

117TH CONGRESS  
2D SESSION

# S. 5028

To amend the Workforce Innovation and Opportunity Act to prioritize programs that provide evidence of performance.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2022

Mr. BRAUN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Workforce Innovation and Opportunity Act to prioritize programs that provide evidence of performance.

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.**

4 This Act may be cited as the “Prioritizing Evidence  
5 for Workforce Development Act”.

6 **SEC. 2. PRIORITIZING PROGRAMS THAT PROVIDE EVI-**  
7 **DENCE OF PERFORMANCE.**

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

10 (1) in subsection (b)—

1 (A) in paragraph (1)—

2 (i) in subparagraph (D), by striking  
3 “and” after the semicolon;

4 (ii) in subparagraph (E), by striking  
5 the period at the end and inserting “;  
6 and”; and

7 (iii) by adding at the end the fol-  
8 lowing:

9 “(F) a description of how the State plans  
10 to prioritize the funding of evidence-based pro-  
11 grams for which evidence from a rigorous eval-  
12 uation of the programs shows a positive effect  
13 on the target population for the programs, with  
14 highest priority given to programs that are  
15 high-evidence interventions, next priority given  
16 to programs that are moderate-evidence inter-  
17 ventions, and next priority given to programs  
18 that are low-evidence interventions.”; and

19 (B) in paragraph (2)(C)—

20 (i) in clause (vii), by striking “and”  
21 after the semicolon;

22 (ii) in clause (viii), by striking the pe-  
23 riod at the end and inserting “; and”; and

24 (iii) by adding at the end the fol-  
25 lowing:

1                   “(ix) how the State will prioritize the  
 2                   funding of evidence-based programs for  
 3                   which evidence from a rigorous evaluation  
 4                   of the programs shows a positive effect on  
 5                   the target population for the programs.”;  
 6                   and

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

8                   “(d) DEFINITIONS.—In subsection (b):

9                   “(1) EVIDENCE-BASED.—The term ‘evidence-  
 10                   based’, used with respect to an activity, strategy, or  
 11                   other intervention, means a high-evidence, moderate-  
 12                   evidence, or low-evidence intervention.

13                   “(2) HIGH-EVIDENCE.—The term ‘high-evi-  
 14                   dence’, used with respect to an intervention, means  
 15                   an intervention that is shown to produce a sizable,  
 16                   sustained effect on important outcomes, in—

17                   “(A) two or more well-conducted experi-  
 18                   mental studies carried out in typical community  
 19                   settings and conducted at different implementa-  
 20                   tion sites; or

21                   “(B) one large multisite well-conducted ex-  
 22                   perimental study carried out in such a setting.

23                   “(3) LOW-EVIDENCE.—The term ‘low-evidence’,  
 24                   used with respect to an intervention, means an inter-  
 25                   vention that is shown to produce or have the poten-

1        tial to produce a positive effect on important out-  
2        comes, in a study based on a reasonable hypothesis  
3        and with credible research findings, such as a cor-  
4        relational study with statistical controls for selection  
5        bias or descriptive research such as a case study.

6            “(4) MODERATE-EVIDENCE.—The term ‘mod-  
7        erate-evidence’, used with respect to an intervention,  
8        means an intervention that is shown to produce a  
9        positive effect, that is sizable but not yet conclusive,  
10       on important outcomes, in at least one well-con-  
11       ducted experimental study, or in a rigorous quasi-ex-  
12       perimental study from which a researcher can draw  
13       a causal conclusion regarding the intervention’s ef-  
14       fectiveness.

15           “(5) WELL-CONDUCTED EXPERIMENTAL  
16        STUDY.—The term ‘well-conducted experimental  
17        study’ means an experimental study such as a study  
18        with randomized controlled trials.”.

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