

117TH CONGRESS
2D SESSION

S. 5308

To amend the Workforce Innovation and Opportunity Act to award grants to States to develop, convene, expand, or implement industry or sector partnerships, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 20, 2022

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

A BILL

To amend the Workforce Innovation and Opportunity Act to award grants to States to develop, convene, expand, or implement industry or sector partnerships, and for other purposes.

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 “Community-Based
5 Workforce Development Act”.

1 **SEC. 2. SECTORAL EMPLOYMENT THROUGH CAREER**
 2 **TRAINING FOR OCCUPATIONAL READINESS**
 3 **PROGRAM, OR SECTOR PROGRAM.**

4 Subtitle D of title I of the Workforce Innovation and
 5 Opportunity Act (29 U.S.C. 3221 et seq.) is amended by
 6 adding at the end the following:

7 **“SEC. 173. SECTORAL EMPLOYMENT THROUGH CAREER**
 8 **TRAINING FOR OCCUPATIONAL READINESS**
 9 **PROGRAM, OR SECTOR PROGRAM.**

10 “(a) IN GENERAL.—From amounts appropriated
 11 under subsection (e)(1), and not reserved under subsection
 12 (e)(2), the Secretary shall—

13 “(1) use 80 percent of such amounts to award
 14 grants under subsection (b) to each State to develop,
 15 convene, expand, or implement industry or sector
 16 partnerships; and

17 “(2) use 20 percent of such amounts to award
 18 grants under subsection (c), on a competitive basis,
 19 to eligible industry or sector partnerships for the
 20 purposes of expanding workforce development and
 21 employment opportunities for high-skill, high-wage,
 22 or in-demand industry sectors or occupations, as de-
 23 termined by the Secretary.

24 “(b) FORMULA GRANTS.—

25 “(1) DISTRIBUTION OF FUNDS.—

1 “(A) STATE ALLOTMENT.—From the
2 amount determined by the Secretary under sub-
3 section (a)(1), the Secretary shall allot funds to
4 each State on the basis of the relative allotment
5 the State received under section 132(b) for such
6 fiscal year, compared to the total amount allot-
7 ted to all States under section 132(b) for such
8 fiscal year.

9 “(B) LOCAL AREA ALLOCATIONS.—The
10 Governor of the State shall use an amount al-
11 lotted under subparagraph (A) to provide for
12 the activities described in paragraph (2) by—

13 “(i) reserving funds for the State
14 board; and

15 “(ii) distributing the remainder by—

16 “(I) allocating funds to each local
17 area of the State on the basis of the
18 relative allocation the local area re-
19 ceived under section 133(b) for such
20 fiscal year, compared to the total
21 amount allocated to all local areas in
22 the State under section 133(b) for
23 such fiscal year; or

24 “(II) allocating funds to local
25 areas of the State that have the high-

1 est rates of unemployment or low-in-
2 come individuals, the highest numbers
3 of dislocated workers, or the highest
4 numbers of individuals with barriers
5 to employment, in the State.

6 “(2) USE OF FUNDS.—The funds awarded
7 under paragraph (1) may be used by the State board
8 or a local area to—

9 “(A) develop, convene, or implement eligi-
10 ble industry or sector partnerships, as author-
11 ized under section 134(c)(1)(A)(v) or to expand
12 the partnerships;

13 “(B) regularly convene such industry or
14 sector partnerships in a collaborative structure
15 to identify, develop, improve, expand, or imple-
16 ment training, employment, and growth oppor-
17 tunities for high-skill, high-wage, or in-demand
18 industry sectors or occupations, including di-
19 rectly providing, or arranging for the provision
20 of, the training or services described in sub-
21 paragraph (B) or (C) of subsection (c)(3), in
22 connection with those opportunities; and

23 “(C) strengthen the coordination between
24 eligible industry or sector partnerships and the
25 one-stop partners described in section 121, re-

1 garding activities carried out under this sub-
2 section and programs administered under sub-
3 title B.

4 “(c) COMPETITIVE GRANTS.—

5 “(1) GRANTS AUTHORIZED.—From the amount
6 determined by the Secretary under subsection (a)(2),
7 the Secretary shall award grants, on a competitive
8 basis, to eligible industry or sector partnerships to
9 carry out programs for the purposes described in
10 subsection (a)(2).

11 “(2) APPLICATION.—

12 “(A) FORM AND PROCEDURE.—To receive
13 a grant under this subsection, the lead appli-
14 cant on behalf of an eligible industry or sector
15 partnership shall submit to the Secretary an
16 application at such time, in such manner, and
17 containing such information as specified by the
18 Secretary, including a description of the train-
19 ing leading to the credentials described in para-
20 graph (3)(B).

21 “(B) CONTENTS.—An application sub-
22 mitted under paragraph (1) shall contain at a
23 minimum each of the following:

24 “(i) An identification of the high-skill,
25 high-wage, or in-demand industry sector or

1 occupation on which such partnership is
2 focused.

3 “(ii) A description of the activities to
4 be carried out under the grant.

5 “(iii) A description of the workers
6 that will be targeted for recruitment as
7 program participants, how priority of serv-
8 ice will be provided under the grant to un-
9 employed individuals, low-income individ-
10 uals, dislocated workers, or individuals
11 with barriers to employment (with the 4
12 types of individuals referred to in this
13 clause as ‘covered individuals’), and how
14 the activities will be designed to maximize
15 access and eliminate barriers to entry to
16 training and other related activities for
17 such covered individuals.

18 “(iv) A description of other Federal or
19 non-Federal resources that will be lever-
20 aged in support of the eligible industry or
21 sector partnership (including through cash
22 or in-kind contributions from private sector
23 partners).

1 “(3) USES OF FUNDS.—An eligible industry or
2 sector partnership awarded a grant under this sub-
3 section shall use such grant funds—

4 “(A) to engage and regularly convene
5 stakeholders in a collaborative structure to
6 identify, develop, improve, expand, or imple-
7 ment training, employment, and growth oppor-
8 tunities for the high-skill, high-wage, or in-de-
9 mand industry sector or occupation on which
10 such partnership is focused;

11 “(B) to directly provide, or arrange for the
12 provision of, high-quality, evidence-based train-
13 ing for the high-skill, high-wage, or in-demand
14 industry sector or occupation on which such
15 partnership is focused, which shall include
16 training that leads to the attainment of nation-
17 ally or regionally portable and stackable recog-
18 nized postsecondary credentials for the industry
19 sector or occupation described in subparagraph
20 (A) and which shall include—

21 “(i) training services authorized under
22 section 134(c)(3)(D);

23 “(ii) apprenticeship programs or pre-
24 apprenticeship programs; or

1 “(iii) training provided through labor
2 organizations or joint labor-management
3 partnerships; and

4 “(C) to directly provide, or arrange for the
5 provision of, services to help individuals with
6 barriers to employment and other participants
7 complete and successfully transition out of
8 training described in subparagraph (B), which
9 services shall include career services, supportive
10 services, and the provision of needs-related pay-
11 ments authorized under subsections (c)(2),
12 (d)(2), and (d)(3) of section 134.

13 “(4) PRIORITY IN SELECTION OF GRANTS.—
14 The Secretary shall give priority consideration to ap-
15 plications that demonstrate the ability of the part-
16 nership involved to serve eligible individuals in tar-
17 geted economic regions that—

18 “(A) are experiencing high poverty;

19 “(B) have traditionally been underserved
20 by regional economic development and sector
21 partnership activities (including rural areas);

22 “(C) are facing or at risk of facing signifi-
23 cant worker dislocation due to a disruption or
24 change in the regional or State economy or
25 labor market; or

1 “(D) have high numbers of—

2 “(i) disadvantaged youth (as defined
3 in section 127(b)(2)(C)) and disadvantaged
4 adults (as defined in section
5 132(b)(1)(B)(v)(IV)); and

6 “(ii) unemployed individuals, within
7 the meaning of section 6(b)(1)(B) of the
8 Wagner-Peyser Act (29 U.S.C.
9 49e(b)(1)(B)) and unemployed individuals
10 in areas of substantial unemployment,
11 within the meaning of section
12 127(b)(1)(C)(ii)(I).

13 “(5) DEFINITIONS.—In this subsection:

14 “(A) AREA OF SUBSTANTIAL UNEMPLOY-
15 MENT.—The term ‘area of substantial unem-
16 ployment’ has the meaning given the term in
17 section 127(b)(2)(B).

18 “(B) EVIDENCE-BASED.—The term ‘evi-
19 dence-based’, used with respect to an activity,
20 means an activity that meets the requirements
21 of clause (i) or (ii) of section 8101(21)(A) of
22 the Elementary and Secondary Education Act
23 of 1965 (20 U.S.C. 7801(21)(A)).

24 “(C) PREAPPRENTICESHIP PROGRAM.—
25 The term ‘preapprenticeship program’ means a

1 program that prepares participants for, and ar-
2 ticulates to, an apprenticeship program.

3 “(D) SUPPORTIVE SERVICES.—The term
4 ‘supportive services’ includes—

5 “(i) the provision of direct support
6 services (such as child care, transportation,
7 and mental health and substance use dis-
8 order treatment);

9 “(ii) assistance in obtaining health in-
10 surance coverage; and

11 “(iii) assistance in accessing benefits
12 through the supplemental nutrition assist-
13 ance program established under the Food
14 and Nutrition Act of 2008 (7 U.S.C. 2011
15 et seq.), benefits through the special sup-
16 plemental nutrition program for women,
17 infants, and children established by section
18 17 of the Child Nutrition Act of 1966 (42
19 U.S.C. 1786), housing, and other benefits,
20 as appropriate.

21 “(d) PROGRAM ACCOUNTABILITY AND EVALUA-
22 TION.—

23 “(1) IN GENERAL.—The Secretary shall annu-
24 ally measure the performance of grant recipients

1 carrying out activities under grants awarded under
2 this section on—

3 “(A) the primary indicators of performance
4 covered by clauses (i) through (iv) of section
5 116(b)(2)(A) and expected levels of perform-
6 ance relating to such indicators; and

7 “(B) such additional measures as the Sec-
8 retary determines to be appropriate, which may
9 include measures of skills attainment, wage or
10 career progression, and training-related employ-
11 ment, and additional job quality measures.

12 “(2) EVALUATION.—Not later than 2 years
13 after the first award of funds under this section is
14 made the Secretary (acting through the Chief Eval-
15 uation Officer) shall design and conduct an evalua-
16 tion to evaluate the effectiveness of the program car-
17 ried out under this section.

18 “(3) PUBLICATION.—The Secretary shall—

19 “(A) publish on a publicly accessible
20 website the outcomes for grant recipients on the
21 measurements conducted under paragraph (1)
22 and the evaluation conducted under paragraph
23 (2); and

24 “(B) submit a report containing the out-
25 comes on the measurements and evaluation to

1 the Committee on Education and Labor of the
2 House of Representatives and the Committee
3 on Health, Education, Labor, and Pensions of
4 the Senate.

5 “(e) AUTHORIZATION OF APPROPRIATIONS; RES-
6 ERVATIONS.—

7 “(1) AUTHORIZATION OF APPROPRIATIONS.—
8 There are authorized to be appropriated to carry out
9 this section—

10 “(A) such sums as may be necessary for
11 fiscal year 2023;

12 “(B) such sums as may be necessary for
13 fiscal year 2024;

14 “(C) such sums as may be necessary for
15 fiscal year 2025;

16 “(D) such sums as may be necessary for
17 fiscal year 2026;

18 “(E) such sums as may be necessary for
19 fiscal year 2027; and

20 “(F) such sums as may be necessary for
21 fiscal year 2028.

22 “(2) RESERVATION OF FUNDS.—Of the funds
23 appropriated under paragraph (1) for a fiscal year,
24 the Secretary may reserve not more than 5 percent,
25 which—

1 “(A) may be used for administration of the
2 program described in this section, in addition to
3 any other funds available for such administra-
4 tion, including providing comprehensive tech-
5 nical assistance, targeted outreach to eligible in-
6 dustry or sector partnerships serving local areas
7 with high unemployment rates or high percent-
8 ages of low-income individuals, dislocated work-
9 ers, or individuals with barriers to employment,
10 and oversight to support eligible industry or
11 sector partnerships; and

12 “(B) shall be used for the measurement,
13 evaluation, publication, and reporting described
14 in subsection (d).

15 “(f) DEFINITIONS.—In this section:

16 “(1) APPRENTICESHIP.—The term ‘apprentice-
17 ship’ means a position in an apprenticeship pro-
18 gram.

19 “(2) APPRENTICESHIP PROGRAM.—The term
20 ‘apprenticeship program’ means an apprenticeship
21 program registered with the Office of Apprenticeship
22 of the Employment and Training Administration of
23 the Department of Labor or a State apprenticeship
24 agency recognized by the Office of Apprenticeship
25 pursuant to the Act of August 16, 1937 (commonly

1 known as the ‘National Apprenticeship Act’; 50
2 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

3 “(3) ELIGIBLE INDUSTRY OR SECTOR PART-
4 NERSHIP.—The term ‘eligible industry or sector
5 partnership’ means—

6 “(A) an industry or sector partnership,
7 which shall, at a minimum, include multiple
8 representatives described in each of clauses (i)
9 through (iii) of paragraph (26)(A) of section 3;
10 or

11 “(B) a partnership, of multiple entities de-
12 scribed in section 3(26) and a State board or
13 local board, that is in the process of estab-
14 lishing an industry or sector partnership de-
15 scribed in subparagraph (A) for the purposes of
16 carrying out activities under a grant awarded
17 under this section.

18 “(4) LEAD APPLICANT.—The term ‘lead appli-
19 cant’ means a nonprofit applicant for a grant under
20 this section that is—

21 “(A) a State board, local board, institution
22 of higher education (as defined in section 101
23 or 102(c) of the Higher Education Act of 1965
24 (20 U.S.C. 1001, 1002(c))), joint labor-man-
25 agement partnership, labor organization, indus-

1 try association, intermediary, or community-
2 based organization; or

3 “(B) another State or regional nonprofit
4 organization with experience in developing, con-
5 vening, expanding, and implementing an indus-
6 try or sector partnership.

7 “(g) SPECIAL RULE.—Any funds made available
8 under this section that are used to fund an apprenticeship
9 or apprenticeship program shall only be used for, or pro-
10 vided to, an apprenticeship or apprenticeship program
11 that meets the definition of such term in this section, in-
12 cluding any funds awarded through grants, or the develop-
13 ment, implementation, or administration, of an appren-
14 ticeship or an apprenticeship program.”.

15 **SEC. 3. TABLE OF CONTENTS.**

16 The table of contents in section 1(b) of the Workforce
17 Innovation and Opportunity Act is amended by inserting
18 after the item relating to section 172, the following:

“Sec. 173. Sectoral employment through career training for occupational readi-
ness program, or sector program.”.

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