13 *(B) by inserting at the end the following:*
14 *“Notwithstanding sections 501(b) and 522 of*
15 *title 40, United States Code, any property ac-*
16 *quired by a Job Corps campus shall be directly*
17 *transferred, on a nonreimbursable basis, to the*
18 *Secretary.”.*

19 **SEC. 165. MANAGEMENT INFORMATION.**

20 *(a) LEVELS OF PERFORMANCE.—Section 159 of the*
21 *Workforce Innovation and Opportunity Act (29 U.S.C.*
22 *3209) is amended—*

23 *(1) by striking “center” each place it appears*
24 *and inserting “campus”;*

25 *(2) in subsection (c)—*

26 *(A) in paragraph (1)—*

1 (i) by striking “The Secretary” and
2 inserting the following:

3 “(A) *IN GENERAL.—The Secretary*”.

4 (ii) by inserting “that are ambitious
5 yet achievable and” after “program”; and

6 (iii) by adding at the end the following
7 new subparagraphs:

8 “(B) *LEVELS OF PERFORMANCE.—In estab-*
9 *lishing the expected performance levels under*
10 *subparagraph (A) for a Job Corps campus, the*
11 *Secretary shall take into account—*

12 “(i) *how the levels involved compare*
13 *with the recent performance of such campus*
14 *and the performance of other campuses*
15 *within the same State or geographic region;*

16 “(ii) *the levels of performance set for*
17 *the primary indicators of performance for*
18 *eligible youth described in section*
19 *116(b)(2)(A)(ii) for the State in which the*
20 *campus is located;*

21 “(iii) *the differences in actual eco-*
22 *nomical conditions (including differences in*
23 *unemployment rates and job losses or gains*
24 *in particular industries) between the local*

1 *area of such campus and other local areas*
2 *with a campus; and*

3 “(iv) *the extent to which the levels in-*
4 *volved promote continuous improvement in*
5 *performance on the primary indicators of*
6 *performance by such campus and ensure op-*
7 *timal return on the use of Federal funds.*

8 “(C) *PERFORMANCE PER CONTRACT.—The*
9 *Secretary shall ensure the expected levels of per-*
10 *formance are established in the relevant contract*
11 *or agreement.*

12 “(D) *REVISIONS BASED ON ECONOMIC CON-*
13 *DITIONS AND INDIVIDUALS SERVED DURING THE*
14 *PROGRAM YEAR.—*

15 “(i) *IN GENERAL.—In the event of a*
16 *significant economic downturn, the Sec-*
17 *retary may revise the applicable adjusted*
18 *levels of performance for each of the cam-*
19 *pus for a program year to reflect the ac-*
20 *tual economic conditions during such pro-*
21 *gram year.*

22 “(ii) *REPORT TO CONGRESS.—Prior to*
23 *implementing the revisions described in*
24 *clause (i), the Secretary shall submit to the*
25 *Committee on Education and the Workforce*

1 *of the House of Representatives and the*
2 *Committee on Health, Education, Labor,*
3 *and Pensions of the Senate a report ex-*
4 *plaining the reason for such revisions.*

5 “(E) *REVIEW OF PERFORMANCE LEVELS.—*
6 *The Office of Inspector General of the Depart-*
7 *ment of Labor shall, every 5 years, submit to the*
8 *Committee on Education and the Workforce of*
9 *the House of Representatives and the Committee*
10 *on Health, Education, Labor, and Pensions of*
11 *the Senate, and publish in the Federal Register*
12 *and on a publicly available website of the De-*
13 *partment, a report containing—*

14 “(i) *a quadrennial review of the ex-*
15 *pected levels of performance; and*

16 “(ii) *an evaluation of whether—*

17 “(I) *the Secretary is establishing*
18 *such expected levels of performance in*
19 *good faith; and*

20 “(II) *such expected levels have led*
21 *to continued improvement of the Job*
22 *Corps program.”;*

23 “(B) *by redesignating paragraph (4) as*
24 *paragraph (5);*

1 (C) by inserting after paragraph (3) the fol-
2 lowing:

3 “(4) *CAMPUS SAFETY.*—

4 “(A) *IN GENERAL.*—The Secretary shall es-
5 tablish campus and student safety standards. A
6 Job Corps campus failing to achieve such stand-
7 ards shall be required to take the performance
8 improvement actions described in subsection (f).

9 “(B) *CONSIDERATIONS.*—In establishing the
10 campus and student safety standards under sub-
11 paragraph (A), the Secretary shall take into ac-
12 count—

13 “(i) incidents reported under section
14 152(d);

15 “(ii) survey data from enrollees, fac-
16 ulty, staff, and community members; and

17 “(iii) any other considerations identi-
18 fied by the Secretary after reviewing the
19 recommendations of the advisory group de-
20 scribed in section 155(b).”;

21 (D) in paragraph (5), as so redesignated—

22 (i) in subparagraph (A), by striking
23 “and” at the end;

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

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

6 “(C) the number of contracts that were
7 awarded a renewal compared to those eligible for
8 a renewal;

9 “(D) the number of campuses where the con-
10 tract was awarded to a new operator; and

11 “(E) the number of campuses that were re-
12 quired to receive performance improvement, as
13 described under subsection (f)(2), including
14 whether any actions were taken as described in
15 subparagraphs (B) and (C) of such subsection.”;
16 and

17 (E) by adding at the end the following:

18 “(6) WAGE RECORDS.—The Secretary shall make
19 arrangements with a State or other appropriate enti-
20 ty to facilitate the use of State wage records to evalu-
21 ate the performance of Job Corps campuses on the em-
22 ployment and earnings indicators described in clause
23 (i)(III) of subparagraph (A) of section 116(b)(2)(A)
24 and subclauses (I) and (II) of clause (ii) of such sub-

1 paragraph for the purposes of the report required
2 under paragraph (5).”;

3 (3) in subsection (d)(1)—

4 (A) by inserting “and make available on the
5 website of the Department pertaining to the Job
6 Corps program in a manner that is consumer-
7 tested to ensure it is easily understood, search-
8 able, and navigable,” after “subsection (c)(4),”;

9 (B) in subparagraph (B), by striking “gen-
10 der” and inserting “sex”;

11 (C) by redesignating subparagraphs (J)
12 through (O) as subparagraphs (K) through (P),
13 respectively; and

14 (D) by inserting the following after sub-
15 paragraph (I):

16 “(J) the number of appeals under section
17 152(c) and a description of each appeal that was
18 approved;” and

19 (4) in subsection (g)(2), by striking “comply”
20 and inserting “attest to compliance”.

21 (b) *PERFORMANCE ASSESSMENTS AND IMPROVE-*
22 *MENTS.*—Section 159(f) of the Workforce Innovation and
23 Opportunity Act (29 U.S.C. 3209) is amended to read as
24 follows:

1 “(f) *PERFORMANCE ASSESSMENTS AND IMPROVE-*
2 *MENTS.—*

3 “(1) *ASSESSMENTS.—The Secretary shall con-*
4 *duct an annual assessment of the performance of each*
5 *Job Corps campus on the primary indicators of per-*
6 *formance described in section 116(b)(2)(A)(ii), where*
7 *each indicator shall be given equal weight in deter-*
8 *mining the overall performance of the campus. Based*
9 *on the assessment, the Secretary shall take measures*
10 *to continuously improve the performance of the Job*
11 *Corps program.*

12 “(2) *PERFORMANCE IMPROVEMENT.—*

13 “(A) *INITIAL FAILURE.—With respect to a*
14 *Job Corps campus that fails to meet an average*
15 *of 90 percent on the expected levels of perform-*
16 *ance across all the primary indicators of per-*
17 *formance specified in subsection (c)(1) or is*
18 *ranked among the lowest 10 percent of Job Corps*
19 *campuses, the Secretary shall, after each pro-*
20 *gram year of such performance failure, develop*
21 *and implement a performance improvement plan*
22 *for such campus. Such a plan shall require ac-*
23 *tion to be taken during a 1-year program year*
24 *period, which shall include providing technical*
25 *assistance to the campus.*

1 “(B) *REPEAT FAILURE*.—With respect to a
2 *Job Corps campus that, for two consecutive pro-*
3 *gram years, fails to meet an average of 85 per-*
4 *cent on the expected levels of performance across*
5 *all the primary indicators of performance or is*
6 *ranked among the lowest 10 percent of Job Corps*
7 *campuses, the Secretary shall take substantial*
8 *action to improve the performance of such cam-*
9 *pus, which shall include—*

10 “(i) *changing the management staff of*
11 *the campus;*

12 “(ii) *changing the career and technical*
13 *education and training offered at the cam-*
14 *pus;*

15 “(iii) *replacing the operator of the*
16 *campus; or*

17 “(iv) *reducing the capacity of the cam-*
18 *pus.*

19 “(C) *CHRONIC FAILURE*.—With respect to a
20 *Job Corps campus that, for the two consecutive*
21 *program years immediately following the Sec-*
22 *retary taking substantial performance action*
23 *under subparagraph (B), fails to meet an aver-*
24 *age of 85 percent on the expected levels of per-*
25 *formance across all the primary indicators or is*

1 ranked among the lowest 10 percent of Job Corps
2 campuses, the Secretary shall take further sub-
3 stantial action to improve the performance of
4 such campus, which shall include—

5 “(i) relocating the campus;

6 “(ii) closing the campus; or

7 “(iii) awarding funding directly to the
8 State in which the campus is located for op-
9 eration of the campus, and for which the
10 Secretary shall enter into a memorandum of
11 understanding with such State for purposes
12 of operating the campus in its current loca-
13 tion and may encourage innovation in such
14 memorandum of understanding by waiving
15 any statutory or regulatory requirement of
16 this subtitle except for those related to par-
17 ticipant eligibility under section 144, stand-
18 ards of conduct under section 152, and per-
19 formance reporting and accountability
20 under this section.

21 “(3) *ADDITIONAL PERFORMANCE IMPROVE-*
22 *MENT.*—In addition to the performance improvement
23 plans required under paragraph (2), the Secretary
24 may develop and implement additional performance
25 improvement plans for a Job Corps campus that fails

1 *to meet criteria established by the Secretary other*
2 *than the expected levels of performance described in*
3 *subsection (c)(1).*

4 “(4) *CIVILIAN CONSERVATION CENTERS.*—*With*
5 *respect to a Civilian Conservation Center that, for 3*
6 *consecutive program years, fails to meet an average of*
7 *90 percent of the expected levels of performance across*
8 *all the primary indicators of performance specified in*
9 *subsection (c)(1), the Secretary of Labor or, if appro-*
10 *priate, the Secretary of Agriculture shall select, on a*
11 *competitive basis, an entity to operate part or all of*
12 *the Civilian Conservation Center in accordance with*
13 *the requirements of section 147.”.*

14 (c) *CONFORMING AMENDMENTS.*—*Section 159 of the*
15 *Workforce Innovation and Opportunity Act (29 U.S.C.*
16 *3209) is further amended—*

17 (1) *by striking “centers” each place it appears*
18 *and inserting “campuses”; and*

19 (2) *in subsection (g)(1), in the header, by strik-*
20 *ing “CENTER” and inserting “CAMPUS”.*

21 **SEC. 166. JOB CORPS OVERSIGHT AND REPORTING.**

22 *Section 161 of the Workforce Innovation and Oppor-*
23 *tunity Act (29 U.S.C. 3211) is amended—*

24 (1) *by redesignating subsection (d) as subsection*
25 *(e); and*

1 (2) *by inserting after subsection (c) the following*
 2 *new subsection:*

3 “(d) *REPORT ON IMPLEMENTATION OF RECOMMENDA-*
 4 *TIONS.—The Secretary shall, on an annual basis, prepare*
 5 *and submit to the appropriate committees a report regard-*
 6 *ing the implementation of all outstanding recommendations*
 7 *from the Office of Inspector General of the Department of*
 8 *Labor or the Government Accountability Office.”.*

9 **SEC. 167. AUTHORIZATION OF APPROPRIATIONS.**

10 *Section 162 of the Workforce Innovation and Oppor-*
 11 *tunity Act (29 U.S.C. 3212) is amended to read as follows:*

12 **“SEC. 162. AUTHORIZATION OF APPROPRIATIONS.**

13 *“There are authorized to be appropriated to carry out*
 14 *this subtitle \$1,760,155,000 for each of the fiscal years 2025*
 15 *through 2030.”.*

16 ***Subtitle E—National Programs***

17 **SEC. 171. NATIVE AMERICAN PROGRAMS.**

18 *Section 166 of the Workforce Innovation and Oppor-*
 19 *tunity Act (29 U.S.C. 3221) is amended—*

20 (1) *in subsection (d)(1)—*

21 (A) *in subparagraph (A), by striking*

22 *“and”;*

23 (B) *in subparagraph (B), by striking the*
 24 *period at the end and inserting “; and”; and*

25 (C) *by inserting at the end the following:*

1 “(C) are evidence-based, to the extent prac-
2 ticable.”;

3 (2) in subsection (d)(2)—

4 (A) by redesignating subparagraph (B) as
5 subparagraph (C); and

6 (B) by inserting after subparagraph (A) the
7 following:

8 “(B) ADMINISTRATIVE COSTS.—Not more
9 than 10 percent of the funds provided to an enti-
10 ty under this section may be used for the admin-
11 istrative costs of the activities and services car-
12 ried out under subparagraph (A).”;

13 (3) in subsection (h), by inserting after para-
14 graph (2) the following:

15 “(3) WAGE RECORDS.—The Secretary shall make
16 arrangements with a State or other appropriate enti-
17 ty to facilitate the use of State wage records to evalu-
18 ate the performance of entities funded under this sec-
19 tion on the employment and earnings indicators de-
20 scribed in subclauses (I) through (III) of section
21 116(b)(2)(A)(i) for the purposes of the report required
22 under paragraph (4).

23 “(4) PERFORMANCE RESULTS.—For each pro-
24 gram year, the Secretary shall make available on a
25 publicly accessible website of the Department a report

1 on the performance, during such program year, of en-
2 tities funded under this section on—

3 “(A) the primary indicators of performance
4 described in section 116(b)(2)(A);

5 “(B) any additional indicators established
6 under paragraph (1)(A); and

7 “(C) the adjusted levels of performance for
8 such entities as described in paragraph (2).”;

9 (4) in subsection (i)—

10 (A) in paragraph (3)(A), by striking “and
11 judicial review.” and inserting “judicial review,
12 and performance accountability pertaining to
13 the primary indicators of performance described
14 in section 116(b)(2)(A).”; and

15 (B) in paragraph (4)(B)—

16 (i) by striking “The Council” and in-
17 serting the following:

18 “(i) *IN GENERAL.*—The Council”; and

19 (ii) by inserting at the end the fol-
20 lowing:

21 “(ii) *VACANCIES.*—An individual ap-
22 pointed to fill a vacancy on the Council oc-
23 curring before the expiration of the term for
24 which the predecessor of such individual
25 was appointed shall be appointed only for

1 *the remainder of that term. Such an indi-*
2 *vidual may serve on the Council after the*
3 *expiration of such term until a successor is*
4 *appointed.”; and*

5 *(5) by amending subsection (k)(2) to read as fol-*
6 *lows:*

7 “(2) *AUTHORIZATION OF APPROPRIATIONS.—*
8 *There are authorized to be appropriated to carry out*
9 *this subsection \$542,000 for each of the fiscal years*
10 *2025 through 2030.”.*

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), by adding at the end the*
16 *following:*

17 *“(5) WAGE RECORDS.—The Secretary shall make*
18 *arrangements with a State or other appropriate enti-*
19 *ty to facilitate the use of State wage records to evalu-*
20 *ate the performance of entities funded under this sec-*
21 *tion on the employment and earnings indicators de-*
22 *scribed in subclauses (I) through (III) of section*
23 *116(b)(2)(A)(i) for the purposes of the report required*
24 *under paragraph (4).*

1 “(6) *PERFORMANCE RESULTS.*—For each pro-
2 gram year, the Secretary shall make available on a
3 publicly accessible website of the Department a report
4 on the performance, during such program year, of en-
5 tities funded under this section on—

6 “(A) the primary indicators of performance
7 described in section 116(b)(2)(A); and

8 “(B) the adjusted levels of performance for
9 such entities as described in paragraph (3).”;

10 (2) by redesignating subsections (e), (f), (g), (h),
11 and (i) as subsections (f), (g), (h), (i), and (j), respec-
12 tively;

13 (3) by inserting after subsection (d) the fol-
14 lowing:

15 “(e) *ADMINISTRATIVE COSTS.*—Not more than 10 per-
16 cent of the funds provided to an entity under this section
17 may be used for the administrative costs of the activities
18 and services carried out under subsection (d).”; and

19 (4) in subsection (i), as so redesignated, to read
20 as follows:

21 “(i) *FUNDING ALLOCATION; FUNDING OBLIGATION.*—

22 “(1) *FUNDING ALLOCATION.*—From the funds
23 appropriated and made available to carry out this
24 section, the Secretary shall reserve not more than 1

1 *percent for discretionary purposes, such as providing*
2 *technical assistance to eligible entities.*

3 “(2) *FUNDING OBLIGATION.*—

4 “(A) *IN GENERAL.*—*Funds appropriated*
5 *and made available to carry out this section for*
6 *any fiscal year may be obligated by the Sec-*
7 *retary during the period beginning on April 1 of*
8 *the calendar year that begins during such fiscal*
9 *year and ending on June 30 of the following cal-*
10 *endar year to be made available to an entity de-*
11 *scribed in subsection (b) for the period described*
12 *in subparagraph (B).*

13 “(B) *OBLIGATED AMOUNT.*—*Funds made*
14 *available under this section for a fiscal year to*
15 *any entity described in subsection (b) may be*
16 *spent or reserved for spending by such entity*
17 *during the period beginning on July 1 of the cal-*
18 *endar year that begins during such fiscal year,*
19 *and ending on June 30 of the following calendar*
20 *year.”.*

21 **SEC. 173. TECHNICAL ASSISTANCE.**

22 (a) *GENERAL TECHNICAL ASSISTANCE.*—*Section*
23 168(a)(1) of the Workforce Innovation and Opportunity Act
24 (29 U.S.C. 3223(a)(1)) is amended—

1 (1) by striking “appropriate training, technical
2 assistance, staff development” and inserting “appro-
3 priate education, technical assistance, professional de-
4 velopment for staff”;

5 (2) in subparagraphs (B), (C), and (D), by strik-
6 ing “training” each place it appears and inserting
7 “professional development”;

8 (3) by redesignating subparagraphs (G) and (H)
9 as subparagraphs (J) and (K), respectively; and

10 (4) by inserting after subparagraph (F) the fol-
11 lowing:

12 “(G) assistance to the one-stop delivery sys-
13 tem and the Employment Service established
14 under the Wagner-Peyser Act for the integration
15 of basic career service activities pursuant to sec-
16 tion 134(c)(2)(A);

17 “(I) assistance to States with maintaining,
18 and making accessible to jobseekers and employ-
19 ers, the lists of eligible providers of training serv-
20 ices required under section 122;

21 “(H) assistance to States that apply for
22 such assistance under section 122(k) for the pur-
23 poses described in such subsection;”.

1 (b) *PERFORMANCE ACCOUNTABILITY TECHNICAL AS-*
2 *SISTANCE.*—*Section 168(b) of the Workforce Innovation and*
3 *Opportunity Act (29 U.S.C. 3223(b)) is amended—*

4 (1) *in the header, by striking “DISLOCATED*
5 *WORKER” and inserting “PERFORMANCE ACCOUNT-*
6 *ABILITY”;* and

7 (2) *in paragraph (1), in the first sentence—*

8 (A) *by inserting “, pursuant to paragraphs*
9 *(1) and (2) of section 116(f),” after “technical*
10 *assistance”;* and

11 (B) *by striking “with respect to employment*
12 *and training activities for dislocated workers”*
13 *and inserting “with respect to the core pro-*
14 *grams”.*

15 (c) *COMMUNITIES IMPACTED BY OPIOID USE DIS-*
16 *ORDERS.*—*Section 168 of the Workforce Innovation and*
17 *Opportunity Act (29 U.S.C. 3223) is further amended by*
18 *adding at the end the following:*

19 “(d) *COMMUNITIES IMPACTED BY OPIOID USE DIS-*
20 *ORDERS.*—*The Secretary shall, as part of the activities de-*
21 *scribed in subsection (c)(2), evaluate and disseminate to*
22 *States and local areas information regarding evidence-*
23 *based and promising practices for addressing the economic*
24 *workforce impacts associated with high rates of opioid use*
25 *disorders, which information shall—*

1 “(1) be updated annually to reflect the most re-
2 cent and available research; and

3 “(2) include information—

4 “(A) shared by States and local areas re-
5 garding effective practices for addressing such
6 impacts; and

7 “(B) on how to apply for any funding that
8 may be available under section 170(b)(1)(E).”.

9 **SEC. 174. EVALUATIONS AND RESEARCH.**

10 (a) *IN GENERAL.*—Section 169 of the Workforce Inno-
11 vation and Opportunity Act (29 U.S.C. 3224) is amend-
12 ed—

13 (1) in subsection (a)—

14 (A) in paragraph (2)—

15 (i) in subparagraph (E), by inserting
16 “and” at the end;

17 (ii) in subparagraph (F), by striking
18 “; and” at the end and inserting a period;
19 and

20 (iii) by striking subparagraph (G);

21 (B) in paragraph (3)—

22 (i) by striking “The Secretary” and
23 inserting the following:

24 “(A) *IN GENERAL.*—The Secretary”; and

1 (ii) by adding at the end the following
2 new subparagraph:

3 “(B) *LIMITATION.*—*The Secretary may not*
4 *use the authority described in subparagraph (A)*
5 *if the evaluations required under paragraph (1)*
6 *have not been initiated or completed in the time*
7 *period required.”; and*

8 (C) in paragraph (4), by striking “2019”
9 and inserting “2028”; and
10 (2) in subsection (b)—

11 (A) by amending paragraph (4) to read as
12 follows:

13 “(4) *STUDIES AND REPORTS.*—

14 “(A) *STUDY ON EMPLOYMENT CONDI-*
15 *TIONS.*—*The Secretary, in coordination with*
16 *other heads of Federal agencies, as appropriate,*
17 *may conduct a study examining the nature of*
18 *participants’ unsubsidized employment after exit*
19 *from programs carried out under this Act, in-*
20 *cluding factors such as availability of paid time*
21 *off, health and retirement benefits, workplace*
22 *safety standards, predictable and stable work*
23 *schedule, stackable credentials, and advancement*
24 *opportunities.*

1 “(B) *STUDY ON IMPROVING WORKFORCE*
2 *SERVICES FOR INDIVIDUALS WITH DISABIL-*
3 *ITIES.—The Secretary of Labor, in coordination*
4 *with the Secretary of Education and the Sec-*
5 *retary of Health and Human Services, may con-*
6 *duct studies that analyze the access to services by*
7 *individuals with disabilities, including whether*
8 *an individual who is unable to receive services*
9 *under title IV due to a wait list for such services*
10 *is able to receive services under titles I through*
11 *III.*

12 “(C) *STUDY ON THE EFFECTIVENESS OF*
13 *PAY FOR PERFORMANCE.—The Secretary shall,*
14 *not more than 4 years after the date of enact-*
15 *ment of A Stronger Workforce for America Act,*
16 *conduct a study that compares the effectiveness of*
17 *the pay-for-performance strategies used under*
18 *sections 129, 134, and 172 after such date of en-*
19 *actment to the awarding of grants and contracts*
20 *under such sections as in effect on the day before*
21 *the date of enactment of such Act.*

22 “(D) *STUDY ON INDIVIDUAL TRAINING AC-*
23 *COUNTS FOR DISLOCATED WORKERS.—The Sec-*
24 *retary shall, not more than 4 years after the date*
25 *of enactment of the A Stronger Workforce for*

1 *America Act, conduct a study that compares the*
2 *usage of Individual Training Accounts for dis-*
3 *located workers after such date of enactment to*
4 *the usage of such accounts prior to such date of*
5 *enactment, including—*

6 *“(i) the types of training services and*
7 *occupations targeted by dislocated workers*
8 *when using their Individual Training Ac-*
9 *counts; and*

10 *“(ii) the effectiveness of such skills de-*
11 *velopment.*

12 *“(E) STUDY ON STATEWIDE CRITICAL IN-*
13 *DUSTRY SKILLS FUNDS.—The Secretary shall,*
14 *not more than 4 years after the date of enact-*
15 *ment of the A Stronger Workforce for America*
16 *Act, conduct a study that will review the usage*
17 *of statewide critical industry skills funds estab-*
18 *lished by States under section 134(a)(4) and*
19 *identify, for purposes of measuring the overall ef-*
20 *fectiveness of the program—*

21 *“(i) the industries targeted by such*
22 *Funds;*

23 *“(ii) the occupations workers are being*
24 *upskilled for;*

1 “(iii) how frequently skills development
2 is provided to prospective workers and in-
3 cumbent workers, and

4 “(iv) the reported performance out-
5 comes.

6 “(F) *STUDY ON THE EFFECTIVENESS OF*
7 *EMPLOYER-BASED TRAINING.*—The Secretary
8 shall, not more than 4 years after the date of en-
9 actment of the A Stronger Workforce for America
10 Act, conduct a study that measures the effective-
11 ness of on-the-job training, employer-directed
12 skills training, apprenticeship, and incumbent
13 worker training under this title in preparing
14 jobseekers and workers, including those with bar-
15 riers to employment, for unsubsidized employ-
16 ment. Such study shall include the cost per par-
17 ticipant and wage and employment outcomes, as
18 compared to other methods of training.

19 “(G) *REPORTS.*—The Secretary shall pre-
20 pare and disseminate to the Committee on
21 Health, Education, Labor, and Pensions of the
22 Senate and the Committee on Education and the
23 Workforce of the House of Representatives, and
24 on the publicly available website of the Depart-

1 *ment, reports containing the results of the studies*
2 *conducted under this paragraph.”; and*

3 *(B) in paragraph (5), by adding at the end*
4 *the following:*

5 “(C) *EVALUATION OF GRANTS.—*

6 *“(i) IN GENERAL.—For each grant or*
7 *contract awarded under this paragraph, the*
8 *Secretary shall conduct a rigorous evalua-*
9 *tion of the multistate project to determine*
10 *the impact of the activities supported by the*
11 *project, including the impact on the em-*
12 *ployment and earnings of program partici-*
13 *pants.*

14 *“(ii) REPORT.—The Secretary shall*
15 *prepare and disseminate to the Committee*
16 *on Health, Education, Labor, and Pensions*
17 *of the Senate and the Committee on Edu-*
18 *cation and the Workforce of the House of*
19 *Representatives, and to the public, includ-*
20 *ing through electronic means, reports con-*
21 *taining the results of evaluations conducted*
22 *under this subparagraph.”.*

23 *(b) WORKFORCE DATA QUALITY INITIATIVE.—Section*
24 *169 of the Workforce Innovation and Opportunity Act (29*

1 *U.S.C. 3224) is further amended by adding at the end the*
2 *following:*

3 “(d) *WORKFORCE DATA QUALITY INITIATIVE.*—

4 “(1) *GRANT PROGRAM.*—*Of amount made avail-*
5 *able pursuant to section 132(a)(2)(A) for any pro-*
6 *gram year, the Secretary shall use 5 percent of such*
7 *amount, and may also use funds authorized for pur-*
8 *poses of carrying out this section, to award grants to*
9 *eligible entities to create workforce longitudinal data*
10 *systems and associated resources for the purposes of*
11 *strengthening program quality, building State capac-*
12 *ity to produce evidence for decisionmaking, meeting*
13 *performance reporting requirements, protecting pri-*
14 *vacancy, and improving transparency.*

15 “(2) *APPLICATION.*—*To be eligible to receive a*
16 *grant under this subsection, an eligible entity shall*
17 *submit an application to the Secretary at such time*
18 *and in such manner as the Secretary may require,*
19 *which shall include—*

20 “(A) *a description of the proposed activities*
21 *that will be conducted by the eligible entity, in-*
22 *cluding a description of the need for such activi-*
23 *ties and a detailed budget for such activities;*

24 “(B) *a description of the expected outcomes*
25 *and outputs (such as systems or products) that*

1 *will result from the proposed activities and the*
2 *proposed uses of such outputs;*

3 “(C) *a description of how the proposed ac-*
4 *tivities will support the reporting of performance*
5 *data, including employment and earnings out-*
6 *comes, for the performance accountability re-*
7 *quirements under section 116, including out-*
8 *comes for eligible training providers;*

9 “(D) *a description of the methods and pro-*
10 *cedures the eligible entity will use to ensure the*
11 *security and privacy of the collection, storage,*
12 *and use of all data involved in the systems and*
13 *resources supported through the grant, including*
14 *compliance with State and Federal privacy and*
15 *confidentiality statutes and regulations; and*

16 “(E) *a plan for how the eligible entity will*
17 *continue the activities or sustain the use of the*
18 *outputs created with the grant funds after the*
19 *grant period ends.*

20 “(3) *PRIORITY.—In awarding grants under the*
21 *subsection, the Secretary shall give priority to—*

22 “(A) *eligible entities that are—*

23 “(i) *a State agency of a State that has*
24 *not previously received a grant from the*
25 *Secretary for the purposes of this subsection*

1 *and demonstrates a substantial need to im-*
2 *prove its data infrastructure; or*

3 “(ii) *a consortium of State agencies*
4 *that is comprised of State agencies from*
5 *multiple States and includes at least one*
6 *State agency described in clause (i) and has*
7 *the capacity to make significant contribu-*
8 *tions toward building interoperable, cross-*
9 *State data infrastructure; and*

10 “(B) *eligible entities that will use grant*
11 *funds to—*

12 “(i) *expand the adoption and use of*
13 *linked, open, and interoperable data on cre-*
14 *entials, including through the development*
15 *of a credential registry or other tools and*
16 *services designed to help learners and work-*
17 *ers make informed decisions, such as the*
18 *credential navigation feature described in*
19 *section 122(d)(2);*

20 “(ii) *participate in and contribute*
21 *data to a multistate data collaborative, in-*
22 *cluding data that provide participating*
23 *States the ability to better understand—*

1 “(I) earnings and employment
2 outcomes of individuals who work out-
3 of-State; and

4 “(II) cross-State earnings and
5 employment trends;

6 “(iii) enhance collaboration with pri-
7 vate sector workforce and labor market data
8 entities and the end-users of workforce and
9 labor market data, including individuals,
10 employers, economic development agencies,
11 and workforce development providers; or

12 “(iv) leverage the use of non-Federal
13 contributions to improve workforce data in-
14 frastructure, including staff capacity build-
15 ing.

16 “(4) USE OF FUNDS.—In addition to the activi-
17 ties described in paragraph (3)(B), an eligible entity
18 awarded a grant under this subsection may use funds
19 to carry out any of the following activities:

20 “(A) Developing or enhancing a State’s
21 workforce longitudinal data system, including by
22 participating and contributing data to the
23 State’s data system, if applicable, that links with
24 elementary and secondary school and postsec-
25 ondary data.

1 “(B) Accelerating the replication and adop-
2 tion of data systems, projects, products, or prac-
3 tices already in use in one or more States to
4 other States.

5 “(C) Research and labor market data im-
6 provement activities to improve the timeliness,
7 relevance, and accessibility of such data through
8 pilot projects that are developed locally but de-
9 signed to scale to other regions or States.

10 “(D) Establishing, enhancing, or connecting
11 to a system of interoperable learning and em-
12 ployment records that provides individuals who
13 choose to participate in such system ownership of
14 a verified and secure record of their skills and
15 achievements and the ability to share such record
16 with employers and education providers.

17 “(E) Developing policies, guidelines, and se-
18 curity measures for data collection, storing, and
19 sharing to ensure compliance with relevant Fed-
20 eral and State privacy laws and regulations.

21 “(F) Increasing local board access to and
22 integration with the State’s workforce longitu-
23 dinal data system in a secure manner.

24 “(G) Creating or participating in a data
25 exchange for collecting and using standards-

1 *based jobs and employment data including, at a*
2 *minimum, job titles or occupation codes.*

3 “(H) *Improving State and local staff capac-*
4 *ity to understand, use, and analyze data to im-*
5 *prove decisionmaking and improve participant*
6 *outcomes.*

7 “(5) *ADMINISTRATION.—*

8 “(A) *DURATION.—A grant awarded under*
9 *this subsection may be for a period of up to 3*
10 *years.*

11 “(B) *SUPPLEMENT, NOT SUPPLANT.—Funds*
12 *made available under this subsection shall be*
13 *used to supplement, and not supplant, other Fed-*
14 *eral, State, or local funds used for development*
15 *of State data systems.*

16 “(C) *REPORT.—Each eligible entity that re-*
17 *ceives a grant under this subsection shall submit*
18 *a report to the Secretary not later than 180 days*
19 *after the conclusion of the grant period on the*
20 *activities supported through the grant and im-*
21 *provements in the use of workforce and labor*
22 *market information that have resulted from such*
23 *activities.*

24 “(6) *DEFINITIONS.—In this subsection, the term*
25 *‘eligible entity’ means a State agency or consortium*

1 of State agencies, including a multistate data collabo-
2 rative, that is or includes the State agencies respon-
3 sible for—

4 “(A) State employer wage records used by
5 the State’s unemployment insurance programs in
6 labor market information reporting and analysis
7 and for fulfilling the reporting requirements of
8 this Act;

9 “(B) the production of labor market infor-
10 mation; and

11 “(C) the direct administration of one or
12 more of the core programs.”.

13 **SEC. 175. NATIONAL DISLOCATED WORKER GRANTS.**

14 Section 170 of the Workforce Innovation and Oppor-
15 tunity Act (29 U.S.C. 3225) is amended—

16 (1) by amending subsection (a)(1) to read as fol-
17 lows:

18 “(1) *EMERGENCY OR DISASTER*.—The term
19 ‘emergency or disaster’ means an emergency or a
20 major disaster, as defined in paragraphs (1) and (2),
21 respectively, of section 102 of the Robert T. Stafford
22 Disaster Relief and Emergency Assistance Act (42
23 U.S.C. 5122 (1) and (2)).”;

24 (2) in subsection (b)—

25 (A) in paragraph (1)—

1 (i) in subparagraph (C), by striking
2 “and” at the end;

3 (ii) in subparagraph (D)—

4 (I) in clause (i), by striking
5 “spouses described in section 3(15)(E)”
6 and inserting “spouses described in
7 subparagraph (E) of the definition of
8 the term ‘dislocated worker’ in section
9 3”; and

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

13 (iii) by adding at the end the fol-
14 lowing:

15 “(E) to an entity described in subsection
16 (c)(1)(B) to provide employment and training
17 activities related to the prevention and treatment
18 of opioid use disorders, including addiction
19 treatment, mental health treatment, and pain
20 management, in an area that, as a result of
21 widespread opioid use, addiction, and overdoses,
22 has higher-than-average demand for such activi-
23 ties that exceeds the availability of State and
24 local resources to provide such activities.”; and

25 (B) by adding at the end the following:

1 “(3) *PERFORMANCE RESULTS.*—*The Secretary*
2 *shall collect the necessary information from each enti-*
3 *ty receiving a grant under this section to determine*
4 *the performance of such entity on the primary indica-*
5 *tors of performance described in section*
6 *116(b)(2)(A)(i) and make such information available*
7 *on the publicly accessible website of the Department*
8 *in a format that does not reveal personally identifi-*
9 *able information.”; and*

10 (3) *in subsection (c)*—

11 (A) *in paragraph (1)(A)*—

12 (i) *by striking “subsection (b)(1)(A)”*
13 *and inserting “subparagraph (A) or (E) of*
14 *subsection (b)(1)”;* and

15 (ii) *by striking “, in such manner, and*
16 *containing such information” and inserting*
17 *“and in such manner”;* and

18 (B) *in paragraph (2)*—

19 (i) *in subparagraph (B)*—

20 (I) *in the heading, by striking*
21 *“RETRAINING” and inserting*
22 *“RESKILLING”;* and

23 (II) *by striking “retraining” and*
24 *inserting “reskilling”;*

1 (ii) by redesignating subparagraphs
2 (C) and (D) as subparagraphs (D) and (E),
3 respectively; and

4 (iii) by inserting after subparagraph
5 (B) the following:

6 “(C) OPIOID-RELATED GRANTS.—In order
7 to be eligible to receive employment and training
8 assistance under a national dislocated worker
9 grant awarded pursuant to subsection (b)(1)(E),
10 an individual shall be—

11 “(i) a dislocated worker;

12 “(ii) a long-term unemployed indi-
13 vidual;

14 “(iii) an individual who is unem-
15 ployed or significantly underemployed as a
16 result of widespread opioid use in the area;
17 or

18 “(iv) an individual who is employed or
19 seeking employment in a health care profes-
20 sion involved in the prevention and treat-
21 ment of opioid use disorders, including such
22 professions that provide addiction treat-
23 ment, mental health treatment, or pain
24 management.”.

1 **SEC. 176. YOUTHBUILD PROGRAM.**

2 *Section 171 of the Workforce Innovation and Oppor-*
3 *tunity Act (29 U.S.C. 3226) is amended—*

4 *(1) in subsection (c)—*

5 *(A) in paragraph (1), to read as follows:*

6 *“(1) AMOUNT OF GRANTS; RESERVATION.—*

7 *“(A) AMOUNT OF GRANTS.—Subject to sub-*
8 *paragraph (B), the Secretary is authorized to*
9 *make grants to applicants for the purpose of car-*
10 *rying out YouthBuild programs approved under*
11 *this section.*

12 *“(B) RESERVATION FOR RURAL AREAS AND*
13 *INDIAN TRIBES.—In any fiscal year in which the*
14 *amount appropriated to carry out this section is*
15 *greater than \$90,000,000, the Secretary shall re-*
16 *serve 20 percent of the amount appropriated that*
17 *is in excess of \$90,000,000 and use such reserved*
18 *amount to make grants, for the purpose of car-*
19 *rying out YouthBuild programs approved under*
20 *this section, to applicants that—*

21 *“(i) are located in rural areas; or*

22 *“(ii) are Indian Tribes, or are car-*
23 *rying out such programs for the benefit of*
24 *members of an Indian Tribe.”;*

25 *(B) in paragraph (2)—*

26 *(i) in subparagraph (A)—*

1 (I) in clause (iv)(II), by striking
2 “language learners” and inserting
3 “learners”; and

4 (II) in clause (vii), by inserting
5 after “enable individuals” the fol-
6 lowing: “, including those with disabil-
7 ities,”; and

8 (ii) by adding at the end the following:
9 “(I) Provision of meals and other food as-
10 sistance to participants in conjunction with an-
11 other activity described in this paragraph.”;

12 (C) in paragraph (3)—

13 (i) in subparagraph (A), by striking
14 “such time, in such manner, and con-
15 taining such information” and inserting
16 “such time and in such manner”; and

17 (ii) in subparagraph (B)—

18 (I) in the header, by striking
19 “MINIMUM REQUIREMENTS” and in-
20 serting “REQUIREMENTS”;

21 (II) by striking “, at a min-
22 imum”;

23 (III) in clause (xx), by striking
24 “and” at the end;

1 (IV) in clause (xxi) by striking
2 the period at the end and inserting “;
3 and”; and

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

6 “(xxii) a description of the levels of
7 performance the applicant expects to achieve
8 on the primary indicators of performance
9 described in section 116(b)(2)(A)(ii).”; and
10 (D) in paragraph (4)—

11 (i) by striking “such selection criteria
12 as the Secretary shall establish under this
13 section, which shall include criteria” and
14 inserting “selection criteria”;

15 (ii) in subparagraph (J)(iii), by add-
16 ing “and” after the semicolon;

17 (iii) in subparagraph (K), by striking
18 “; and” and inserting a period; and

19 (iv) by striking subparagraph (L);

20 (2) in subsection (e)(1)—

21 (A) in subparagraph (A)(ii), by striking
22 “offender” and inserting “who is a justice-in-
23 volved individual”; and

1 (B) in subparagraph (B)(i), by striking
2 “are basic skills deficient” and inserting “have
3 foundational skill needs”;

4 (3) in subsection (f), by striking paragraph (2)
5 and inserting the following:

6 “(2) *USE OF WAGE RECORDS.*—The Secretary
7 shall make arrangements with a State or other appro-
8 priate entity to facilitate the use of State wage
9 records to evaluate the performance of YouthBuild
10 programs funded under this section on the employ-
11 ment and earnings indicators described in section
12 116(b)(2)(A)(ii) for the purposes of the report re-
13 quired under paragraph (3).

14 “(3) *PERFORMANCE RESULTS.*—For each pro-
15 gram year, the Secretary shall make available, on a
16 publicly accessible website of the Department, a report
17 on the performance of YouthBuild programs, during
18 such program year, funded under this section on—

19 “(A) the primary indicators of performance
20 described in section 116(b)(2)(A)(ii); and

21 “(B) the expected levels of performance for
22 such programs as described in paragraph (1).”;

23 (4) in subsection (g), by inserting at the end the
24 following:

1 “(4) *ANNUAL RELEASE OF FUNDING OPPOR-*
2 *TUNITY ANNOUNCEMENT.*—*The Secretary shall, to the*
3 *greatest extent practicable, announce new funding op-*
4 *portunities for grants under this section during the*
5 *same time period each year for which such grants are*
6 *available.”; and*

7 (5) *by amending subsection (i) to read as fol-*
8 *lows:*

9 “(i) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
10 *authorized to be appropriated to carry out this section*
11 *\$108,150,000 for each of the fiscal years 2025 through*
12 *2030.”.*

13 ***SEC. 178. REENTRY EMPLOYMENT OPPORTUNITIES.***

14 *Subtitle D of title I of the Workforce Innovation and*
15 *Opportunity Act (29 U.S.C. 3221 et seq.), is further amend-*
16 *ed—*

17 (1) *by redesignating section 172 as section 174;*
18 *and*

19 (2) *by inserting after section 171 the following:*

20 ***“SEC. 172. REENTRY EMPLOYMENT OPPORTUNITIES.***

21 “(a) *PURPOSES.*—*The purposes of this section are—*

22 “(1) *to improve the employment, earnings, and*
23 *skill attainment, and reduce recidivism, of adults and*
24 *youth who have been involved with the justice system;*

1 “(2) to prompt innovation and improvement in
2 the reentry of justice-involved individuals into the
3 workforce so that successful initiatives can be estab-
4 lished or continued and replicated; and

5 “(3) to further develop the evidence on how to
6 improve employment, earnings, and skill attainment,
7 and reduce recidivism, of justice-involved individuals,
8 through rigorous evaluations of specific services pro-
9 vided, including how they affect different populations
10 and how they are best combined and sequenced, and
11 disseminate such evidence to entities supporting the
12 reentry of justice-involved individuals into the work-
13 force.

14 “(b) *REENTRY EMPLOYMENT COMPETITIVE GRANTS,*
15 *CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHOR-*
16 *IZED.—*

17 “(1) *IN GENERAL.—*From the amounts appro-
18 priated under section 174(e) and not reserved under
19 subsection (h), the Secretary—

20 “(A) shall, on a competitive basis, make
21 grants to, or enter into contracts or cooperative
22 agreements with, eligible entities to implement
23 reentry projects that serve eligible adults or eligi-
24 ble youth;

1 “(B) may use not more than 30 percent of
2 such amounts to award funds under subpara-
3 graph (A) to eligible entities to serve as national
4 or regional intermediaries to provide such funds
5 to other eligible entities to—

6 “(i) implement reentry projects de-
7 scribed in subparagraph (A); and

8 “(ii) monitor and support such enti-
9 ties;

10 “(C) shall use 30 percent of such amounts
11 to award funds under subparagraph (A) to eligi-
12 ble entities using pay-for-performance con-
13 tracts—

14 “(i) that specify a fixed amount that
15 will be paid to the entity based on the
16 achievement of specified levels of perform-
17 ance on the indicators of performance de-
18 scribed in subsections (e)(1)(A)(i) and
19 (e)(2)(A) within a defined timetable; and

20 “(ii) which may provide for bonus
21 payments to such entity to expand capacity
22 to provide effective services; and

23 “(D) shall ensure grants awarded under
24 this section are awarded to eligible entities from

1 *geographically diverse areas, in addition to the*
2 *priorities described in paragraph (4).*

3 “(2) *AWARD PERIODS.*—*The Secretary shall*
4 *award funds under this section for an initial period*
5 *of not more than 4 years.*

6 “(3) *ADDITIONAL AWARDS.*—*The Secretary may*
7 *award, for a period of not more than 4 years, one or*
8 *more additional grants to an eligible entity that re-*
9 *ceived a grant under this section if the eligible entity*
10 *achieved the performance levels agreed upon with the*
11 *Secretary (as described in subsection (e)(3)) for the*
12 *most recent award period.*

13 “(4) *PRIORITY.*—*In awarding funds under this*
14 *section, the Secretary shall give priority to eligible en-*
15 *tities whose applications submitted under subsection*
16 *(c) demonstrate a commitment to use such funds to*
17 *implement reentry projects—*

18 “(A) *that will serve high-poverty areas;*

19 “(B) *that will enroll eligible youth or eligi-*
20 *ble adults—*

21 “(i) *prior to the release of such indi-*
22 *viduals from incarceration in a correctional*
23 *institution; or*

24 “(ii) *not later than 90 days after such*
25 *release;*

1 “(C) whose strategy and design are evi-
2 dence-based;

3 “(D) that establish partnerships with—

4 “(i) businesses; or

5 “(ii) institutions of higher education
6 or providers under section 122 (as deter-
7 mined by the State where services are being
8 provided) to provide project participants
9 with programs of study leading to recog-
10 nized postsecondary credentials in in-de-
11 mand occupations; or

12 “(E) that provide training services, includ-
13 ing customized training and on-the-job training,
14 that are designed to meet the specific require-
15 ments of an employer (including a group of em-
16 ployers) and are conducted with a commitment
17 by the employer to employ individuals upon suc-
18 cessful completion of the preparation.

19 “(c) APPLICATION.—

20 “(1) FORM AND PROCEDURE.—To be qualified to
21 receive funds under this section, an eligible entity
22 shall submit an application at such time, and in such
23 manner, as determined by the Secretary, and con-
24 taining the information described in paragraph (2).

1 “(2) *CONTENTS.*—*An application submitted by*
2 *an eligible entity under paragraph (1) shall contain*
3 *the following:*

4 “(A) *A description of the eligible entity, in-*
5 *cluding the experience of the eligible entity in*
6 *providing employment and training services for*
7 *justice-involved individuals.*

8 “(B) *A description of the needs that will be*
9 *addressed by the reentry project supported by the*
10 *funds received under this section, and the target*
11 *participant population and the geographic area*
12 *to be served.*

13 “(C) *A description of the proposed employ-*
14 *ment and training activities and supportive*
15 *services, if applicable, to be provided under such*
16 *reentry project, and how such activities and serv-*
17 *ices will prepare participants for employment in*
18 *in-demand industry sectors and occupations*
19 *within the geographic area to be served by such*
20 *reentry project.*

21 “(D) *The anticipated schedule for carrying*
22 *out the activities proposed under the reentry*
23 *project.*

24 “(E) *A description of—*

1 “(i) the partnerships the eligible entity
2 will establish with agencies and entities
3 within the criminal justice system, local
4 boards and one-stops, community-based or-
5 ganizations, and employers (including local
6 businesses) to provide participants of the re-
7 entry project with work-based learning, job
8 placement, and recruitment (if applicable);
9 and

10 “(ii) how the eligible entity will co-
11 ordinate its activities with other services
12 and benefits available to justice-involved in-
13 dividuals in the geographic area to be
14 served by the reentry project.

15 “(F) A description of the manner in which
16 individuals will be recruited and selected for
17 participation for the reentry project.

18 “(G) A detailed budget and a description of
19 the system of fiscal controls, and auditing and
20 accountability procedures, that will be used to
21 ensure fiscal soundness for the reentry project.

22 “(H) A description of the expected levels of
23 performance to be achieved with respect to the
24 performance measures described in subsection
25 (e).

1 “(I) A description of the evidence-based
2 practices the eligible entity will use in adminis-
3 tration of the reentry project.

4 “(J) An assurance that the eligible entity
5 will collect, disaggregate by each subpopulation
6 of individuals with barriers to employment, and
7 by race, ethnicity, sex, and age, and report to the
8 Secretary the data required with respect to the
9 reentry project carried out by the eligible entity
10 for purposes of determining levels of performance
11 achieved and conducting the evaluation under
12 this section.

13 “(K) An assurance that the eligible entity
14 will provide matching funds, as described in sub-
15 section (d)(4).

16 “(L) A description of how the eligible entity
17 plans to continue the reentry project after the
18 award period.

19 “(3) *ADDITIONAL CONTENT FOR INTERMEDIARY*
20 *APPLICANTS.*—An application submitted by an eligi-
21 ble entity seeking to serve as a national or regional
22 intermediary as described in subsection (b)(1)(B)
23 shall also contain the following:

24 “(A) An identification and description of
25 the eligible entities that will be subgrantees of

1 *such intermediary and implement the reentry*
2 *projects, which shall include subgrantees in—*

3 *“(i) three or more noncontiguous met-*
4 *ropolitan areas or rural areas; and*

5 *“(ii) not less than 2 States.*

6 *“(B) A description of the services and sup-*
7 *ports the intermediary will provide to the sub-*
8 *grantees, including administrative and fiscal*
9 *support to ensure the subgrantees comply with*
10 *all grant requirements.*

11 *“(C) A description of how the intermediary*
12 *will facilitate the replication of evidence-based*
13 *practices or other best practices identified by the*
14 *intermediary across all subgrantees.*

15 *“(D) If such intermediary is currently re-*
16 *ceiving, or has previously received, funds under*
17 *this section as an intermediary to implement a*
18 *reentry project, an assurance that none of the*
19 *subgrantees identified under subparagraph (A)*
20 *were previous subgrantees of the intermediary for*
21 *such reentry project and failed to meet the levels*
22 *of performance established for such reentry*
23 *project.*

24 *“(d) USES OF FUNDS.—*

1 “(1) *REQUIRED ACTIVITIES.*—An eligible entity
2 that receives funds under this section shall use such
3 funds to implement a reentry project for eligible
4 adults, eligible youth, or both that provides each of the
5 following:

6 “(A) One or more of the individualized ca-
7 reer services listed in subclauses (I) through (IX)
8 of section 134(c)(2)(A)(xii).

9 “(B) One or more of the training services
10 listed in clauses (i) through (x)(i) in section
11 134(c)(3)(D), including subsidized employment
12 opportunities through transitional jobs.

13 “(C) For participants who are eligible
14 youth, one or more of the program elements list-
15 ed in subparagraphs (A) through (N) of section
16 129(c)(2).

17 “(2) *ALLOWABLE ACTIVITIES.*—An eligible entity
18 that receives funds under this section may use such
19 funds to provide to eligible adults or eligible youth the
20 following:

21 “(A) Followup services after placement in
22 unsubsidized employment as described in section
23 134(c)(2)(A)(xiii).

24 “(B) Apprenticeship programs.

25 “(C) Education in digital literacy skills.

1 “(D) *Mentoring.*

2 “(E) *Assistance in obtaining employment,*
3 *including as a result of the eligible entity—*

4 “(i) *establishing and developing rela-*
5 *tionships and networks with large and*
6 *small employers; and*

7 “(ii) *coordinating with employers to*
8 *develop customized training programs and*
9 *on-the-job training.*

10 “(F) *Assistance with driver’s license rein-*
11 *statement and fees for driver’s licenses and other*
12 *necessary documents for employment.*

13 “(G) *Provision of or referral to evidence-*
14 *based mental health treatment by licensed practi-*
15 *tioners.*

16 “(H) *Provision of or referral to substance*
17 *use disorder treatment services, provided that*
18 *funds awarded under this section are only used*
19 *to provide such services to participants who are*
20 *unable to obtain such services through other pro-*
21 *grams providing such services.*

22 “(I) *Provisions of or referral to supportive*
23 *services, provided that no more than 5 percent of*
24 *funds awarded to an eligible entity under this*
25 *section may be used to provide such services to*

1 *participants who are able to obtain such services*
2 *through other programs providing such services.*

3 “(3) *ADMINISTRATIVE COST LIMIT.*—*An eligible*
4 *entity may not use more than 7 percent of the funds*
5 *received under this section for administrative costs,*
6 *including for costs related to collecting information,*
7 *analysis, and coordination for purposes of subsection*
8 *(e) or (f).*

9 “(4) *MATCHING FUNDS.*—*An eligible entity shall*
10 *provide a non-Federal contribution, which may be*
11 *provided in cash or in-kind, for the costs of the*
12 *project in an amount that is not less than 25 percent*
13 *of the total amount of funds awarded to the entity for*
14 *such period, except that the Secretary may waive the*
15 *matching funds requirement, on a case-by-case basis*
16 *and for not more than 20 percent of all grants award-*
17 *ed, if the eligible entity demonstrates significant fi-*
18 *nancial hardship.*

19 “(e) *LEVELS OF PERFORMANCE.*—

20 “(1) *ESTABLISHMENT OF LEVELS.*—

21 “(A) *IN GENERAL.*—*The Secretary shall es-*
22 *tablish expected levels of performance for reentry*
23 *projects funded under this section for—*

1 “(i) each of the primary indicators of
2 performance for adults and youth described
3 in section 116(b); and

4 “(ii) an indicator of performance es-
5 tablished by the Secretary with respect to
6 participant recidivism.

7 “(B) *UPDATES.*—The levels established
8 under subparagraph (A) shall be updated for
9 each 4-year-award period.

10 “(2) *AGREEMENT ON PERFORMANCE LEVELS.*—
11 *In establishing and updating performance levels*
12 *under paragraph (1), the Secretary shall reach agree-*
13 *ment on such levels with the eligible entities receiving*
14 *awards under this section that will be subject to such*
15 *levels, based on, as the Secretary determines relevant*
16 *for each indicator of performance, the following fac-*
17 *tors:*

18 “(A) *The expected performance levels of each*
19 *such eligible entity described in the application*
20 *submitted under subsection (c)(2)(H).*

21 “(B) *The local economic conditions of the*
22 *geographic area to be served by each such eligible*
23 *entity, including differences in unemployment*
24 *rates and job losses or gains in particular indus-*
25 *tries.*

1 “(C) *The characteristics of project partici-*
2 *pants when entering the project involved, includ-*
3 *ing—*

4 “(i) *criminal records;*

5 “(ii) *indicators of poor work history;*

6 “(iii) *lack of work experience;*

7 “(iv) *lack of educational or occupa-*
8 *tional skills attainment;*

9 “(v) *low levels of literacy or English*
10 *proficiency;*

11 “(vi) *disability status;*

12 “(vii) *homelessness; and*

13 “(viii) *receipt of public assistance.*

14 “(3) *FAILURE TO MEET PERFORMANCE LEV-*
15 *ELS.—In the case of an eligible entity that fails to*
16 *meet the performance levels established under para-*
17 *graph (1) and updated to reflect the actual economic*
18 *conditions and characteristics of participants (as de-*
19 *scribed in paragraph (2)(C)) served by the reentry*
20 *project involved for any award year, the Secretary*
21 *shall provide technical assistance to the eligible enti-*
22 *ty, including the development of a performance im-*
23 *provement plan.*

24 “(f) *EVALUATION OF REENTRY PROJECTS.—*

1 “(1) *IN GENERAL.*—Not later than 5 years after
2 the first award of funds under this section is made,
3 the Secretary (acting through the Chief Evaluation
4 Officer) shall meet each of the following requirements:

5 “(A) *DESIGN AND CONDUCT OF EVALUA-*
6 *TION.*—Design and conduct an evaluation to
7 evaluate the effectiveness of the reentry projects
8 funded under this section, which meets the re-
9 quirements of paragraph (2), and includes an
10 evaluation of each of the following:

11 “(i) *The effectiveness of such projects in*
12 *assisting individuals with finding employ-*
13 *ment and maintaining employment at the*
14 *second quarter and fourth quarter after un-*
15 *subsidized employment is obtained.*

16 “(ii) *The effectiveness of such projects*
17 *in assisting individuals with earning recog-*
18 *nized postsecondary credentials.*

19 “(iii) *The effectiveness of such projects*
20 *in relation to their cost, including the ex-*
21 *tent to which the projects improve reentry*
22 *outcomes, including in employment, com-*
23 *ensation (which may include wages earned*
24 *and benefits), career advancement, measur-*
25 *able skills gains, credentials earned, and re-*

1 *cidivism of participants in comparison to*
2 *comparably situated individuals who did*
3 *not participate in such projects.*

4 *“(iv) The effectiveness of specific serv-*
5 *ices and interventions provided and of the*
6 *overall project design.*

7 *“(v) If applicable, the extent to which*
8 *such projects effectively serve various demo-*
9 *graphic groups, including people of different*
10 *geographic locations, ages, races, national*
11 *origins, sex, and criminal records, and in-*
12 *dividuals with disabilities.*

13 *“(vi) If applicable, the appropriate se-*
14 *quencing, combination, or concurrent struc-*
15 *ture, of services for each subpopulation of*
16 *individuals who are participants of such*
17 *projects, such as the order, combination, or*
18 *concurrent structure and services in which*
19 *transitional jobs and occupational skills de-*
20 *velopment are provided, to ensure that such*
21 *participants are prepared to fully benefit*
22 *from employment and training services pro-*
23 *vided under the project.*

24 *“(vii) Limitations or barriers to edu-*
25 *cation and employment as a result of occu-*

1 *pational or educational licensing restric-*
2 *tions.*

3 “(B) *DATA ACCESSIBILITY.*—*Make avail-*
4 *able, on the publicly accessible website of the De-*
5 *partment of Labor, data collected during the*
6 *course of evaluation under this subsection, in an*
7 *aggregated format that does not disclose person-*
8 *ally identifiable information.*

9 “(2) *DESIGN REQUIREMENTS.*—*An evaluation*
10 *under this subsection—*

11 “(A) *shall—*

12 “(i) *be designed by the Secretary (act-*
13 *ing through the Chief Evaluation Officer) in*
14 *conjunction with the eligible entities car-*
15 *rying out the reentry projects being evalu-*
16 *ated;*

17 “(ii) *include analysis of participant*
18 *feedback and outcome and process measures;*
19 *and*

20 “(iii) *use designs that employ the most*
21 *rigorous analytical and statistical methods*
22 *that are reasonably feasible, such as the use*
23 *of control groups; and*

24 “(B) *may not—*

1 “(i) collect personally identifiable in-
2 formation, except to the extent such infor-
3 mation is necessary to conduct the evalua-
4 tion; or

5 “(ii) reveal or share personally identi-
6 fiable information.

7 “(3) *PUBLICATION AND REPORTING OF EVALUA-*
8 *TION FINDINGS.—The Secretary (acting through the*
9 *Chief Evaluation Officer) shall—*

10 “(A) in accordance with the timeline deter-
11 mined to be appropriate by the Chief Evaluation
12 Officer, publish an interim report on such eval-
13 uation;

14 “(B) not later than 90 days after the date
15 on which any evaluation is completed under this
16 subsection, publish and make publicly available
17 such evaluation; and

18 “(C) not later than 60 days after the com-
19 pletion date described in subparagraph (B), sub-
20 mit to the Committee on Education and the
21 Workforce of the House of Representatives and
22 the Committee on Health, Education, Labor, and
23 Pensions of the Senate a report on such evalua-
24 tion.

25 “(g) *ANNUAL REPORT.—*

1 “(1) *CONTENTS.*—Subject to paragraph (2), the
2 Secretary shall post, using transparent, linked, open,
3 and interoperable data formats, on its publicly acces-
4 sible website, an annual report on—

5 “(A) the number of individuals who partici-
6 pated in projects assisted under this section for
7 the preceding year;

8 “(B) the percentage of such individuals who
9 successfully completed the requirements of such
10 projects;

11 “(C) the performance of eligible entities on
12 such projects as measured by the performance in-
13 dicators set forth in subsection (e); and

14 “(D) an explanation of any waivers granted
15 by the Secretary of the matching requirement
16 under subsection (d)(4) .

17 “(2) *DISAGGREGATION.*—The information pro-
18 vided under subparagraphs (A) through (C) of para-
19 graph (1) with respect to a year shall be
20 disaggregated by each project assisted under this sec-
21 tion for such year.

22 “(h) *RESERVATION OF FUNDS.*—Of the funds appro-
23 priated under section 174(e) for a fiscal year, the Sec-
24 retary—

1 “(1) may reserve not more than 5 percent for the
2 administration of grants, contracts, and cooperative
3 agreements awarded under this section, of which not
4 more than 2 percent may be reserved for the provision
5 of—

6 “(A) technical assistance to eligible entities
7 that receive funds under this section; and

8 “(B) outreach and technical assistance to el-
9 igible entities desiring to receive such funds, in-
10 cluding assistance with application development
11 and submission; and

12 “(2) shall reserve not less than 1 percent and not
13 more than 2.5 percent for the evaluation activities
14 under subsection (f) or to support eligible entities
15 with any required data collection, analysis, and co-
16 ordination related to such evaluation activities.

17 “(i) DEFINITIONS.—In this section:

18 “(1) CHIEF EVALUATION OFFICER.—The term
19 ‘Chief Evaluation Officer’ means the head of the inde-
20 pendent evaluation office located in the Office of the
21 Assistant Secretary for Policy of the Department of
22 Labor.

23 “(2) COMMUNITY SUPERVISION.—The term ‘com-
24 munity supervision’ means mandatory oversight (in-

1 *cluding probation and parole) of a formerly incarcerated*
2 *ated person—*

3 *“(A) who was convicted of a crime by a*
4 *judge or parole board; and*

5 *“(B) who is living outside a secure facility.*

6 *“(3) CORRECTIONAL INSTITUTION.—The term*
7 *‘correctional institution’ has the meaning given the*
8 *term in section 225(e).*

9 *“(4) ELIGIBLE ENTITY.—The term ‘eligible enti-*
10 *ty’ means—*

11 *“(A) a private nonprofit organization under*
12 *section 501(c)(3) of the Internal Revenue Code of*
13 *1986, including a community-based or faith-*
14 *based organization;*

15 *“(B) a local board;*

16 *“(C) a State or local government;*

17 *“(D) an Indian or Native American entity*
18 *eligible for grants under section 166;*

19 *“(E) a labor organization or joint labor-*
20 *management organization;*

21 *“(F) an industry or sector partnership;*

22 *“(G) an institution of higher education; or*

23 *“(H) a consortium of the entities described*
24 *in subparagraphs (A) through (H).*

1 “(5) *ELIGIBLE ADULT.*—*The term ‘eligible adult’*
2 *means a justice-involved individual who—*

3 “(A) *is age 25 or older; and*

4 “(B) *in the case of an individual that was*
5 *previously incarcerated, was released from incar-*
6 *ceration not more than 3 years prior to enroll-*
7 *ment in a project funded under this section.*

8 “(6) *ELIGIBLE YOUTH.*—*The term ‘eligible*
9 *youth’ means a justice-involved individual who is not*
10 *younger than age 14 or older than age 24.*

11 “(7) *HIGH-POVERTY.*—*The term ‘high-poverty’,*
12 *when used with respect to a geographic area, means*
13 *an area with a poverty rate of at least 20 percent as*
14 *determined based on the most recently available data*
15 *from the American Community Survey conducted by*
16 *the Bureau of the Census.*

17 “(8) *JUSTICE-INVOLVED INDIVIDUAL.*—*The term*
18 *‘justice-involved individual’ means an individual who*
19 *has been convicted as a juvenile or an adult and im-*
20 *prisoned under Federal or State law.”.*

21 **SEC. 179. STRENGTHENING COMMUNITY COLLEGES GRANT**
22 **PROGRAM.**

23 *Subtitle D of title I of the Workforce Innovation and*
24 *Opportunity Act (29 U.S.C. 3221 et seq.), is further amend-*

1 *ed by inserting after section 172, as added by the preceding*
2 *section, the following:*

3 **“SEC. 173. STRENGTHENING COMMUNITY COLLEGES WORK-**
4 **FORCE DEVELOPMENT GRANTS PROGRAM.**

5 *“(a) PURPOSES.—The purposes of this section are—*

6 *“(1) to establish, improve, or expand high-quality*
7 *workforce development programs at community*
8 *colleges; and*

9 *“(2) to expand opportunities for individuals to*
10 *obtain recognized postsecondary credentials that are*
11 *nationally or regionally portable and stackable for*
12 *high-skill, high-wage, or in-demand industry sectors*
13 *or occupations.*

14 *“(b) STRENGTHENING COMMUNITY COLLEGES WORK-*
15 *FORCE DEVELOPMENT GRANTS PROGRAM.—*

16 *“(1) IN GENERAL.—From the amounts appro-*
17 *priated to carry out this section under section 174(f)*
18 *and not reserved under paragraph (2), the Secretary*
19 *shall, on a competitive basis, make grants to eligible*
20 *institutions to carry out the activities described in*
21 *subsection (e).*

22 *“(2) RESERVATION.—Of the amounts appro-*
23 *priated to carry out this section under section 174(f),*
24 *the Secretary may reserve not more than two percent*

1 *for the administration of grants awarded under this*
2 *section, including—*

3 “(A) *providing technical assistance and tar-*
4 *geted outreach to support eligible institutions*
5 *serving a high number or high percentage of low-*
6 *income individuals or individuals with barriers*
7 *to employment, and rural-serving eligible insti-*
8 *tutions, to provide guidance and assistance in*
9 *the process of applying for grants under this sec-*
10 *tion; and*

11 “(B) *evaluating and reporting on the per-*
12 *formance and impact of programs funded under*
13 *this section in accordance with subsections (f)*
14 *through (h).*

15 “(c) *AWARD PERIOD.—*

16 “(1) *INITIAL GRANT PERIOD.—Each grant under*
17 *this section shall be awarded for an initial period of*
18 *not more than 4 years.*

19 “(2) *SUBSEQUENT GRANTS.—An eligible institu-*
20 *tion that receives an initial grant under this section*
21 *may receive one or more additional grants under this*
22 *section for additional periods of not more than 4*
23 *years each if the eligible institution demonstrates*
24 *that, during the most recently completed grant period*
25 *for a grant received under this section, such eligible*

1 *institution achieved the levels of performance agreed*
2 *to by the eligible institution with respect to the per-*
3 *formance indicators specified in subsection (f).*

4 “(d) *APPLICATION.—*

5 “(1) *IN GENERAL.—To be eligible to receive a*
6 *grant under this section, an eligible institution shall*
7 *submit an application to the Secretary at such time*
8 *and in such manner as the Secretary may require.*

9 “(2) *CONTENTS.—An application submitted by*
10 *an eligible institution under paragraph (1) shall in-*
11 *clude a description of each the following:*

12 “(A) *The extent to which the eligible insti-*
13 *tution has demonstrated success building part-*
14 *nerships with employers in in-demand industry*
15 *sectors or occupations to provide students with*
16 *the skills needed for occupations in such indus-*
17 *tries and an explanation of the results of any*
18 *such partnerships.*

19 “(B) *The methods and strategies the eligible*
20 *institution will use to engage with employers in*
21 *in-demand industry sectors or occupations, in-*
22 *cluding any arrangements to place individuals*
23 *who complete the workforce development pro-*
24 *grams supported by the grant into employment*
25 *with such employers.*

1 “(C) *The proposed eligible institution and*
2 *industry partnership that the eligible institution*
3 *will establish or maintain to comply with sub-*
4 *section (e)(1), including—*

5 “(i) *the roles and responsibilities of*
6 *each employer, organization, agency, or in-*
7 *stitution of higher education that the eligi-*
8 *ble institution will partner with to carry*
9 *out the activities under this section; and*

10 “(ii) *the needs that will be addressed*
11 *by such eligible institution and industry*
12 *partnership.*

13 “(D) *One or more industries that such part-*
14 *nership will target and real-time labor market*
15 *data demonstrating that those industries are*
16 *aligned with employer demand in the geographic*
17 *area to be served by the eligible institution.*

18 “(E) *The extent to which the eligible insti-*
19 *tution can—*

20 “(i) *leverage additional resources to*
21 *support the programs to be funded with the*
22 *grant, which shall include written commit-*
23 *ments of any leveraged or matching funds*
24 *for the proposed programs; and*

1 “(ii) demonstrate the future sustain-
2 ability of each such program.

3 “(F) The steps the institution will take to
4 ensure the high quality of each program to be
5 funded with the grant, including the career path-
6 ways within such programs.

7 “(G) The population and geographic area to
8 be served by the eligible institution, including the
9 number of individuals the eligible institution in-
10 tends to serve during the grant period.

11 “(H) The workforce development programs
12 to be supported by the grant.

13 “(I) The recognized postsecondary creden-
14 tials that are expected to be earned by partici-
15 pants in such workforce development programs
16 and the related in-demand industry sectors or
17 occupations for which such programs will pre-
18 pare participants.

19 “(J) The evidence upon which the education
20 and skills development strategies to be used in
21 such workforce development programs are based
22 and an explanation of how such evidence influ-
23 enced the design of the programs to improve edu-
24 cation and employment outcomes.

1 “(K) *How activities of the eligible institu-*
2 *tion are expected to align with the workforce*
3 *strategies identified in—*

4 “(i) *any State plan or local plan sub-*
5 *mitted under this Act by the State, outlying*
6 *area, or locality in which the eligible insti-*
7 *tution is expected to operate;*

8 “(ii) *any State plan submitted under*
9 *section 122 of the Carl D. Perkins Career*
10 *and Technical Education Act of 2006 (20*
11 *U.S.C. 2342) by such State or outlying*
12 *area; and*

13 “(iii) *any economic development plan*
14 *of the chief executive of such State or out-*
15 *lying area.*

16 “(L) *The goals of the eligible institution*
17 *with respect to—*

18 “(i) *capacity building (as described in*
19 *subsection (f)(1)(B)); and*

20 “(ii) *the expected performance of indi-*
21 *viduals participating in the programs to be*
22 *offered by the eligible institution, including*
23 *with respect to any performance indicators*
24 *applicable under section 116 or subsection*
25 *(f) of this section.*

1 “(3) *CONSIDERATION OF PREVIOUS EXPERI-*
2 *ENCE.—The Secretary may not disqualify an eligible*
3 *institution from receiving a grant under this section*
4 *solely because such institution lacks previous experi-*
5 *ence in building partnerships, as described in para-*
6 *graph (2)(A).*

7 “(4) *PRIORITY.—In awarding grants under this*
8 *section, the Secretary shall give priority to eligible in-*
9 *stitutions that—*

10 “(A) *will use the grant to serve—*

11 “(i) *individuals with barriers to em-*
12 *ployment; or*

13 “(ii) *incumbent workers who need to*
14 *gain or improve foundational skills to en-*
15 *hance their employability;*

16 “(B) *use competency-based assessments,*
17 *such as the competency-based assessment identi-*
18 *fied by the State in which the eligible institution*
19 *is located under section 134(a)(2)(B)(vii), to*
20 *award academic credit for prior learning for*
21 *programs supported by the grant; or*

22 “(C) *have, or will seek to have, the career*
23 *education programs supported by the grant in-*
24 *cluded on the list of eligible providers of training*

1 *services under section 122 for the State in which*
2 *the eligible institution is located.*

3 “(e) *USES OF FUNDS.*—

4 “(1) *ELIGIBLE INSTITUTION AND INDUSTRY*
5 *PARTNERSHIP.*—*For the purpose of carrying out the*
6 *activities specified in paragraphs (2) and (3), an eli-*
7 *gible institution that receives a grant under this sec-*
8 *tion shall establish a partnership (or continue an ex-*
9 *isting partnership) with one or more employers in an*
10 *in-demand industry sector or occupation (in this sec-*
11 *tion referred to as an ‘eligible institution and indus-*
12 *try partnership’) and shall maintain such partner-*
13 *ship for the duration of the grant period. The eligible*
14 *institution shall ensure that the partnership—*

15 “(A) *targets one or more specific high-skill,*
16 *high-wage, or in-demand industries;*

17 “(B) *includes collaboration with the work-*
18 *force development system;*

19 “(C) *serves adult and dislocated workers,*
20 *incumbent workers, and new entrants to the*
21 *workforce;*

22 “(D) *uses an evidence-based program design*
23 *that is appropriate for the activities carried out*
24 *by the partnership;*

1 “(E) incorporates work-based learning op-
2 portunities, as defined in section 3 of the Carl D.
3 Perkins Career and Technical Education Act of
4 2006 (20 U.S.C. 2302); and

5 “(F) incorporates, to the extent appropriate,
6 virtual service delivery to facilitate technology-
7 enabled learning.

8 “(2) *REQUIRED ACTIVITIES.*—An eligible institu-
9 tion that receives a grant under this section shall, in
10 consultation with the employers in the eligible institu-
11 tion and industry partnership described in paragraph
12 (1)—

13 “(A) establish, improve, or expand high
14 quality, evidence-based workforce development
15 programs, career pathway programs, or work-
16 based learning programs (including apprentice-
17 ship programs or preapprenticeships);

18 “(B) provide career services to individuals
19 participating in the programs funded with the
20 grant to facilitate retention and program com-
21 pletion, which may include—

22 “(i) career navigation, coaching,
23 mentorship, and case management services,
24 including providing information and out-
25 reach to individuals with barriers to em-

1 *ployment to encourage such individuals to*
2 *participate in programs funded with the*
3 *grant; and*

4 “(i) *providing access to course mate-*
5 *rials, technological devices, required equip-*
6 *ment, and other supports necessary for par-*
7 *ticipation in and successful completion of*
8 *such programs; and*

9 “(C) *make available, in a format that is*
10 *open, searchable, and easily comparable, infor-*
11 *mation on—*

12 “(i) *curricula and recognized postsec-*
13 *ondary credentials offered through programs*
14 *funded with the grant, including any cur-*
15 *ricula or credentials created or further de-*
16 *veloped using such grant, which for each*
17 *recognized postsecondary credential, shall*
18 *include—*

19 “(I) *the issuing entity of such cre-*
20 *denial;*

21 “(II) *any third-party endorse-*
22 *ments of such credential;*

23 “(III) *the occupations for which*
24 *the credential prepares individuals;*

1 “(IV) the skills and competencies
2 necessary to achieve to earn such cre-
3 dential;

4 “(V) the level of mastery of such
5 skills and competencies (including how
6 mastery is assessed); and

7 “(VI) any transfer value or
8 stackability of the credential;

9 “(ii) any skills or competencies devel-
10 oped by individuals who participate in such
11 programs beyond the skills and com-
12 petencies identified as part of the recognized
13 postsecondary credential awarded; and

14 “(iii) related employment and earn-
15 ings outcomes on the primary indicators of
16 performance described in subclauses (I)
17 through (III) of section 116(b)(2)(A)(i).

18 “(3) *ADDITIONAL ACTIVITIES.*—In addition to
19 the activities required under paragraph (2), an eligi-
20 ble institution that receives a grant under this section
21 shall, in consultation with the employers in the eligi-
22 ble institution and industry partnership described in
23 paragraph (1), carry out one or more of the following
24 activities:

25 “(A) Establish, improve, or expand—

1 “(i) articulation agreements (as de-
2 fined in section 486A(a) of the Higher Edu-
3 cation Act of 1965 (20 U.S.C. 1093a(a)));

4 “(ii) credit transfer agreements;

5 “(iii) corequisite remediation programs
6 that enable a student to receive remedial
7 education services while enrolled in a post-
8 secondary course rather than requiring the
9 student to receive remedial education before
10 enrolling in a such a course;

11 “(iv) dual or concurrent enrollment
12 programs;

13 “(v) competency-based education and
14 assessment; or

15 “(vi) policies and processes to award
16 academic credit for prior learning or for the
17 programs described in paragraph (2)(A).

18 “(B) Establish or implement plans for pro-
19 viders of the programs described in paragraph
20 (2)(A) to meet the criteria and carry out the pro-
21 cedures necessary to be included on the eligible
22 training services provider list described in sec-
23 tion 122(d).

24 “(C) Purchase, lease, or refurbish special-
25 ized equipment as necessary to carry out such

1 *programs, provided that not more than 15 per-*
2 *cent of the funds awarded to the eligible institu-*
3 *tion under this section may be used for activities*
4 *described in this subparagraph.*

5 *“(D) Reduce or eliminate unmet financial*
6 *need relating to the cost of attendance (as de-*
7 *fined under section 472 of the Higher Education*
8 *Act of 1965 (20 U.S.C. 1087ll)) of participants*
9 *in such programs.*

10 *“(4) ADMINISTRATIVE COST LIMIT.—An eligible*
11 *institution may use not more than 7 percent of the*
12 *funds awarded under this section for administrative*
13 *costs, including costs related to collecting information,*
14 *analysis, and coordination for purposes of subsection*
15 *(f).*

16 *“(f) PERFORMANCE LEVELS AND PERFORMANCE RE-*
17 *VIEWS.—*

18 *“(1) IN GENERAL.—The Secretary shall develop*
19 *and implement guidance that establishes the levels of*
20 *performance that are expected to be achieved by each*
21 *eligible institution receiving a grant under this sec-*
22 *tion. Such performance levels shall be established on*
23 *the following indicators:*

24 *“(A) Each of the primary indicators of per-*
25 *formance for adults described in section 116(b),*

1 *which shall be applied for all individuals who*
2 *participated in a program that received funding*
3 *from a grant under this section.*

4 “(B) *The extent to which the eligible insti-*
5 *tution built capacity by—*

6 “(i) *increasing the breadth and depth*
7 *of employer engagement and investment in*
8 *workforce development programs in the in-*
9 *demand industry sectors and occupations*
10 *targeted by the eligible institution and in-*
11 *dustry partnership established or main-*
12 *tained by the eligible institution under sub-*
13 *section (e)(1);*

14 “(ii) *designing or implementing new*
15 *and accelerated instructional techniques or*
16 *technologies, including the use of advanced*
17 *online and technology-enabled learning*
18 *(such as immersive technology); and*

19 “(iii) *increasing program and policy*
20 *alignment across systems and decreasing*
21 *duplicative services or service gaps.*

22 “(C) *With respect to individuals who par-*
23 *ticipated in a workforce development program*
24 *funded with the grant—*

1 “(i) the percentage of participants who
2 successfully completed the program; and

3 “(ii) of the participants who were in-
4 cumbent workers at the time of enrollment
5 in the program, the percentage who ad-
6 vanced into higher level positions during or
7 after completing the program.

8 “(2) CONSULTATION AND DETERMINATION OF
9 PERFORMANCE LEVELS.—

10 “(A) CONSIDERATION.—In developing per-
11 formance levels in accordance with paragraph
12 (1), the Secretary shall take into consideration
13 the goals of the eligible institution pursuant to
14 subsection (d)(2)(L).

15 “(B) DETERMINATION.—After completing
16 the consideration required under subparagraph
17 (A), the Secretary shall separately determine the
18 performance levels that will apply to each eligi-
19 ble institution, taking into account—

20 “(i) the expected performance levels of
21 each eligible institution with respect to the
22 goals described by the eligible institution
23 pursuant to subsection (d)(2)(L); and

24 “(ii) local economic conditions in the
25 geographic area to be served by the eligible

1 *institution, including differences in unem-*
2 *ployment rates and job losses or gains in*
3 *particular industries.*

4 “(C) *NOTICE AND ACKNOWLEDGMENT.*—

5 “(i) *NOTICE.*—*The Secretary shall pro-*
6 *vide each eligible institution with a written*
7 *notification that sets forth the performance*
8 *levels that will apply to the eligible institu-*
9 *tion, as determined under subparagraph*
10 *(B).*

11 “(ii) *ACKNOWLEDGMENT.*—*After re-*
12 *ceiving the notification described in clause*
13 *(i), each eligible institution shall submit to*
14 *the Secretary written confirmation that the*
15 *eligible institution—*

16 “(I) *received the notification; and*

17 “(II) *agrees to be evaluated in ac-*
18 *cordance with the performance levels*
19 *determined by the Secretary.*

20 “(3) *PERFORMANCE REVIEWS.*—*On an annual*
21 *basis during each year of the grant period, the Sec-*
22 *retary shall evaluate the performance during such*
23 *year of each eligible institution receiving a grant*
24 *under this section in a manner consistent with the*

1 *performance levels determined for such institution*
2 *pursuant to paragraph (2).*

3 *“(4) FAILURE TO MEET PERFORMANCE LEV-*
4 *ELS.—After conducting an evaluation under para-*
5 *graph (3), if the Secretary determines that an eligible*
6 *institution did not achieve the performance levels ap-*
7 *plicable to the eligible institution under paragraph*
8 *(2), the Secretary shall—*

9 *“(A) provide technical assistance to the eli-*
10 *gible institution; and*

11 *“(B) develop a performance improvement*
12 *plan for the eligible institution.*

13 *“(g) EVALUATIONS AND REPORTS.—*

14 *“(1) IN GENERAL.—Not later than 4 years after*
15 *the date on which the first grant is made under this*
16 *section, the Secretary shall design and conduct an*
17 *evaluation to determine the overall effectiveness of the*
18 *eligible institutions receiving a grant under this sec-*
19 *tion.*

20 *“(2) ELEMENTS.—The evaluation of the effective-*
21 *ness of eligible institutions conducted under para-*
22 *graph (1) shall include an assessment of the general*
23 *effectiveness of programs and activities supported by*
24 *the grants awarded to such eligible institutions under*

1 *this section, including the extent to which the pro-*
2 *grams and activities—*

3 *“(A) developed new, or expanded existing,*
4 *successful industry sector strategies, including*
5 *the extent to which such eligible institutions*
6 *deepened employer engagement and developed*
7 *workforce development programs that met indus-*
8 *try skill needs;*

9 *“(B) created, expanded, or enhanced career*
10 *pathways, including the extent to which the eli-*
11 *gible institutions developed or improved com-*
12 *petency-based education and assessment, credit*
13 *for prior learning, modularized and self-paced*
14 *curricula, integrated education and workforce de-*
15 *velopment, dual enrollment in secondary and*
16 *postsecondary career pathways, stacked and*
17 *latticed credentials, and online and distance*
18 *learning;*

19 *“(C) created alignment between eligible in-*
20 *stitutions and the workforce development system;*

21 *“(D) assisted individuals with finding, re-*
22 *taining, or advancing in employment;*

23 *“(E) assisted individuals with earning rec-*
24 *ognized postsecondary credentials; and*

1 “(F) provided equal access to various demo-
2 graphic groups, including people of different geo-
3 graphic locations, ages, races, national origins,
4 and sexes.

5 “(3) DESIGN REQUIREMENTS.—The evaluation
6 under this subsection shall—

7 “(A) be designed by the Secretary (acting
8 through the Chief Evaluation Officer) in con-
9 junction with the eligible institutions being eval-
10 uated;

11 “(B) include analysis of program partici-
12 pant feedback and outcome and process meas-
13 ures; and

14 “(C) use designs that employ the most rig-
15 orous analytical and statistical methods that are
16 reasonably feasible, such as the use of control
17 groups.

18 “(4) DATA ACCESSIBILITY.—The Secretary shall
19 make available on a publicly accessible website of the
20 Department of Labor any data collected as part of the
21 evaluation under this subsection. Such data shall be
22 made available in an aggregated format that does not
23 reveal personally identifiable information and that
24 ensures compliance with relevant Federal laws, in-
25 cluding section 444 of the General Education Provi-

1 *sions Act (commonly known as the ‘Family Edu-*
2 *catinal Rights and Privacy Act of 1974’)* (20 U.S.C.
3 *1232g).*

4 “(5) *PUBLICATION AND REPORTING OF EVALUA-*
5 *TION FINDINGS.—The Secretary (acting through the*
6 *Chief Evaluation Officer) shall—*

7 “(A) *in accordance with the timeline deter-*
8 *mined to be appropriate by the Chief Evaluation*
9 *Officer, publish an interim report on the pre-*
10 *liminary results of the evaluation conducted*
11 *under this subsection;*

12 “(B) *not later than 60 days after the date*
13 *on which the evaluation is completed under this*
14 *subsection, submit to the Committee on Edu-*
15 *cation and the Workforce of the House of Rep-*
16 *resentatives and the Committee on Health, Edu-*
17 *cation, Labor, and Pensions of the Senate a re-*
18 *port on such evaluation; and*

19 “(C) *not later than 90 days after such com-*
20 *pletion date, publish and make the results of*
21 *such evaluation available on a publicly accessible*
22 *website of the Department of Labor.*

23 “(h) *ANNUAL REPORTS.—The Secretary shall make*
24 *available on a publicly accessible website of the Department*

1 of Labor, in transparent, linked, open, and interoperable
2 data formats, the following information:

3 “(1) The performance of eligible institutions on
4 the capacity-building performance indicator set forth
5 under subsection (f)(1)(B).

6 “(2) The performance of eligible institutions on
7 the workforce development participant outcome per-
8 formance indicators set forth under subsection
9 (f)(1)(C).

10 “(3) The number of individuals enrolled in work-
11 force development programs funded with a grant
12 under this section.

13 “(i) DEFINITIONS.—In this section:

14 “(1) COMMUNITY COLLEGE.—The term ‘commu-
15 nity college’ means—

16 “(A) a public institution of higher edu-
17 cation (as defined in section 101(a) of the High-
18 er Education Act (20 U.S.C. 1001(a)), at
19 which—

20 “(i) the highest degree awarded is an
21 associate degree; or

22 “(ii) an associate degree is the most
23 frequently awarded degree;

24 “(B) a branch campus of a 4-year public
25 institution of higher education (as defined in sec-

1 *tion 101 of the Higher Education Act of 1965*
2 *(20 U.S.C. 1001)), if, at such branch campus—*

3 *“(i) the highest degree awarded is an*
4 *associate degree; or*

5 *“(ii) an associate degree is the most*
6 *frequently awarded degree;*

7 *“(C) a 2-year Tribal College or University*
8 *(as defined in section 316(b)(3) of the Higher*
9 *Education Act of 1965 (20 U.S.C. 1059c(b)(3)));*
10 *or*

11 *“(D) a degree-granting Tribal College or*
12 *University (as defined in section 316(b)(3) of the*
13 *Higher Education Act of 1965 (20 U.S.C.*
14 *1059c(b)(3))) at which—*

15 *“(i) the highest degree awarded is an*
16 *associate degree; or*

17 *“(ii) an associate degree is the most*
18 *frequently awarded degree.*

19 *“(2) ELIGIBLE INSTITUTION.—The term ‘eligible*
20 *institution’ means—*

21 *“(A) a community college;*

22 *“(B) a postsecondary vocational institution*
23 *(as defined in section 102(c) of the Higher Edu-*
24 *cation Act of 1965 (20 U.S.C. 1002(c)); or*

1 “(C) a consortium of such colleges or insti-
2 tutions.

3 “(j) *SUPPLEMENT NOT SUPPLANT.*—Funds made
4 available under this section shall be used to supplement,
5 and not supplant, other Federal, State, and local public
6 funds made available for carrying out the activities de-
7 scribed in this section.”.

8 **SEC. 180. AUTHORIZATION OF APPROPRIATIONS.**

9 Section 174 of the Workforce Innovation and Oppor-
10 tunity Act, as so redesignated, is amended—

11 (1) by redesignating subsections (e) and (f) as
12 subsections (g) and (h), respectively; and

13 (2) by striking subsections (a) through (d) and
14 inserting the following:

15 “(a) *NATIVE AMERICAN PROGRAMS.*—There are au-
16 thorized to be appropriated to carry out section 166 (not
17 including subsection (k) of such section) \$61,800,000 for
18 each of the fiscal years 2025 through 2030.

19 “(b) *MIGRANT AND SEASONAL FARMWORKER PRO-*
20 *GRAMS.*—There are authorized to be appropriated to carry
21 out section 167 \$100,317,900 for each of the fiscal years
22 2025 through 2030.

23 “(c) *TECHNICAL ASSISTANCE.*—There are authorized
24 to be appropriated to carry out section 168 \$5,000,000 for
25 each of the fiscal years 2025 through 2030.

1 “(d) *EVALUATIONS AND RESEARCH.*—*There are au-*
2 *thorized to be appropriated to carry out section 169*
3 *\$12,720,000 for each of the fiscal years 2025 through 2030.*

4 “(e) *REENTRY PROGRAM.*—*There are authorized to be*
5 *appropriated to carry out section 172 \$115,000,000 for each*
6 *of the fiscal years 2025 through 2030.*

7 “(f) *STRENGTHENING COMMUNITY COLLEGES PRO-*
8 *GRAM.*—*There are authorized to be appropriated to carry*
9 *out section 173 \$65,000,000 for each of the fiscal years 2025*
10 *through 2030.”.*

11 ***Subtitle F—Administration***

12 ***SEC. 191. REQUIREMENTS AND RESTRICTIONS.***

13 “(a) *LABOR STANDARDS.*—*Section 181(b) of the Work-*
14 *force Innovation and Opportunity Act (29 U.S.C. 3241(b))*
15 *is amended by adding at the end the following:*

16 “(8) *CONSULTATION.*—*If an employer provides*
17 *on-the-job training, incumbent worker training, or*
18 *employer-directed skills development with funds made*
19 *available under this title directly to employees of such*
20 *employer that are subject to a collective bargaining*
21 *agreement with the employer, the employer shall con-*
22 *sult with the labor organization that represents such*
23 *employees on the planning and design of such train-*
24 *ing or development.”.*

1 (b) *RELOCATION.*—Section 181(d) of the Workforce In-
2 *novation and Opportunity Act (29 U.S.C. 3241(d)) is*
3 *amended by striking “incumbent worker training,” and in-*
4 *serting “incumbent worker training, employer-directed*
5 *skills development,”.*

6 **SEC. 192. GENERAL WAIVERS OF STATUTORY OR REGU-**
7 **LATORY REQUIREMENTS.**

8 Section 189(i)(3)(A)(i) of the Workforce Innovation
9 *and Opportunity Act (29 U.S.C. 3249(i)(3)(A)(i)) is*
10 *amended by striking “procedures for review and approval*
11 *of plans” and inserting “the procedures for review and ap-*
12 *proval of plans, the performance reports described in section*
13 *116(d), and the requirement described in section*
14 *134(c)(1)(B)”.*

15 **SEC. 193. STATE INNOVATION DEMONSTRATION AUTHOR-**
16 **ITY.**

17 Section 190 of the Workforce Innovation and Oppor-
18 *tunity Act (29 U.S.C. 3250) is amended to read as follows:*

19 **“SEC. 190. STATE INNOVATION DEMONSTRATION AUTHOR-**
20 **ITY.**

21 “(a) *PURPOSE.*—The purpose of this section is to—

22 “(1) authorize States to apply under this section,
23 in the case of an eligible State, on behalf of the entire
24 State, or for any State, on behalf of a local area or
25 a consortium of local areas in the State, to receive the

1 *allotments or allocations of the State or the local*
2 *areas, respectively, for youth workforce investment ac-*
3 *tivities and adult and dislocated worker employment*
4 *and training activities under this Act, as a consoli-*
5 *dated grant for 5 years for the purpose of carrying*
6 *out a demonstration project to pursue innovative re-*
7 *forms to achieve better outcomes for jobseekers, em-*
8 *ployers, and taxpayers; and*

9 *“(2) require that rigorous evaluations be con-*
10 *ducted to demonstrate if better outcomes and associ-*
11 *ated innovative reforms were achieved as a result of*
12 *such demonstration projects.*

13 *“(b) GENERAL AUTHORITY.—*

14 *“(1) WAIVERS AND DEMONSTRATION GRANT*
15 *AMOUNTS.—Notwithstanding any other provision of*
16 *law, during the demonstration period applicable to a*
17 *demonstration project approved for a State pursuant*
18 *to subsection (d)(3), the Secretary shall comply with*
19 *each of the following:*

20 *“(A) WAIVERS.—Subject to paragraph (2),*
21 *waive for the State as a whole, or for the local*
22 *area or the consortium of local areas in such*
23 *State selected by the State to carry out such*
24 *demonstration project, all the statutory and reg-*
25 *ulatory requirements of subtitle A and subtitle B.*

1 “(B) *DEMONSTRATION GRANT AMOUNTS.*—
2 *For each fiscal year applicable to such dem-*
3 *onstration period:*

4 “(i) *STATE AS A WHOLE.*—*In a case of*
5 *a State approved to carry out a demonstra-*
6 *tion project under this section on behalf of*
7 *the State as a whole, distribute as a consoli-*
8 *dated sum to the State, for purposes of car-*
9 *rying out the project, the State’s total allot-*
10 *ment for such fiscal year under—*

11 “(I) *subsections (b)(1)(C) and*
12 *subsection (c) of section 127; and*

13 “(II) *paragraphs (1)(B) and*
14 *(2)(B) of section 132(b); and*

15 “(III) *section 132(c).*

16 “(ii) *LOCAL AREA.*—*In a case of a*
17 *local area selected by a State to carry out*
18 *a demonstration project under this section,*
19 *require the State to—*

20 “(I) *distribute as a consolidated*
21 *sum to the local board for such local*
22 *area, for purposes of carrying out the*
23 *project, the local area’s allocation for*
24 *such fiscal year under—*

1 “(aa) subsections (b) and (c)
2 of section 128; and

3 “(bb) subsections (b) and (c)
4 of section 133; or

5 “(II) if the local board of the local
6 area enters into a written agreement
7 with the State for the State to serve as
8 the fiscal agent for the local board dur-
9 ing the demonstration project, use the
10 funds described in subclause (I) for
11 purposes of carrying out the project on
12 behalf of the local board.

13 “(iii) CONSORTIUM OF LOCAL
14 AREAS.—In a case of a consortium of local
15 areas selected by a State to carry out a
16 demonstration project under this section, re-
17 quire the State to—

18 “(I) distribute as a consolidated
19 sum to the consortium, for purposes of
20 carrying out the project, the total
21 amount of the allocations for the local
22 areas in such consortium for such fis-
23 cal year under—

24 “(aa) subsections (b) and (c)
25 of section 128; and

1 “(bb) subsections (b) and (c)
2 of section 133; or

3 “(II) if the consortium enters into
4 a written agreement with the State for
5 the State to serve as the fiscal agent for
6 the consortium during the demonstra-
7 tion project, use the funds described in
8 subclause (I) for purposes of carrying
9 out the project on behalf of such consor-
10 tium.

11 “(2) EXCEPTIONS.—

12 “(A) IN GENERAL.—A State, local area, or
13 consortium of local areas carrying out a dem-
14 onstration project under this section shall com-
15 ply with statutory or regulatory requirements of
16 this Act relating to—

17 “(i) performance accountability and
18 reporting, except as otherwise provided in
19 this section;

20 “(ii) the membership of local or State
21 boards in instances where a State carrying
22 out a demonstration project will maintain
23 the use of such boards during the dem-
24 onstration period; and

1 “(iii) the priority of service described
2 in section 134(c)(3)(E).

3 “(B) *APPLICABILITY OF DEFINED TERMS.*—

4 *In carrying out a demonstration project under*
5 *this section, a State, local area, or consortium of*
6 *local areas may only use a term defined in sec-*
7 *tion 3 to describe an activity carried out under*
8 *such demonstration project if the State, local*
9 *area, or consortium of local areas gives such*
10 *term the same meaning as such term is given*
11 *under such section.*

12 “(3) *AUTHORITY FOR THIRD-PARTY EVALUA-*
13 *TION.*—

14 “(A) *IN GENERAL.*—*Not later than 180*
15 *days after the issuance of the first demonstration*
16 *project awarded under this section, the Secretary*
17 *shall contract with a third-party evaluator to*
18 *conduct a rigorous evaluation of each demonstra-*
19 *tion project for each State, local area, or consor-*
20 *tium of local areas awarded a demonstration*
21 *project. The evaluation shall—*

22 “(i) *cover the 5-year period of each*
23 *demonstration project;*

24 “(ii) *compare the employment and*
25 *earnings outcomes of participants in activi-*

1 *ties carried out under the demonstration*
2 *project to—*

3 *“(I) the outcomes of similarly sit-*
4 *uated individuals that do not partici-*
5 *pate in such activities who are located*
6 *in such State, local area, or a local*
7 *area in such consortium; and*

8 *“(II) the outcomes of participants*
9 *in activities under this chapter in the*
10 *State, local area, or a local area in the*
11 *consortium that was awarded a waiver*
12 *prior to the award of such waiver;*

13 *“(iii) conduct a qualitative analysis*
14 *that identifies any promising practices or*
15 *innovate strategies that—*

16 *“(I) would not have been con-*
17 *ducted without the waiving of statu-*
18 *tory or regulatory provisions through*
19 *the demonstration project; and*

20 *“(II) lead to positive employment*
21 *and earnings outcomes for the partici-*
22 *pants; and*

23 *“(iv) compare the outcomes for sub-*
24 *clauses (I) and (II) of clause (i) with re-*

1 *spect to the subpopulations described in sec-*
2 *tion 116(d)(2)(B).*

3 “(B) *REPORT.*—*Not later than 2 years after*
4 *the fifth year of the demonstration project the*
5 *Secretary shall submit to the Committee on Edu-*
6 *cation and the Workforce of the House of Rep-*
7 *resentatives and the Committee on Health, Edu-*
8 *cation, Labor, and Pensions the results of the*
9 *evaluation conducted on such project.*

10 “(c) *DEMONSTRATION PERIOD; LIMITATIONS.*—

11 “(1) *IN GENERAL.*—*A demonstration project ap-*
12 *proved under this section for a State, local area, or*
13 *consortium—*

14 “(A) *shall be carried out for a 5-year dem-*
15 *onstration period; and*

16 “(B) *may be renewed for an additional 5-*
17 *year demonstration period if the State, local*
18 *area, or consortium meets its expected levels of*
19 *performance established under subsection (f)(1)*
20 *for each of the final 3 years of the preceding 5-*
21 *year period and achieves a performance im-*
22 *provement of not less than an average of a 5-per-*
23 *cent increase across all of the primary indicators*
24 *of performance on the final year of the preceding*

1 5-year period compared with the expected levels
2 of performance.

3 “(2) *LIMITATIONS.*—

4 “(A) *DEMONSTRATION PERIOD LIMITA-*
5 *TIONS.*—For each 5-year demonstration period
6 (including renewals of such period) the Secretary
7 may not award—

8 “(i) more than 4 demonstration
9 projects to eligible States for the State as a
10 whole under this section; and

11 “(ii) more than 6 demonstration
12 projects to local areas (or consortia of local
13 areas) for a local area (or a consortium)
14 under this section.

15 “(B) *STATE LIMITATIONS.*—No more than 1
16 demonstration project may be approved under
17 this section per State. For purposes of this para-
18 graph, a demonstration project approved for a
19 local area or a consortium of local areas in a
20 State shall be considered a demonstration project
21 approved under this section for the State.

22 “(3) *ELIGIBLE STATES.*—The Secretary may not
23 approve a statewide demonstration project under sub-
24 section (b)(1)(B)(i) to a State unless, at the time of
25 submission of the application, such State is—

1 “(A) a State designated as a single State
2 local area; or

3 “(B) a State with a labor force participa-
4 tion rate that is less than 60 percent for the most
5 recent program year and a population of less
6 than 6,000,000, as determined by the most recent
7 data released by the Census Bureau.

8 “(d) APPLICATION.—

9 “(1) IN GENERAL.—To be eligible to carry out a
10 demonstration project under this section, a State shall
11 submit to the Secretary an application at such time
12 and in such manner as the Secretary may reasonably
13 require, and containing the information described in
14 paragraph (2).

15 “(2) CONTENT.—Each application submitted by
16 a State under this subsection shall include the fol-
17 lowing:

18 “(A) A description of the demonstration
19 project to be carried out under this section, in-
20 cluding—

21 “(i) whether the project will be carried
22 out—

23 “(I) by the State as a whole;

24 “(II) by a local area, and if so—

25 “(aa) an identification of—

1 “(AA) such local area;

2 “(BB) whether the local
3 board for such local area is
4 the fiscal agent for the
5 project, or whether the local
6 board has entered into a
7 written agreement with the
8 State for the State to serve as
9 the fiscal agent during the
10 project; and

11 “(bb) written verification
12 from the local board for such local
13 area that such local board
14 agrees—

15 “(AA) to carry out such
16 project; and

17 “(BB) to the fiscal agent
18 identified in item (aa)(BB);
19 and

20 “(III) by a consortium of local
21 areas in the State, and if so—

22 “(aa) an identification of—

23 “(AA) each local area
24 that comprises the consor-
25 tium; and

1 “(BB) the local area
2 that will serve as the fiscal
3 agent for the consortium dur-
4 ing the project, or whether
5 the consortium has entered
6 into a written agreement
7 with the State for the State
8 to serve as the fiscal agent;
9 and
10 “(bb) written verification
11 from each local board of each local
12 area identified in item (aa)(AA)
13 that such local board agrees—
14 “(AA) to carry out such
15 project as a consortium; and
16 “(BB) to the fiscal agent
17 for the consortium identified
18 in item (aa)(BB);
19 “(ii) a description of the activities to
20 be carried out under the project; and
21 “(iii) the goals the State, local area, or
22 consortium intends to achieve through such
23 activities, which shall be aligned with pur-
24 pose described in subsection (a).

1 “(B) A description of the performance out-
2 comes the State, the local area, or consortium ex-
3 pects to achieve for such activities for each year
4 of the demonstration period as described in sub-
5 section (f)(1).

6 “(C) A description of how the State, local
7 area, or consortium consulted with employers,
8 the State board, and the local boards in the State
9 in determining the activities to carry out under
10 the demonstration project.

11 “(D) A description of how the State will
12 make such activities available to jobseekers and
13 employers in each of the local areas in the State
14 or, in a case of a project that will be carried out
15 by a local area or a consortium, a description of
16 how such services will be made available to job-
17 seekers and employers in such local area or each
18 of the local areas in the consortium.

19 “(E) A description, if appropriate, of how
20 the State, local area, or consortium will inte-
21 grate the funds received, and the activities car-
22 ried out, under the demonstration project under
23 this section with State workforce development
24 programs and other Federal, State, or local
25 workforce, education, or social service programs

1 *(including the programs and activities listed in*
2 *section 103(a)(2), the program of adult edu-*
3 *cation and literacy activities authorized under*
4 *title II, and the program authorized under title*
5 *I of the Rehabilitation Act of 1973 (29 U.S.C.*
6 *720 et seq.)).*

7 *“(F) An assurance that the State, local*
8 *area, or consortium will meet the requirements of*
9 *this section.*

10 *“(3) SECRETARIAL APPROVAL.—*

11 *“(A) IN GENERAL.—Not later than 60 days*
12 *after the date on which a State submits an ap-*
13 *plication under this subsection, the Secretary*
14 *shall—*

15 *“(i) in a case in which the application*
16 *meets the requirements of this section and is*
17 *not subject to the limitations described in*
18 *subsection (c)(2), approve such application*
19 *and the demonstration project described in*
20 *such application; or*

21 *“(ii) provide to the State a written ex-*
22 *planation of initial disapproval that meets*
23 *the requirements of subparagraph (C).*

24 *“(B) DEFAULT APPROVAL.—With respect to*
25 *an application submitted by a State under this*

1 *subsection that is not subject to the limitations*
2 *described in subsection (c), if the Secretary fails*
3 *to approve such application or provide an expla-*
4 *nation of initial disapproval for such applica-*
5 *tion as required under subparagraph (A), the*
6 *application and the demonstration project de-*
7 *scribed in such application shall be deemed ap-*
8 *proved by the Secretary.*

9 *“(C) INITIAL DISAPPROVAL.—An expla-*
10 *nation of initial disapproval provided by the*
11 *Secretary to a State under subparagraph (A)(ii)*
12 *shall provide the State—*

13 *“(i) a detailed explanation of why the*
14 *application does not meet the requirements*
15 *of this section; and*

16 *“(ii) if the State is not subject to the*
17 *limitations described in subsection (c), an*
18 *opportunity to revise and resubmit the*
19 *State’s application under this section.*

20 *“(e) STATE DEMONSTRATION PROJECT REQUIRE-*
21 *MENTS.—A State, local area, or consortium that has been*
22 *approved to carry out a demonstration project under this*
23 *section shall meet each of the following requirements:*

24 *“(1) USE OF FUNDS.—Use the funds received*
25 *pursuant to subsection (b)(1)(B) solely to carry out*

1 *the activities of the demonstration project to achieve*
2 *the goals described in subsection (d)(2)(A).*

3 “(2) *ADMINISTRATIVE COSTS LIMITATION.*—Use
4 *not more than 10 percent of the funds received pursu-*
5 *ant to subsection (b)(1)(B) for a fiscal year for the*
6 *administrative costs of carrying out the demonstra-*
7 *tion project.*

8 “(3) *PRIORITY FOR SERVICES.*—Give priority for
9 *services under the project to veterans and their eligi-*
10 *ble spouses in accordance with the requirements of*
11 *section 4215 of title 38, United States Code, recipi-*
12 *ents of public assistance, low-income individuals, and*
13 *individuals who have foundational skills needs.*

14 “(4) *NUMBER OF PARTICIPANTS.*—Serve a num-
15 *ber of participants under the activities of the dem-*
16 *onstration project for each year of the demonstration*
17 *period that—*

18 “(A) *is greater than the number of partici-*
19 *pants served by such State, local area, or consor-*
20 *tium under the programs described in subpara-*
21 *graphs (A) and (C) of section 3(13) for the most*
22 *recent program year that ended prior to the be-*
23 *ginning of the first year of the demonstration pe-*
24 *riod; or*

1 “(B) is not less than the number of partici-
2 pants to be served under the activities of the
3 demonstration project that is agreed upon be-
4 tween the State, local area, or consortium, and
5 the Secretary—

6 “(i) prior to the Secretary’s approval
7 of the application submitted under sub-
8 section (d); and

9 “(ii) after the Secretary takes into ac-
10 count—

11 “(I) the goals the State, local
12 area, or consortium intends to achieve
13 through the demonstration project; and

14 “(II) the participants the State,
15 local area, or consortium intends to
16 serve under such project; and

17 “(iii) prior to approval of the applica-
18 tion submitted under subsection (d).

19 “(5) *REPORTING OUTCOMES.*—Submit, on an
20 annual basis, to the Secretary a report, with respect
21 to such State, local area, or consortium, on—

22 “(A) participant outcomes for each indi-
23 cator of performance described in subsection
24 (f)(1)(A) for the activities carried out under the
25 project; and

1 “(B) the applicable requirements of section
2 116(d)(2), including subparagraphs (B) through
3 (G) and subparagraph (J), as such subpara-
4 graphs are applicable to activities under the
5 demonstration project.

6 “(6) COMPLIANCE WITH CERTAIN EXISTING RE-
7 QUIREMENTS.—Comply with the statutory or regu-
8 latory requirements listed in subsection (b)(2).

9 “(f) PERFORMANCE ACCOUNTABILITY.—

10 “(1) ESTABLISHMENT OF BASELINE LEVEL FOR
11 PERFORMANCE.—

12 “(A) IN GENERAL.—Each State shall de-
13 scribe in the application submitted under sub-
14 section (d), for each year of the demonstration
15 period—

16 “(i) with respect to participants who
17 are at least 25 years old, the expected levels
18 of performance for each of the indicators of
19 performance under section 116(b)(2)(A)(i)
20 for the activities carried out under the
21 project under this section, which shall meet
22 the requirements of subparagraph (B); and

23 “(ii) with respect to participants who
24 are at least 16 years old and no older than
25 24 years old, the expected levels of perform-

1 *ance for each of the indicators of perform-*
2 *ance under section 116(b)(2)(A)(ii) for the*
3 *activities carried out under the project*
4 *under this section, which shall meet the re-*
5 *quirements of subparagraph (B).*

6 *“(B) 5TH YEAR.—Each of the expected levels*
7 *of performance established pursuant to subpara-*
8 *graph (A) for each of the indicators of perform-*
9 *ance for the 5th year of the demonstration period*
10 *shall be higher than—*

11 *“(i) the highest level of performance for*
12 *the corresponding indicator of performance*
13 *for the programs described in subparagraph*
14 *(A) of section 3(13) for the most recent pro-*
15 *gram year that ended prior to the beginning*
16 *of the first year of the demonstration period;*
17 *or*

18 *“(ii) an alternate baseline level of per-*
19 *formance that is agreed upon between the*
20 *State and the Secretary—*

21 *“(I) prior to the Secretary’s ap-*
22 *proval of the application submitted*
23 *under subsection (d); and*

24 *“(II) after the Secretary takes*
25 *into account—*

1 “(aa) the goals the State in-
2 tends to achieve through the dem-
3 onstration project; and

4 “(bb) the participants the
5 State intends to serve under such
6 project.

7 “(C) AGREED LEVEL FOR PERFORMANCE ON
8 EXPECTED LEVELS OF PERFORMANCE.—Prior to
9 approving an application for a demonstration
10 project submitted by a State, and using the ex-
11 pected levels of performance described in such
12 application, the Secretary shall reach an agree-
13 ment with such State on the expected levels of
14 performance for each of the indicators of per-
15 formance. In reaching an agreement on such ex-
16 pected levels of performance, the Secretary and
17 the State may consider the factors described in
18 section 116(b)(3)(A)(v).

19 “(2) SANCTIONS.—

20 “(A) IN GENERAL.—The sanctions described
21 in section 116(f)(1)(B) shall apply to a State,
22 local area, or consortium beginning on the 3rd
23 year of the demonstration period for such State,
24 local area, or consortium, except that the levels

1 of performance established under subsection
2 (f)(1) of this section shall be—

3 “(i) deemed to be the State negotiated
4 levels of performance for purposes of this
5 paragraph; and

6 “(ii) adjusted at the end of each pro-
7 gram year to reflect the actual characteris-
8 tics of participants served and the actual
9 economic conditions experienced using a
10 statistical adjustment model similar to the
11 model described in section
12 116(b)(3)(A)(viii).

13 “(B) *INELIGIBILITY FOR RENEWAL.*—A
14 State, local area, or consortium that is subject to
15 such sanctions shall be ineligible to renew its
16 demonstration period under subsection (c).

17 “(3) *IMPACT OF LOCAL OR CONSORTIUM DEM-*
18 *ONSTRATIONS ON STATEWIDE ACCOUNTABILITY.*—
19 With respect to a State with an approved demonstra-
20 tion project for a local area or consortium of local
21 areas in the State—

22 “(A) the performance of such local area or
23 consortium for the programs described in sub-
24 paragraphs (A) and (C) of section 3(13) shall
25 not be included in the levels of performance for

1 *such State for any of such programs for purposes*
2 *of section 116 for any program year that is ap-*
3 *plicable to any year of the demonstration period;*
4 *and*

5 “(B) *with respect to any local areas of the*
6 *State that are not part of the demonstration*
7 *project, the State shall reach a new agreement*
8 *with the Secretary, for purposes of section*
9 *116(b)(3)(A), on levels of performance for such*
10 *programs for such program years.*

11 “(g) *TERMINATION.—Except as provided under sub-*
12 *section (c)(1)(B), the Secretary may not approve a dem-*
13 *onstration project after December 31, 2030.*”.

14 ***TITLE II—ADULT EDUCATION***
15 ***AND LITERACY***

16 ***SEC. 201. PURPOSE.***

17 *Section 202 of the Workforce Innovation and Oppor-*
18 *tunity Act (29 U.S.C. 3271) is amended—*

19 (1) *in paragraph (1), by inserting “(including*
20 *digital literacy skills)” before “necessary”; and*

21 (2) *in paragraph (4), by striking “English lan-*
22 *guage learners” and inserting “English learners”.*

23 ***SEC. 202. DEFINITIONS.***

24 *Section 203 of the Workforce Innovation and Oppor-*
25 *tunity Act (29 U.S.C. 3272) is amended—*

1 (1) in paragraph (1)—

2 (A) in subparagraph (A), by inserting “lis-
3 ten,” after “write,”;

4 (B) in subparagraph (B), by striking “and”
5 at the end;

6 (C) by redesignating subparagraph (C) as
7 subparagraph (D); and

8 (D) by inserting after subparagraph (B) the
9 following:

10 “(C) develop and use digital literacy skills;
11 and”;

12 (2) by redesignating paragraphs (3) through (17)
13 as paragraphs (4) through (18), respectively;

14 (3) by inserting after paragraph (2) the fol-
15 lowing:

16 “(3) *DIGITAL LITERACY SKILLS.*—The term ‘dig-
17 ital literacy skills’ means the skills associated with
18 using existing and emerging technologies to find,
19 evaluate, organize, create, communicate information,
20 and to complete tasks.”;

21 (4) in paragraph (5)(C) (as so redesignated)—

22 (A) by striking clause (i) and inserting the
23 following:

24 “(i) has foundational skills needs;”;

25 and

1 (B) in clause (iii), by striking “English
2 language learner” and inserting “English learn-
3 er”;

4 (5) in paragraph (7)(A) (as so redesignated), by
5 striking “English language learners” and inserting
6 “English learners”;

7 (6) in paragraph (8) (as so redesignated)—

8 (A) in the paragraph header, by striking
9 “LANGUAGE”; and

10 (B) in the matter preceding subparagraph
11 (A), by striking “English language learner” and
12 inserting “English learner”;

13 (7) in the matter preceding subparagraph (A) in
14 paragraph (10) (as so redesignated), by inserting
15 “and educational” after “the economic”;

16 (8) in paragraph (13) (as so redesignated)—

17 (A) by striking “English language learners”
18 and inserting “English learners”; and

19 (B) by striking “workforce training” and
20 inserting “skills development, preparation for
21 postsecondary education or employment, and fi-
22 nancial literacy instruction”; and

23 (9) in paragraph (14) (as so redesignated)—

24 (A) by striking “and solve” and inserting
25 “solve”; and

1 (B) by inserting “and use digital tech-
2 nology,” after “problems,”.

3 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

4 Section 206 of the Workforce Innovation and Oppor-
5 tunity Act (29 U.S.C. 3275) is amended to read as follows:

6 **“SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

7 “There are authorized to be appropriated to carry out
8 this title \$751,042,100 for each of the fiscal years 2025
9 through 2030.”.

10 **SEC. 204. SPECIAL RULE.**

11 Section 211(e)(3) of the Workforce Innovation and Op-
12 portunity Act (29 U.S.C. 3291(e)(3)) is amended by strik-
13 ing “period described in section 3(45)” and inserting “pe-
14 riod described in subparagraph (B) of the definition of the
15 term ‘outlying area’ in section 3”.

16 **SEC. 205. PERFORMANCE ACCOUNTABILITY SYSTEM.**

17 Section 212 of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3292) is amended by striking “section
19 116.” and inserting “section 116, except that the indicator
20 described in subsection (b)(2)(A)(i)(VI) of such section shall
21 be applied as if it were the percentage of program partici-
22 pants who exited the program during the program year and
23 completed an integrated education and training program.”.

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 ON*
6 *MATCHING FUNDS.—Each eligible agency shall main-*
7 *tain, on a publicly accessible website of such agency*
8 *and in an easily accessible format, information docu-*
9 *menting the non-Federal contributions made available*
10 *to adult education and family literacy programs pur-*
11 *suant to this subsection, including—*

12 *“(A) the sources of such contributions, ex-*
13 *cept that in the case of private contributions,*
14 *names of the individuals or entities providing*
15 *such contributions may not be disclosed; and*

16 *“(B) in the case of funds made available by*
17 *a State or outlying area, an explanation of how*
18 *such funds are distributed to eligible providers.”.*

19 **SEC. 207. STATE LEADERSHIP ACTIVITIES.**

20 *Section 223(a) of the Workforce Innovation and Op-*
21 *portunity Act (29 U.S.C. 3303(a)) is amended—*

22 *(1) in paragraph (1)—*

23 *(A) in subparagraph (A), by striking “ac-*
24 *tivities.” and inserting “activities and the iden-*
25 *tification of opportunities to coordinate with ac-*
26 *tivities supported under the Carl D. Perkins Ca-*

1 *reer and Technical Education Act of 2006 (20*
2 *U.S.C. 2301 et seq.) to expand integrated edu-*
3 *cation and training programs.”;*

4 *(B) in subparagraph (C)—*

5 *(i) in clause (ii), by striking “and” at*
6 *the end;*

7 *(ii) in clause (iii), by striking the pe-*
8 *riod at the end and inserting “; and”;* and

9 *(iii) by adding at the end the fol-*
10 *lowing:*

11 *“(iv) assistance in reporting partici-*
12 *part outcomes for the performance account-*
13 *ability system described in section 212, in-*
14 *cluding facilitating partnerships with the*
15 *appropriate State entities to conduct*
16 *matches with State administrative data*
17 *(such as wage records) to determine pro-*
18 *gram performance on the indicators of per-*
19 *formance described in subclauses (I) through*
20 *(III) of section 116(b)(2)(A)(i).”;*

21 *(C) by redesignating subparagraph (D) as*
22 *subparagraph (F); and*

23 *(D) by inserting after subparagraph (C) the*
24 *following:*

1 “(D) *The development or identification*
2 *(which may be done in coordination with other*
3 *States) of instructional materials that—*

4 “(i) *are designed to meet the needs of*
5 *adult learners and English learners;*

6 “(ii) *to the extent practicable, are evi-*
7 *dence-based; and*

8 “(iii) *will improve the instruction pro-*
9 *vided pursuant to the local activities re-*
10 *quired under section 231(b).*

11 “(E) *The dissemination of instructional*
12 *materials described in subparagraph (D) to eligi-*
13 *ble providers to improve the instruction provided*
14 *pursuant to the local activities required under*
15 *section 231(b), including instructional materials*
16 *that—*

17 “(i) *were developed for integrated edu-*
18 *cation and training in an in-demand in-*
19 *dustry or occupation within the State; and*

20 “(ii) *lead to English language acquisi-*
21 *tion, a recognized postsecondary credential,*
22 *or both.”; and*

23 (2) *in paragraph (2)—*

24 (A) *in subparagraph (I)(i)—*

1 (i) by striking “mathematics, and
2 *English*” and inserting “mathematics,
3 *English*”; and

4 (ii) by striking “acquisition;” and in-
5 serting “acquisition, and digital literacy
6 skills;”;

7 (B) in subparagraph (J), by striking “re-
8 tention.” and inserting “retention, such as the
9 development and maintenance of policies for
10 awarding recognized postsecondary credentials to
11 adult educators who demonstrate effectiveness at
12 improving the achievement of adult students.”;

13 (C) in subparagraph (K), by striking
14 “English language learners,” and inserting
15 “English learners,”;

16 (D) by redesignating subparagraph (M) as
17 subparagraph (P); and

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

20 “(M) Performance incentive payments to el-
21 igible providers, including incentive payments
22 linked to increased use of integrated employment
23 and training or other forms of instruction link-
24 ing adult education with the development of oc-

1 *cupational skills for an in-demand occupation in*
2 *the State.*

3 “(N) *Strengthening the quality and effec-*
4 *tiveness of adult education and family literacy*
5 *programs in the State through support for pro-*
6 *gram quality standards and accreditation re-*
7 *quirements.*

8 “(O) *Raising public awareness (including*
9 *through public service announcements, such as*
10 *social media campaigns) about career and tech-*
11 *nical education programs and community-based*
12 *organizations, and other endeavors focused on*
13 *programs that prepare individuals for in-de-*
14 *mand industry sectors or occupations.”.*

15 **SEC. 208. PROGRAMS FOR CORRECTIONS EDUCATION AND**
16 **OTHER INSTITUTIONALIZED INDIVIDUALS.**

17 *Section 225 of the Workforce Innovation and Oppor-*
18 *tunity Act (29 U.S.C. 3305)) is amended—*

19 (1) *by redesignating subsections (d) and (e) as*
20 *subsections (e) and (f), respectively; and*

21 (2) *by inserting after subsection (c) the fol-*
22 *lowing:*

23 “(d) *COORDINATION.—Each eligible agency that is*
24 *using assistance provided under this section to carry out*

1 *a program for criminal offenders within a correctional in-*
2 *stitution 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 Ca-*
7 *reer and Technical Education Act of 2006 (20 U.S.C.*
8 *2322(a)(2)(A)); and*

9 “(2) *identify opportunities to develop integrated*
10 *education and training opportunities for such indi-*
11 *viduals.”.*

12 **SEC. 209. GRANTS AND CONTRACTS FOR ELIGIBLE PRO-**
13 **VIDERS.**

14 *Section 231 of the Workforce Innovation and Oppor-*
15 *tunity Act (29 U.S.C. 3321) is amended—*

16 (1) *in subsection (e)—*

17 (A) *in paragraph (1)(B)(ii), by striking*
18 *“English language learners” and inserting*
19 *“English learners”;*

20 (B) *in paragraph (5)—*

21 (i) *in subparagraph (A), by striking*
22 *“and” at the end;*

23 (ii) *in subparagraph (B), by adding*
24 *“and” at the end; and*

1 (iii) by adding at the end the fol-
2 lowing:

3 “(C) uses instructional materials that are
4 designed to meet the needs of adult learners and
5 English learners and are evidence-based (to the
6 extent practicable), which may include, but shall
7 not be required to include, the instructional ma-
8 terials disseminated by the State under section
9 223(a)(1)(D);” and

10 (C) in paragraph (6)—

11 (i) by striking “speaking,” and insert-
12 ing “speaking and listening,”; and

13 (ii) by inserting before the semicolon at
14 the end the following: “, which may include
15 the application of the principles of uni-
16 versal design for learning”; and

17 (2) by adding at the end the following:

18 “(f) COST ANALYSIS.—In determining the amount of
19 funds to be awarded in grants or contracts under this sec-
20 tion, the eligible agency may consider the costs of providing
21 learning in context, including integrated education and
22 training and workplace adult education and literacy activi-
23 ties, and the extent to which the eligible provider intends
24 to serve individuals using such activities, in order to align
25 the amount of funds awarded with such costs.”.

1 **SEC. 210. LOCAL APPLICATION.**

2 *Section 232 of the Workforce Innovation and Oppor-*
3 *tunity Act (29 U.S.C. 3322) is amended—*

4 *(1) in paragraph (4), by inserting “and coordi-*
5 *nate with the appropriate State entity” after “data”;*

6 *(2) in paragraph (6), by striking “and” at the*
7 *end;*

8 *(3) by redesignating paragraph (7) as para-*
9 *graph (8); and*

10 *(4) by inserting after paragraph (6) the fol-*
11 *lowing:*

12 *“(7) a description of how the eligible provider*
13 *will provide learning in context, including through*
14 *partnerships with employers to offer workplace adult*
15 *education and literacy activities and integrated edu-*
16 *cation and training; and”.*

17 **SEC. 211. LOCAL ADMINISTRATIVE COST LIMITS.**

18 *Section 233(a) of the Workforce Innovation and Op-*
19 *portunity Act (29 U.S.C. 3323(a)) is amended—*

20 *(1) in paragraph (1), by striking “95” and in-*
21 *serting “85”; and*

22 *(2) by amending paragraph (2) to read as fol-*
23 *lows:*

24 *“(2) of the remaining amount—*

1 “(A) not more than 10 percent may be used
2 for professional development for adult educators;
3 and

4 “(B) not more than 5 percent shall be used
5 for planning, administration (including car-
6 rying out the requirements of section 116), pro-
7 fessional development of administrative staff,
8 and the activities described in paragraphs (3)
9 and (5) of section 232.”.

10 **SEC. 212. NATIONAL LEADERSHIP ACTIVITIES.**

11 Section 242 of the Workforce Innovation and Oppor-
12 tunity Act (29 U.S.C. 3332) is amended—

13 (1) in subsection (b)(1), by striking “116;” and
14 inserting “116, including the dissemination of effec-
15 tive practices used by States to use administrative
16 data to determine program performance and reduce
17 the data collection and reporting burden on eligible
18 providers;”;

19 (2) in paragraphs (1)(B) and (2)(C)(vii)(I) of
20 subsection (c), by striking “English language learn-
21 ers” and inserting “English learners”; and

22 (3) in subsection (c)(2)—

23 (A) in subparagraph (F), by striking “and”
24 at the end;

1 (B) by redesignating subparagraph (G) as
2 subparagraph (I); and

3 (C) by inserting after subparagraph (F) the
4 following:

5 “(G) developing and rigorously evaluating
6 programs for the preparation of effective adult
7 educators and disseminating the results of such
8 evaluations;

9 “(H) carrying out initiatives to support the
10 effectiveness and impact of adult education, that
11 States may adopt on a voluntary basis,
12 through—

13 “(i) the development and dissemina-
14 tion of staffing models that prioritize dem-
15 onstrated effectiveness and continuous im-
16 provement in supporting the learning of
17 adult students; and

18 “(ii) the evaluation and improvement
19 of program quality standards and accredi-
20 tation requirements; and”.

21 **SEC. 213. INTEGRATED ENGLISH LITERACY AND CIVICS**
22 **EDUCATION.**

23 Section 243(c)(1) of the Workforce Innovation and Op-
24 portunity Act (29 U.S.C. 3333(c)(1)) is amended by strik-

1 *ing “English language learners” and inserting “English*
 2 *learners”.*

3 **TITLE III—AMENDMENTS TO**
 4 **OTHER LAWS**

5 **SEC. 301. AMENDMENTS TO THE WAGNER-PEYSER ACT.**

6 (a) *DEFINITIONS.*—Section 2(5) of the Wagner-Peyser
 7 *Act (29 U.S.C. 49a(5)) is amended by inserting “the Com-*
 8 *monwealth of the Northern Mariana Islands, American*
 9 *Samoa,” after “Guam,”.*

10 (b) *UNEMPLOYMENT COMPENSATION LAW REQUIRE-*
 11 *MENT.*—Section 5(b)(1) of such Act is amended by inserting
 12 *“the Commonwealth of the Northern Mariana Islands,*
 13 *American Samoa,” after “Guam,”.*

14 (c) *ALLOTMENTS.*—Section 6 of such Act (29 U.S.C.
 15 *49e) is amended—*

16 (1) *in subsection (a)—*

17 (A) *by striking “except for Guam” and in-*
 18 *serting “except for Guam, the Commonwealth of*
 19 *the Northern Mariana Islands, and American*
 20 *Samoa”;*

21 (B) *by striking “first allot to Guam and the*
 22 *Virgin Islands” and inserting the following:*
 23 *“first allot—*

24 *“(1) to Guam and the Virgin Islands”;*

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

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

4 “(2) beginning with the first fiscal year for
5 which the total amount available for allotments under
6 this section is greater than the total amount available
7 for allotments under this section for fiscal year 2024,
8 and for each succeeding fiscal year, to each of the
9 Commonwealth of the Northern Mariana Islands and
10 American Samoa, an amount which is equal to one-
11 half of the amount allotted to Guam under paragraph
12 (1) for such fiscal year.”; and

13 (2) in subsection (b)(1), in the matter following
14 subparagraph (B), by inserting “, the Commonwealth
15 of the Northern Mariana Islands, American Samoa,”
16 after “Guam”.

17 (d) *USE OF FUNDS.*—Section 7 of such Act (29 U.S.C.
18 49f) is amended—

19 (1) in subsection (a)(1), by striking “and refer-
20 ral to employers” and inserting “referral to employ-
21 ers, and the services described in section
22 134(c)(2)(A)(ii) of the Workforce Innovation and Op-
23 portunity Act (29 U.S.C. 3174(c)(2)(A)(ii)) when
24 provided by the employment service office colocated
25 with the one-stop delivery system”; and

1 (2) *in subsection (e), by inserting before the pe-*
2 *riod at the end the following: “and in accordance*
3 *with the requirements of section 134(c)(2)(A)(i)(I) of*
4 *the Workforce Innovation and Opportunity Act (29*
5 *U.S.C. 3174(c)(2)(A)(i)(I))”.*

6 (e) *WORKFORCE AND LABOR MARKET INFORMATION*
7 *SYSTEM.—Section 15 of such Act (29 U.S.C. 49l–2) is*
8 *amended—*

9 (1) *in subsection (a)(1)—*

10 (A) *in subparagraph (A)—*

11 (i) *in the matter preceding clause (i),*
12 *by striking “timely manner” and inserting*
13 *“manner that is as close to real-time as*
14 *practicable”;*

15 (ii) *in clause (i), by striking “part-*
16 *time, and seasonal workers” and inserting*
17 *“part-time, contingent, and seasonal work-*
18 *ers, and workers engaged in alternative em-*
19 *ployment 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;”;

6 (B) in subparagraph (B)(i), by inserting
7 “(including, to the extent practicable, real-time)”
8 after “current”; and

9 (C) in subparagraph (G), by striking “user-
10 friendly manner and” and inserting “manner
11 that is available on-demand and is user-friend-
12 ly,”;

13 (2) in subsection (b)(2)(F)—

14 (A) in clause (i), by striking “; and” and
15 inserting “(including, to the extent practicable,
16 provided in real time);”;

17 (B) by redesignating clause (ii) as clause
18 (iii); and

19 (C) by inserting after clause (i), as so
20 amended, the following:

21 “(ii) the capabilities of digital tech-
22 nology and modern data collection ap-
23 proaches are effectively utilized; and”; and

24 (3) by amending subsection (g) to read as fol-
25 lows:

1 “(g) *AUTHORIZATION OF APPROPRIATIONS.*—There
2 *are authorized to be appropriated to carry out this section*
3 *\$64,532,600 for each of the fiscal years 2025 through*
4 *2030.*”.

5 **SEC. 302. JOB TRAINING GRANTS.**

6 *Section 414(c) of the American Competitiveness and*
7 *Workforce Improvement Act of 1998 (29 U.S.C. 3224a) is*
8 *amended to read as follows:*

9 “(c) *JOB TRAINING GRANTS.*—

10 “(1) *ALLOTMENT.*—

11 “(A) *IN GENERAL.*—*Of the funds available*
12 *under section 286(s)(2) of the Immigration and*
13 *Nationality Act (8 U.S.C. 1356(s)(2)), the Sec-*
14 *retary of Labor shall—*

15 “(i) *return permanently 12 percent of*
16 *such amounts in each fiscal year to the gen-*
17 *eral fund of the Treasury; and*

18 “(ii) *of the remainder, make allotments*
19 *to each State that receives an allotment*
20 *under section 132(b) of the Workforce Inno-*
21 *vation and Opportunity Act (29 U.S.C.*
22 *3172) for the purpose of providing training*
23 *services through individual training ac-*
24 *counts for eligible dislocated workers as de-*
25 *scribed in paragraph (2)(A).*

1 “(B) *RESERVATION; ALLOTMENT AMONG*
2 *STATES.—*

3 “(i) *RESERVATION.—From the amount*
4 *made available under subparagraph (A)(ii)*
5 *for a fiscal year, the Secretary shall reserve*
6 *not more than $\frac{1}{4}$ of 1 percent of such*
7 *amount to provide assistance to the outlying*
8 *areas for the purpose described in para-*
9 *graph (2)(A).*

10 “(ii) *ALLOTMENT AMONG STATES.—*
11 *The Secretary shall use the remainder of the*
12 *amount made available under subparagraph*
13 *(A)(ii) for a fiscal year to make allotments*
14 *to States described in such subparagraph on*
15 *the following basis:*

16 “(I) *33 and $\frac{1}{3}$ percent shall be al-*
17 *lotted on the basis of the relative num-*
18 *ber of unemployed individuals in each*
19 *such State, compared to the total num-*
20 *ber of unemployed individuals in all*
21 *such States.*

22 “(II) *33 and $\frac{1}{3}$ percent shall be*
23 *allotted based on the relative number of*
24 *disadvantaged adults in each such*
25 *State, compared to the total number of*

1 *disadvantaged adults in all such*
2 *States.*

3 “(III) 33 and $\frac{1}{3}$ percent shall be
4 *allotted on the basis of the relative*
5 *number of individuals in the civilian*
6 *labor force in each such State, com-*
7 *pared to the total number in the civil-*
8 *ian labor force in all such States.*

9 “(iii) *DISADVANTAGED ADULT DE-*
10 *FINED.—For purposes of this subparagraph*
11 *and subparagraph (C), the term ‘disadvan-*
12 *tagged adult’ has the meaning given such*
13 *term in section 132(b)(1)(B)(v)(IV) of the*
14 *Workforce Innovation and Opportunity Act*
15 *(29 U.S.C. 3172(b)(1)(B)(v)(IV)).*

16 “(iv) *REALLOTMENT.—*

17 “(I) *IN GENERAL.—The Secretary*
18 *of Labor shall, in accordance with this*
19 *clause, reallocate to eligible States*
20 *amounts that are made available to*
21 *States from allotments made under this*
22 *subparagraph (referred to individually*
23 *in this subsection as a ‘State allot-*
24 *ment’) and that are available for real-*
25 *lotment.*

1 “(II) *AMOUNT.*—*The amount*
2 *available for reallocation for a program*
3 *year is equal to the amount by which*
4 *the unobligated balance of the State al-*
5 *lotment, at the end of the program*
6 *year prior to the program year for*
7 *which the determination under this*
8 *subclause is made, exceeds 20 percent*
9 *of such allotment for the prior program*
10 *year.*

11 “(III) *REALLOTMENT.*—*In mak-*
12 *ing reallocations to eligible States of*
13 *amounts available pursuant to sub-*
14 *clause (II) for a program year, the*
15 *Secretary shall allot to each eligible*
16 *State an amount based on the relative*
17 *amount of the State allotment for the*
18 *program year for which the determina-*
19 *tion is made, as compared to the total*
20 *amount of the State allotments for all*
21 *eligible States for such program year.*

22 “(IV) *ELIGIBILITY.*—*For purposes*
23 *of this subsection, an eligible State*
24 *means a State that does not have an*
25 *amount available for reallocation under*

1 *subclause (II) for the program year for*
2 *which the determination under sub-*
3 *clause (II) is made.*

4 “(C) *WITHIN STATE ALLOCATIONS.—*

5 *“(i) IN GENERAL.—The Governor shall*
6 *allocate the funds allotted to the State under*
7 *subparagraph (B)(ii) for a fiscal year to the*
8 *local areas in the State on the following*
9 *basis:*

10 *“(I) 33 and $\frac{1}{3}$ percent of the*
11 *funds on the basis described in sub-*
12 *paragraph (B)(ii)(I).*

13 *“(II) 33 and $\frac{1}{3}$ percent of the*
14 *funds on the basis described in sub-*
15 *paragraph (B)(ii)(II).*

16 *“(III) 33 and $\frac{1}{3}$ percent of the*
17 *funds on the basis described in sub-*
18 *paragraph (B)(ii)(III).*

19 *“(ii) APPLICATION.—For purposes of*
20 *carrying out clause (i)—*

21 *“(I) references in subparagraph*
22 *(B)(ii) to a State shall be deemed to be*
23 *references to a local area; and*

24 *“(II) references in subparagraph*
25 *(B)(ii) to all States shall be deemed to*

1 *be references to all local areas in the*
2 *State involved.*

3 “(iii) *REALLOCATION AMONG LOCAL*
4 *AREAS.—*

5 “(I) *IN GENERAL.—The Governor*
6 *may, in accordance with this clause*
7 *and after consultation with the State*
8 *board, reallocate to eligible local areas*
9 *within the State amounts that are*
10 *made available to local areas from al-*
11 *locations made under this subpara-*
12 *graph (referred to individually in this*
13 *subsection as a ‘local allocation’) and*
14 *that are available 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 *local allocation, at the end of the pro-*
20 *gram year prior to the program year*
21 *for which the determination under this*
22 *subclause is made, exceeds 20 percent*
23 *of such allocation for the prior pro-*
24 *gram year.*

1 “(III) *REALLOCATION.*—*In mak-*
2 *ing reallocations to eligible local areas*
3 *of amounts available pursuant to sub-*
4 *clause (II) for a program year, the*
5 *Governor shall allocate to each eligible*
6 *local area within the State an amount*
7 *based on the relative amount of the*
8 *local allocation for the program year*
9 *for which the determination is made,*
10 *as compared to the total amount of the*
11 *local allocations for all eligible local*
12 *areas in the State for such program*
13 *year.*

14 “(IV) *ELIGIBILITY.*—*For purposes*
15 *of this subsection, an eligible local area*
16 *means a local area that does not have*
17 *an amount available for allotment*
18 *under subclause (II) for the program*
19 *year for which the determination*
20 *under subclause (II) is made.*

21 “(2) *USE OF FUNDS.*—

22 “(A) *IN GENERAL.*—*Funds allocated pursu-*
23 *ant to paragraph (1) to a local area shall be*
24 *used to pay, through the use of an individual*
25 *training account in the accordance with section*

1 *134(c)(3)(F)(iii) of the Workforce Innovation*
2 *and Opportunity Act (29 U.S.C.*
3 *3174(c)(3)(F)(iii)), an eligible provider of train-*
4 *ing services from the list of eligible providers of*
5 *training services described in section 122(d) of*
6 *such Act (29 U.S.C. 3152(d)) for training serv-*
7 *ices provided to eligible dislocated workers in the*
8 *local area.*

9 “(B) *REQUIREMENTS FOR LOCAL AREAS.—*
10 *As a condition of receipt of funds under para-*
11 *graph (1), a local area shall agree to each of the*
12 *following:*

13 “(i) *REQUIRED NOTICE TO WORK-*
14 *ERS.—Prior to an eligible dislocated worker*
15 *selecting a program of training services*
16 *from the list of eligible providers of training*
17 *services under section 122(d) of the Work-*
18 *force Innovation and Opportunity Act (29*
19 *U.S.C. 3152(d)), the local area shall inform*
20 *such dislocated worker of any opportunities*
21 *the dislocated worker may have to partici-*
22 *pate in on-the-job training or employer-di-*
23 *rected skills development funded through*
24 *such local area.*

1 “(ii) *AMOUNTS AVAILABLE.*—*Except as*
2 *provided in clause (iv)(II), a local area—*

3 “(I) *may not limit the maximum*
4 *amount available for an individual*
5 *training account for an eligible dis-*
6 *located worker under subparagraph (A)*
7 *to an amount that is less than \$5,000;*
8 *and*

9 “(II) *may not pay an amount,*
10 *through the use of an individual train-*
11 *ing account under subparagraph (A),*
12 *for training services provided to an eli-*
13 *gible dislocated worker that exceeds the*
14 *costs of such services.*

15 “(iii) *WIOA FUNDS.*—*A local area*
16 *may not use funds made available to the*
17 *local area for a fiscal year pursuant to sec-*
18 *tion 134(c)(1)(B) of the Workforce Innova-*
19 *tion and Opportunity Act (29 U.S.C.*
20 *3174(c)(1)(B)) to make payments under*
21 *subparagraph (A) until the funds allocated*
22 *to the local area pursuant to paragraph (1)*
23 *of this subsection for such fiscal year have*
24 *been exhausted.*

1 “(iv) *EXHAUSTION OF ALLOCATIONS.*—
2 *Upon the exhaustion of the funds allocated*
3 *to the local area pursuant to paragraph (1)*
4 *of this subsection, for the purpose of paying,*
5 *through the use of individual training ac-*
6 *counts under subparagraph (A), the costs of*
7 *training services for eligible dislocated*
8 *workers in the local area seeking such serv-*
9 *ices, the local area—*

10 “(I) *shall use any funds made*
11 *available to the local area pursuant to*
12 *section 134(c)(1)(B) of the Workforce*
13 *Innovation and Opportunity Act (29*
14 *U.S.C. 3174(c)(1)(B)) to pay for such*
15 *costs under subparagraph (A) (other*
16 *than any costs that exceed the limit set*
17 *by the local area pursuant to subclause*
18 *(II)); and*

19 “(II) *for any eligible dislocated*
20 *worker who is not a low-income indi-*
21 *vidual, may limit the maximum*
22 *amount available for the individual*
23 *training account under subparagraph*
24 *(A) for such worker to an amount that*
25 *is less than \$5,000.*

1 “(3) *ELIGIBLE DISLOCATED WORKER.*—A dis-
2 located worker shall be an eligible dislocated worker
3 for purposes of this subsection if the dislocated work-
4 er—

5 “(A) meets the requirements under section
6 134(c)(3)(A)(i) of the Workforce Innovation and
7 Opportunity Act (29 U.S.C. 3174(c)(3)(A)(i)) to
8 be eligible for training services;

9 “(B) has not received training services
10 through an individual training account under
11 this subsection or under section 134(c)(3)(F)(iii)
12 of the Workforce Innovation and Opportunity
13 Act (29 U.S.C. 3174(c)(3)(F)(iii)) during the
14 preceding 5-year period or, if such a worker has
15 received such training services during such pe-
16 riod, the worker has been granted an exception
17 by the local area due to an exceptional cir-
18 cumstance, as determined by the local area; and

19 “(C) is not subject to any limitations estab-
20 lished by the local area or State involved pursu-
21 ant to paragraph (4), which would disqualify
22 such dislocated worker from being an eligible dis-
23 located worker under this subsection.

24 “(4) *STATE OR LOCAL AREA LIMITATIONS.*—A
25 State or local area may establish limitations on the

1 *eligibility of an otherwise eligible dislocated worker*
2 *who has previously received training services through*
3 *an individual training account under this subsection*
4 *or under section 134(c)(3)(F)(iii) of the Workforce In-*
5 *novation and Opportunity Act (29 U.S.C.*
6 *3174(c)(3)(F)(iii)) to receive a subsequent individual*
7 *training account under this subsection.*

8 “(5) *EXCESS DEMAND.*—*Upon the exhaustion of*
9 *the funds allocated to a local area pursuant to para-*
10 *graph (1) of this subsection and any funds that may*
11 *be available to such local area pursuant to section*
12 *134(c)(1)(B) of the Workforce Innovation and Oppor-*
13 *tunity Act (29 U.S.C. 3174(c)(1)(B)) for the purpose*
14 *described in paragraph (2)(A) of this subsection, the*
15 *local area—*

16 “(A) *may request additional funds for such*
17 *purpose from the Governor under section*
18 *134(a)(2)(A)(i)(III) of the Workforce Innovation*
19 *and Opportunity Act (29 U.S.C.*
20 *3174(a)(2)(A)(i)(III)); and*

21 “(B) *shall not be required to pay for train-*
22 *ing services or establish an individual training*
23 *account for an eligible dislocated worker.*

24 “(6) *DEFINITIONS.*—*Except as otherwise speci-*
25 *fied, a term used in this subsection shall have the*

1 *meaning given such term in section 3 of the Workforce*
2 *Innovation and Opportunity Act (29 U.S.C. 3102).*

3 “(7) *RULE OF CONSTRUCTION.*—*Nothing in this*
4 *subsection shall be construed to provide an individual*
5 *with an entitlement to a service under this subsection*
6 *or under title I of the Workforce Innovation and Op-*
7 *portunity Act (29 U.S.C. 3111 et seq.) or to mandate*
8 *a State or local area to provide a service if Federal*
9 *funds are not available for such service.”.*

10 **SEC. 303. ACCESS TO NATIONAL DIRECTORY OF NEW HIRES.**

11 *Section 453(j)(8) of the Social Security Act (42 U.S.C.*
12 *653(j)(8)) is amended—*

13 *(1) in paragraph (A)—*

14 *(A) by inserting “or administering the per-*
15 *formance accountability system required under*
16 *section 116 of the Workforce Innovation and Op-*
17 *portunity Act (29 U.S.C. 3141)” after “State*
18 *law”; and*

19 *(B) by inserting “or such system” after*
20 *“such program”; and*

21 *(2) in paragraph (C)(i), by inserting “or sys-*
22 *tem” after “program”.*

Union Calendar No. 368

118TH CONGRESS
2^D SESSION

H. R. 6655

[Report No. 118-444, Part I]

A BILL

To amend and reauthorize the Workforce
Innovation and Opportunity Act.

APRIL 5, 2024

Reported from the Committee on Education and the
Workforce with an amendment

APRIL 5, 2024

Committee on Ways and Means discharged; committed to
the Committee of the Whole House on the State of the
Union and ordered to be printed