

117TH CONGRESS
2^D SESSION

H. R. 7309

To reauthorize the Workforce Innovation and Opportunity Act.

IN THE HOUSE OF REPRESENTATIVES

MARCH 31, 2022

Mr. SCOTT of Virginia (for himself, Ms. WILSON of Florida, Ms. BONAMICI, Mr. CASTRO of Texas, Mrs. CHERFILUS-McCORMICK, Mr. COURTNEY, Mrs. HAYES, Mr. JONES, Mrs. MCBATH, Mr. MFUME, Mr. MORELLE, Mr. MRVAN, Mr. NORCROSS, Mr. SABLAN, Ms. STEVENS, Ms. SHERRILL, Mr. TAKANO, and Mr. LEVIN of Michigan) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To 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.**

4 This Act may be cited as the “Workforce Innovation
5 and Opportunity Act of 2022”.

6 **SEC. 2. REFERENCES.**

7 Except as otherwise expressly provided, whenever in
8 this Act an amendment or repeal is expressed in terms
9 of an amendment to, or repeal of, a section or other provi-

1 sion, the reference shall be considered to be made to a
2 section or other provision of the Workforce Innovation and
3 Opportunity Act (29 U.S.C. 3101 et seq.).

4 **SEC. 3. TRANSITION PROVISIONS.**

5 (a) **WORKFORCE DEVELOPMENT SYSTEMS AND IN-**
6 **VESTMENT ACTIVITIES.**—The Secretary of Labor and the
7 Secretary of Education shall take such actions as the Sec-
8 retaries determine to be appropriate to provide for the or-
9 derly transition from any authority under subtitle A of
10 title I of the Workforce Innovation and Opportunity Act
11 (29 U.S.C. 3111 et seq.), as in effect on the day before
12 the date of enactment of this Act, to any authority under
13 subtitle A of title I of such Act (29 U.S.C. 3111 et seq.),
14 as amended by this Act. Such actions shall include the
15 provision of guidance related to unified State planning,
16 combined State planning, and the performance account-
17 ability system described in such subtitle.

18 (b) **WORKFORCE INVESTMENT ACTIVITIES.**—The
19 Secretary of Labor shall take such actions as the Sec-
20 retary determines to be appropriate to provide for the or-
21 derly transition from any authority under the subtitles B
22 through E of title I of the Workforce Innovation and Op-
23 portunity Act (29 U.S.C. 3151 et seq.), as in effect on
24 the day before the date of enactment of this Act, to any

1 authority under subtitles B through E of title I of such
2 Act, as amended by this Act.

3 (c) ADULT EDUCATION AND LITERACY PROGRAMS.—

4 The Secretary of Education shall take such actions as the
5 Secretary determines to be appropriate to provide for the
6 orderly transition from any authority under the Adult
7 Education and Family Literacy Act (20 U.S.C. 9201 et
8 seq.), as in effect on the day before the date of enactment
9 of this Act, to any authority under the Adult Education
10 and Family Literacy Act, as amended by this Act.

11 (d) EMPLOYMENT SERVICES ACTIVITIES.—The Sec-

12 retary of Labor shall take such actions as the Secretary
13 determines to be appropriate to provide for the orderly
14 transition from any authority under the Wagner-Peyser
15 Act (29 U.S.C. 49 et seq.), as in effect on the day before
16 the date of enactment of this Act, to any authority under
17 the Wagner-Peyser Act, as amended by this Act.

18 (e) REGULATIONS.—

19 (1) PROPOSED REGULATIONS.—Not later than

20 180 days after the date of enactment of this Act, the

21 Secretary of Labor and the Secretary of Education,

22 as appropriate, shall develop and publish in the Fed-

23 eral Register proposed regulations relating to the

24 transition to, and implementation of, the Workforce

25 Innovation and Opportunity Act, as amended by this

1 Act, and the Wagner-Peyser Act, as amended by this
2 Act.

3 (2) FINAL REGULATIONS.—Not later than 18
4 months after the date of enactment of this Act, the
5 Secretaries described in paragraph (1), as appro-
6 priate, shall develop and publish in the Federal Reg-
7 ister final regulations relating to the transition to,
8 and implementation of, the Workforce Innovation
9 and Opportunity Act, as amended by this Act, and
10 the Wagner-Peyser Act, as amended by this Act.

11 (f) EXPENDITURE OF FUNDS DURING TRANSI-
12 TION.—

13 (1) IN GENERAL.—Subject to paragraph (2)
14 and in accordance with regulations developed under
15 subsection (f), States, grant recipients, administra-
16 tive entities, and other recipients of financial assist-
17 ance under the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3101 et seq.), as in effect be-
19 fore the date of enactment of this Act, may expend
20 funds received under such Act in order to plan and
21 implement programs and activities under the Work-
22 force Innovation and Opportunity Act, as amended
23 by this Act.

24 (2) ADDITIONAL REQUIREMENTS.—Not more
25 than 2 percent of any allotment to any State from

1 amounts appropriated under the Workforce Innova-
2 tion and Opportunity Act (29 U.S.C. 3101 et seq.),
3 as in effect on the day before the date of enactment
4 of this Act, for fiscal year 2022 may be made avail-
5 able to carry out activities authorized under para-
6 graph (1) and not less than 50 percent of any
7 amount used to carry out activities authorized under
8 paragraph (1) shall be made available to local enti-
9 ties for the purposes of the activities described in
10 such paragraph.

11 **SEC. 4. EFFECTIVE DATE.**

12 (a) IN GENERAL.—Except as otherwise provided in
13 this Act, this Act, including the amendments made by this
14 Act, shall take effect on the first day of the first full pro-
15 gram year after the date of enactment of this Act.

16 (b) EXCEPTIONS.—Sections 102, 103, and 108 of the
17 Workforce Innovation and Opportunity Act, as amended
18 by this Act, shall apply to plans for the second full pro-
19 gram year after the date of enactment of this Act, includ-
20 ing the development, submission, and approval of such
21 plans during the first full program year after such date.

22 **SEC. 5. TABLE OF CONTENTS.**

23 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. References.
- Sec. 3. Transition provisions.
- Sec. 4. Effective date.
- Sec. 5. Table of contents.

TITLE I—DEFINITIONS AND OTHER GENERAL MATTERS

- Sec. 101. Definitions.
- Sec. 102. WIOA table of contents.

TITLE II—WORKFORCE DEVELOPMENT ACTIVITIES

Subtitle A—System Alignment

CHAPTER 1—STATE PROVISIONS

- Sec. 201. State workforce development boards.
- Sec. 202. Unified State plan.
- Sec. 203. Combined State plan.

CHAPTER 2—LOCAL PROVISIONS

- Sec. 206. Workforce development areas.
- Sec. 207. Local workforce development boards.
- Sec. 208. Local plan.

CHAPTER 3—PERFORMANCE ACCOUNTABILITY

- Sec. 211. Performance accountability system.

Subtitle B—Workforce Investment Activities and Providers

CHAPTER 1—WORKFORCE INVESTMENT ACTIVITIES AND PROVIDERS

- Sec. 221. Establishment of one-stop delivery systems.
- Sec. 222. Identification of eligible providers of training services.

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES

- Sec. 231. State allotments.
- Sec. 232. Within State allocations.
- Sec. 233. Use of funds for youth workforce investment activities.
- Sec. 234. Summer and year-round employment for youth.

CHAPTER 3—ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES

- Sec. 241. Within State allocations.
- Sec. 242. Use of funds for employment and training activities.

CHAPTER 4—GENERAL WORKFORCE INVESTMENT PROVISIONS

- Sec. 251. Authorization of appropriations.

Subtitle C—Job Corps

- Sec. 261. Amendments relating to Job Corps.

Subtitle D—National Programs

- Sec. 271. Native American Programs.
- Sec. 272. Migrant and seasonal farmworker programs.
- Sec. 273. Technical assistance.
- Sec. 274. Evaluations and research.
- Sec. 275. National dislocated worker grants.

- Sec. 276. YouthBuild program.
- Sec. 277. Strengthening community colleges training grants program.
- Sec. 278. Reentry employment opportunities.
- Sec. 279. Sectoral employment through career training for occupational readiness (sector) program.
- Sec. 280. Workforce Data Quality Initiative Grants.
- Sec. 281. Authorization of appropriations.

Subtitle E—Administration

- Sec. 285. Nondiscrimination.
- Sec. 286. Secretarial administrative authorities and responsibilities.

Subtitle F—Privacy

- Sec. 291. Prohibition of national database management.

TITLE III—ADULT EDUCATION AND FAMILY LITERACY

- Sec. 301. Family literacy.
- Sec. 302. Purpose.
- Sec. 303. Definitions.
- Sec. 304. Authorization of appropriations.
- Sec. 305. Performance accountability system.
- Sec. 306. State distribution of funds; matching requirement.
- Sec. 307. State leadership activities.
- Sec. 308. Grants and contracts for eligible providers.
- Sec. 309. Local administrative cost limits.
- Sec. 310. National leadership activities.
- Sec. 311. Integrated English literacy and civics education.
- Sec. 312. Technical corrections to other laws.

TITLE IV—AMENDMENTS TO THE WAGNER-PEYSER ACT

- Sec. 401. Inclusion of Commonwealth of the Northern Mariana Islands and American Samoa.
- Sec. 402. Workforce and labor market information system.

TITLE V—AMENDMENTS TO THE REHABILITATION ACT OF 1973

- Sec. 501. Authorization of appropriations.

1 **TITLE I—DEFINITIONS AND** 2 **OTHER GENERAL MATTERS**

3 **SEC. 101. DEFINITIONS.**

- 4 (a) FOUNDATIONAL SKILL NEEDS.—Paragraph (5)
- 5 of section 3 (29 U.S.C. 3102) is amended to read as fol-
- 6 lows:

1 “(5) FOUNDATIONAL SKILL NEEDS.—The term
2 ‘foundational skill needs’ means, with respect to an
3 individual—

4 “(A) who is a youth or adult, that the indi-
5 vidual has English reading, writing, or com-
6 puting skills at or below the 8th grade level on
7 a generally accepted standardized test; or

8 “(B) who is a youth or adult, that the in-
9 dividual is unable to compute or solve problems,
10 or read, write, or speak English, or does not
11 possess digital literacy, interpersonal commu-
12 nication, time management, critical thinking, or
13 financial literacy skills at a level necessary to
14 function on the job, in the individual’s family,
15 or in society.”.

16 (b) CAREER PATHWAY.—Paragraph (7) of section 3
17 (29 U.S.C. 3102) is amended to read as follows:

18 “(7) CAREER PATHWAY.—The term ‘career
19 pathway’ means a combination of rigorous and high-
20 quality education, training, and other services that—

21 “(A) are designed to support progression
22 towards attainment of a recognized postsec-
23 ondary credential;

1 “(B) align with the skill needs of indus-
2 tries in the economy of the State or regional
3 economy involved;

4 “(C) include multiple entry and exit points;

5 “(D) prepare an individual to be successful
6 in any of a full range of secondary or postsec-
7 ondary education options, including apprentice-
8 ship programs;

9 “(E) provide career services, including
10 counseling to support an individual in achieving
11 the individual’s education and career goals, and
12 helping the individual to identify and access the
13 most accelerated path to skills and credentials
14 that are needed for the educational and career
15 advancement of the individual;

16 “(F) include supportive services or pro-
17 vides assistance in applying for and accessing
18 direct support services, means-tested Federal
19 benefit programs, or similar State, tribal, or
20 local benefit programs;

21 “(G) include, as appropriate, education of-
22 fered concurrently with and in the same context
23 as workforce preparation activities and training
24 for a specific occupation or occupational cluster

1 (such as through work-based learning opportu-
2 nities);

3 “(H) organize education, training, and
4 other services to meet the particular needs of
5 an individual in a manner that accelerates the
6 educational and career advancement of the indi-
7 vidual to the extent practicable;

8 “(I) enable an individual to attain a sec-
9 ondary school diploma or its recognized equiva-
10 lent as applicable, and at least 1 recognized
11 postsecondary credential; and

12 “(J) help an individual enter or advance
13 within a specific occupation or occupational
14 cluster.”.

15 (c) DISLOCATED WORKER.—Paragraph (15) of sec-
16 tion 3 (29 U.S.C. 3102) is amended—

17 (1) in subparagraph (A)—

18 (A) in clause (i), by adding “and” at the
19 end;

20 (B) in clause (ii)—

21 (i) in subclause (I), by striking “or”
22 at the end;

23 (ii) in subclause (II), by striking
24 “and” at the end and inserting “or”; and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(III) has been an unemployed individual
4 for 27 weeks or more;” and

5 (C) by striking clause (iii);

6 (2) by redesignating subparagraphs (D) and
7 (E) as subparagraphs (E) and (F), respectively;

8 (3) by adding at after subparagraph (C) the fol-
9 lowing:

10 “(D)(i) is currently underemployed and en-
11 gaged in the occasional performance of services
12 for remuneration; and

13 “(ii) is self-employed, is seeking part-time
14 employment, and does not have sufficient work
15 history to qualify, or otherwise would not qual-
16 ify for regular unemployment or extended bene-
17 fits under State or Federal law.”; and

18 (4) in subparagraph (E), as so redesignated, by
19 striking “homemaker” and inserting “caregiver”.

20 (d) DISPLACED CAREGIVER.—Paragraph (16) of sec-
21 tion 3 (29 U.S.C. 3102) is amended—

22 (1) in the heading, by striking “HOMEMAKER”
23 and inserting “CAREGIVER”;

24 (2) in the matter preceding subparagraph (A)—

1 (A) by striking “homemaker” and insert-
2 ing “caregiver”; and

3 (B) by striking “family members” and in-
4 serting “a family member”; and

5 (3) in subparagraph (A)—

6 (A) in clause (i), by striking “or” at the
7 end;

8 (B) in clause (ii), by striking “and” at the
9 end and inserting “or”; and

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

11 “(iii) has involuntarily left the labor mar-
12 ket to provide care for a relative or dependent,
13 which may be validated through self-attestation
14 to a one-stop operator or provider in a manner
15 consistent with section 402A(e) of the Higher
16 Education Act of 1965 (20 U.S.C. 1070a-
17 11(e)); and”.

18 (e) ELIGIBLE YOUTH.—Paragraph (18) of section 3
19 (29 U.S.C. 3102) is amended to read as follows:

20 “(18) ELIGIBLE YOUTH.—Except as provided
21 in subtitles C and D of title I, the term ‘eligible
22 youth’ means—

23 “(A) an opportunity youth; or

24 “(B) a youth who is not younger than 14
25 years of age and not older than 24 years of age,

1 who can self-attest, in a manner consistent with
2 section 402A(e) of the Higher Education Act of
3 1965 (20 U.S.C. 1070a–11(e)), that the
4 youth—

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

7 “(ii) is a low-income individual; and

8 “(iii) is one or more of the following:

9 “(I) An English learner.

10 “(II) An individual impacted by
11 the juvenile or adult justice system.

12 “(III) A homeless individual (as
13 defined in section 41403(6) of the Vi-
14 olence Against Women Act of 1994
15 (42 U.S.C. 14043e–2(6))), a homeless
16 child or youth (as defined in section
17 725(2) of the McKinney-Vento Home-
18 less Assistance Act (42 U.S.C.
19 11434a(2))), a runaway, a child or
20 youth in foster care or who has aged
21 out of the foster care system, a child
22 or youth eligible for assistance under
23 section 477 of the Social Security Act
24 (42 U.S.C. 677), or a child or youth
25 in an out-of-home placement.

1 “(IV) An individual who is preg-
2 nant or parenting.

3 “(V) An individual with a dis-
4 ability.”.

5 (f) ENGLISH LEARNER.—Paragraph (21) of section
6 3 (29 U.S.C. 3102) is amended—

7 (1) in the heading, by striking “LANGUAGE”;

8 and

9 (2) by striking “language”.

10 (g) INDIVIDUAL WITH A BARRIER TO EMPLOY-
11 MENT.—Paragraph (24) of section 3(29 U.S.C. 3102) is
12 amended to read as follows:

13 “(24) INDIVIDUAL WITH A BARRIER TO EM-
14 PLOYMENT.—The term ‘individual with a barrier to
15 employment’ means a member of 1 or more of the
16 following populations:

17 “(A) Displaced caregivers.

18 “(B) Low-income individuals.

19 “(C) Indians, Alaska Natives, and Native
20 Hawaiians, as such terms are defined in section
21 166.

22 “(D) Individuals with disabilities, including
23 youth who are individuals with disabilities.

24 “(E) Older individuals.

25 “(F) Justice-involved individuals.

1 “(G) Homeless individuals (as defined in
2 section 41403(6) of the Violence Against
3 Women Act of 1994 (42 U.S.C. 14043e–2(6))),
4 or homeless children and youths (as defined in
5 section 725(2) of the McKinney-Vento Home-
6 less Assistance Act (42 U.S.C. 11434a(2))).

7 “(H) Youth who are in or have aged out
8 of the foster care system.

9 “(I) Individuals who are English learners,
10 individuals who have low levels of literacy in-
11 cluding digital literacy, or individuals facing
12 substantial cultural barriers.

13 “(J) Eligible migrant and seasonal farm-
14 workers, as defined in section 167(i).

15 “(K) Individuals who exhausted lifetime
16 eligibility under part A of title IV of the Social
17 Security Act (42 U.S.C. 601 et seq.).

18 “(L) Single parents (including single preg-
19 nant women).

20 “(M) Long-term unemployed individuals.

21 “(N) The spouse of, or youth with a par-
22 ent who is—

23 “(i) a member of the armed forces (as
24 such term is defined in section 101(a)(4)
25 of title 10, United States Code);

1 “(ii) on active duty (as such term is
2 defined in section 101(d)(1) of such title);
3 and

4 “(iii) deployed or recently transferred.

5 “(O) Individuals who have been historically
6 underserved and marginalized as a result of
7 race, color, national origin, sexual orientation,
8 or gender identity.

9 “(P) Such other groups as the Governor
10 involved determines to have barriers to employ-
11 ment.”.

12 (h) INSTITUTION OF HIGHER EDUCATION.—Para-
13 graph (28) of section 3 (29 U.S.C. 3102) is amended by
14 striking “subparagraphs (A) and (B) of section
15 102(a)(1)” and inserting “subparagraph (B) of section
16 102(a)(1)”.

17 (i) LABOR MARKET AREA.—Paragraph (30) of sec-
18 tion 3(29 U.S.C. 3102) is amended by inserting “and the
19 economic development agency” after “Department of
20 Labor”.

21 (j) LOW-INCOME INDIVIDUAL.—Paragraph (36) of
22 section 3 (29 U.S.C. 3102) is amended—

23 (1) in subparagraph (A)—

24 (A) by amending subclause (I) of clause

25 (ii) to read as follows:

1 “(I) 150 percent of the poverty
2 line (exclusive of unemployment com-
3 pensation, child support payments,
4 payments described in subparagraph
5 (A), and old-age and survivors insur-
6 ance benefits received under section
7 202 of the Social Security Act (42
8 U.S.C. 402)); or”;

9 (B) in clause (v), by striking “or” at the
10 end;

11 (C) in clause (vi), by striking the period at
12 the end and inserting “; or”; and

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

14 “(vii) is an individual who is—

15 “(I) an eligible migrant or sea-
16 sonal farmworker, as defined in sec-
17 tion 167(i); and

18 “(II) in a family with total family
19 income that does not exceed 150 per-
20 cent of the poverty line.”; and

21 (2) in subparagraph (B), by striking “based on
22 the most recent lower living family budget issued by
23 the Secretary”.

1 (k) NONTRADITIONAL EMPLOYMENT.—Paragraph
2 (37) of section 3 (29 U.S.C. 3102) is amended to read
3 as follows:

4 “(37) NONTRADITIONAL EMPLOYMENT.—The
5 term ‘nontraditional employment’ refers to occupa-
6 tions or fields of work, for which a group of individ-
7 uals (such as individuals from the same gender,
8 race, or ethnicity), the members of which—

9 “(A) comprise less than 25 percent of the
10 individuals employed in each such occupation or
11 field of work; or

12 “(B) comprise a percentage of individuals
13 employed in such occupation that is lower than
14 the percentage of the total population com-
15 prised by such members, based on the most re-
16 cent data from the Bureau of the Census.”.

17 (l) JUSTICE-INVOLVED INDIVIDUAL.—Paragraph
18 (38) of section 3 (29 U.S.C. 3102) is amended—

19 (1) in the heading, by striking “OFFENDER”
20 and inserting “JUSTICE-INVOLVED INDIVIDUAL”;
21 and

22 (2) by striking “offender” and inserting “jus-
23 tice-involved individual”.

24 (m) OPPORTUNITY YOUTH.—Paragraph (46) of sec-
25 tion 3 (29 U.S.C. 3102) is amended to read as follows:

1 “(46) OPPORTUNITY YOUTH.—The term ‘op-
2 portunity youth’—

3 “(A) means an individual—

4 “(i) who is not younger than 16 years
5 of age and not older than 26 years of age;
6 and

7 “(ii) who can self-attest to a one-stop
8 operator or one-stop center, in a manner
9 consistent with section 402A(e) of the
10 Higher Education Act of 1965 (20 U.S.C.
11 1070a–11(e)) that the individual is—

12 “(I) not attending any school (as
13 defined under State law); and

14 “(II) not employed; and

15 “(B) except in the case of an individual
16 who is low-income and has foundational skill
17 needs, does not include any individual who is a
18 recipient of a secondary school diploma or its
19 recognized equivalent.”.

20 (n) RAPID RESPONSE ACTIVITY.—Paragraph (51) of
21 section 3 (29 U.S.C. 3102) is amended by inserting “in
22 a job position of similar wages and benefits, to the great-
23 est extent possible, or on the job training for a new occu-
24 pation or industry,” after “reemployment”.

1 (o) STATE.—Paragraph (56) of section 3 (29 U.S.C.
2 3102) is amended by striking “the Commonwealth of”.

3 (p) SUPPORTIVE SERVICES.—Paragraph (59) of sec-
4 tion 3 (29 U.S.C. 3102) is amended to read as follows:

5 “(59) SUPPORTIVE SERVICES.—The term ‘sup-
6 portive services’ means services such as transpor-
7 tation, child care, dependent care, housing, food and
8 nutrition services, mental health care supports, sub-
9 stance use disorder treatment, access to broadband,
10 affordable internet connection, or digital devices with
11 connection to the internet, assistive technology, and
12 needs-related payments, that are necessary to enable
13 an individual to participate in workforce develop-
14 ment activities.”.

15 (q) ADDITIONAL DEFINITIONS.—Section 3 (29
16 U.S.C. 3102), as amended by this section, is further
17 amended—

18 (1) by adding at the end the following new
19 paragraphs:

20 “(72) APPRENTICESHIP PROGRAM.—The term
21 ‘apprenticeship program’ means a program reg-
22 istered under the Act of August 16, 1937 (commonly
23 known as the ‘National Apprenticeship Act’; 50
24 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

1 “(73) COENROLLMENT.—The term ‘coenroll-
2 ment’ means simultaneous enrollment in more than
3 one of the programs or activities carried out by a
4 one-stop partner in section 121(b)(1)(B).

5 “(74) COMPETENCY.—The term ‘competency’
6 means the attainment of knowledge, skills, and abili-
7 ties in a subject area, as specified by an occupa-
8 tional skill standard and demonstrated by an appro-
9 priate written, oral, hands-on, or other appropriate
10 proficiency measurement.

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

15 “(76) EVIDENCE-BASED.—The term ‘evidence-
16 based’, when used with respect to an activity, strat-
17 egy, or intervention, means an activity, strategy or
18 intervention that—

19 “(A) demonstrates a statistically signifi-
20 cant effect on improving participant outcomes
21 or other relevant outcomes based on—

22 “(i) strong evidence from at least 1
23 well-designed and well-implemented experi-
24 mental study;

1 “(ii) moderate evidence from at least
2 1 well-designed and well-implemented
3 quasi-experimental study; or

4 “(iii) promising evidence from at least
5 1 well-designed and well-implemented cor-
6 relational study with statistical controls for
7 selection bias; or

8 “(B)(i) demonstrates a rationale based on
9 high-quality research findings or positive eval-
10 uation that such activity, strategy, or interven-
11 tion is likely to improve student outcomes or
12 other relevant outcomes; and

13 “(ii) includes ongoing efforts to examine
14 the effects of such activity, strategy, or inter-
15 vention.

16 “(77) LABOR ORGANIZATION.—The term ‘labor
17 organization’ has the meaning given the term in sec-
18 tion 2(5) of the National Labor Relations Act (29
19 U.S.C. 152(5)), except that such term shall also in-
20 clude—

21 “(A) any organization composed of labor
22 organizations, such as a labor union federation
23 or a State or municipal labor body; and

24 “(B) any organization which would be in-
25 cluded in the definition for such term under

1 such section 2(5) but for the fact that the orga-
2 nization represents—

3 “(i) individuals employed by the
4 United States, any wholly owned Govern-
5 ment corporation, any Federal Reserve
6 Bank, or any State or political subdivision
7 thereof;

8 “(ii) individuals employed by persons
9 subject to the Railway Labor Act (45 25
10 U.S.C. 151 et seq.); or

11 “(iii) individuals employed as agricul-
12 tural laborers.

13 “(78) PERKINS-ELIGIBLE AGENCY.—The term
14 ‘Perkins-eligible agency’ has the meaning given the
15 term ‘eligible agency’ in section 3 of the Carl D.
16 Perkins Career and Technical Education Act of
17 2006 (20 U.S.C. 2302).

18 “(79) PRE-APPRENTICESHIP PROGRAM.—The
19 term ‘pre-apprenticeship program’ means a training
20 model or program that—

21 “(A) is designed to prepare participants to
22 enter an apprenticeship program;

23 “(B) has a written agreement with 1 or
24 more sponsors of apprenticeship programs that

1 would enable participants who successfully com-
2 plete the pre-apprenticeship program—

3 “(i) to enter into the apprenticeship
4 program if a place in the program is avail-
5 able and if the participant meets the quali-
6 fications of the apprenticeship program;
7 and

8 “(ii) to earn credits towards the ap-
9 prenticeship program;

10 “(C) includes skills development (including
11 a curriculum for the skills development) aligned
12 with industry standards related to an appren-
13 ticeship program created in consultation with
14 sponsors of the apprenticeship program that are
15 parties to the written agreement under subpara-
16 graph (B), and that will prepare participants by
17 teaching the skills and competencies needed to
18 enter 1 or more apprenticeship programs; and

19 “(D) does not displace a paid employee.

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

24 “(81) WORKFORCE AGENCY.—The term ‘work-
25 force agency’ means the State agency or local agency

1 responsible for administering workforce development
2 activities or the workforce development system.”;

3 (2) by striking paragraphs (27) and (54); and

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

9 **SEC. 102. WIOA TABLE OF CONTENTS.**

10 The table of contents in section 1(b) of the Workforce
11 Innovation and Opportunity Act is amended by striking
12 the item relating to section 172 and inserting the fol-
13 lowing:

“Sec. 172. Community college and industry partnership grants.

“Sec. 173. Reentry employment opportunities

“Sec. 174. Sectoral employment through career training for occupational readi-
ness (sector) program.

“Sec. 175. Workforce data quality initiative grants.

“Sec. 176. Authorization of appropriations.”.

14 **TITLE II—WORKFORCE**
15 **DEVELOPMENT ACTIVITIES**
16 **Subtitle A—System Alignment**
17 **CHAPTER 1—STATE PROVISIONS**

18 **SEC. 201. STATE WORKFORCE DEVELOPMENT BOARDS.**

19 (a) MEMBERSHIP.—Section 101(b)(1)(C) of the
20 Workforce Innovation and Opportunity Act (29 U.S.C.
21 3111(b)(1)(C)) is amended—

22 (1) in clause (ii)—

1 (A) in the matter preceding subclause (I),
2 by striking “20 percent” and inserting “30 per-
3 cent”;

4 (B) in subclause (III), by inserting “, jus-
5 tice-involved individuals,” after “veterans”; and

6 (C) in subclause (IV), by striking “out-of-
7 school” and inserting “opportunity”; and

8 (2) in clause (iii)—

9 (A) in subclause (I)—

10 (i) by striking “and” at the end of
11 item (aa); and

12 (ii) by adding at the end the fol-
13 lowing:

14 “(cc) State agency officials
15 responsible for the daily adminis-
16 tration of education programs in
17 the State, including secondary
18 education and adult education
19 programs, and chief executive of-
20 ficers (or their representatives) of
21 community colleges and other in-
22 stitutions of higher education;
23 and”;

24 (B) in subclause (II)—

1 (i) by amending item (bb) to read as
2 follows:

3 “(bb) State agency officials
4 responsible for adult or juvenile
5 justice programs in the State;”;

6 (ii) by striking “and” at the end of
7 item (cc);

8 (iii) by striking item (dd); and

9 (iv) by adding at the end the fol-
10 lowing:

11 “(dd) State agency officials
12 responsible for vocational reha-
13 bilitation; and

14 “(ee) State agency officials
15 responsible for economic develop-
16 ment.”.

17 (3) DIVERSE AND DISTINCT REPRESENTA-
18 TION.—Section 101(b)(2) (29 U.S.C. 3111(b)(2)) is
19 amended by inserting before the period at the end
20 the following: “, and diverse demographic popu-
21 lations of the State”.

22 (4) FUNCTIONS.—Section 101(d) (29 U.S.C.
23 3111(d)) is amended—

24 (A) in paragraph (3)—

1 (i) in subparagraph (A), strike “and
2 avoid duplication” and insert “avoid dupli-
3 cation, and leverage resources and exper-
4 tise”;

5 (ii) in subparagraph (B)—

6 (I) by inserting “and expand”
7 after “support”; and

8 (II) by striking “enter or retain
9 employment” and inserting “enter in,
10 retain, or progress in employment”;

11 (iii) in subparagraph (C)—

12 (I) by inserting “and equitable”
13 after “effective”; and

14 (II) by inserting “, including in-
15 dividuals with barriers to employ-
16 ment” after “system”;

17 (iv) in subparagraph (E), by striking
18 “identification of” and inserting “contin-
19 ued identification of and support for”;

20 (v) in subparagraph (F)—

21 (I) by inserting “affiliated sites,”
22 after “partners,”; and

23 (II) by striking “services and
24 supportive” and inserting “services,
25 career services, and supportive”; and

1 (vi) in subparagraph (G), by inserting
2 “ongoing” after “support”;

3 (B) in paragraph (5)—

4 (i) in subparagraph (A), by striking
5 “centers, relating to the use of business
6 outreach, partnerships, and service delivery
7 strategies, including” and inserting “cen-
8 ters, including the use of evidence-based
9 strategies for such operations, the latest in
10 digital technology and tools, and the use of
11 partnerships to expand and improve serv-
12 ices to jobseekers and workers, including”;

13 (ii) by redesignating subparagraphs
14 (B) and (C) as subparagraphs (C) and
15 (D), respectively;

16 (iii) by inserting after subparagraph
17 (A) the following:

18 “(B) local boards and one-stop centers on
19 effective outreach and enhanced services to
20 businesses, joint labor-management partner-
21 ships, industry associations, and industry or
22 sector partnerships, to provide employment and
23 training activities reflective of regional economic
24 priorities and the skill and competency needs of

1 in-demand industry sectors and occupations;”;
2 and

3 (iv) in subparagraph (D), as so reded-
4 igned, by striking “adaptability, to” and
5 inserting “adaptability to reduce the time
6 required for attainment of a recognized
7 postsecondary credential or reskilling,
8 and”; and

9 (C) in paragraph (7)—

10 (i) in the matter preceding subpara-
11 graph (A), by striking “technological im-
12 provements to facilitate access” and insert-
13 ing “improvements in the use of digital
14 technology to facilitate and expand ac-
15 cess”;

16 (ii) by amending subparagraphs (B)
17 and (C) to read as follows:

18 “(B) accelerate—

19 “(i) the acquisition of skills, com-
20 petencies, and recognized postsecondary
21 credentials by participants with respect to
22 an in-demand industry sector or occupa-
23 tion in a State or local area; and

24 “(ii) the matching of participants to
25 career pathways and employment opportu-

1 nities based on the skills, competencies,
2 and recognized postsecondary credentials
3 attained by such participants;

4 “(C) strengthen the professional develop-
5 ment of providers and workforce professionals,
6 ensuring professional development activities in-
7 clude—

8 “(i) trauma-informed practices and
9 human-centered design that serve individ-
10 uals with barriers to employment;

11 “(ii) preparing providers and work-
12 force professionals to use the latest tech-
13 nology;

14 “(iii) accessing and understanding
15 labor market data; and

16 “(iv) ensuring equitable access and
17 service delivery for individuals who have
18 been historically underserved,
19 marginalized, and adversely affected as a
20 result of race, ethnicity, or gender, includ-
21 ing training on customer-centered service
22 delivery, racial bias, cultural competence,
23 occupational stereotyping, and strategies
24 for increasing participant and worker
25 voices; and”;

1 (iii) in subparagraph (D), by striking
2 “with disabilities and individuals” and in-
3 sserting “with barriers to employment, in-
4 cluding individuals with disabilities, and to
5 individuals”.

6 **SEC. 202. UNIFIED STATE PLAN.**

7 Section 102 (29 U.S.C. 3112) is amended—

8 (1) in subsection (b)—

9 (A) by amending paragraph (1) to read as
10 follows:

11 “(1) STRATEGIC PLANNING ELEMENTS.—The
12 unified State plan shall include strategic planning
13 elements consisting of a strategic vision and goals
14 for preparing an educated and skilled workforce,
15 that include—

16 “(A) a summary and conclusions of anal-
17 ysis conducted of the economic conditions in the
18 State using labor market information, includ-
19 ing—

20 “(i) existing and emerging in-demand
21 industry sectors and occupations;

22 “(ii) the industry or sector partner-
23 ships within the State and the opportuni-
24 ties for expansion of such partnerships to
25 support sector-specific initiatives;

1 “(iii) projected industries or sectors
2 within the State expected to decline or face
3 significant changes in employment oppor-
4 tunities; and

5 “(iv) the employment needs of em-
6 ployers, including a description of the
7 knowledge, skills, competencies, and abili-
8 ties currently needed and projected to be
9 needed, in those industries and occupa-
10 tions;

11 “(B) a summary and conclusions of anal-
12 ysis conducted of the current workforce using
13 labor market information, employment and un-
14 employment data, labor market trends, and the
15 educational and skill levels of the workforce, in-
16 cluding individuals with barriers to employment,
17 in the State;

18 “(C) an analysis of the workforce develop-
19 ment activities (including career services, edu-
20 cation, and training) in the State, in coordina-
21 tion with the Perkins-eligible agency in the
22 State, in order to address the identified edu-
23 cation and skill needs of the workforce and the
24 employment needs of employers in the State, in-
25 cluding—

1 “(i) an analysis of the strengths and
2 weaknesses of such activities;

3 “(ii) the capacity of State entities to
4 provide such activities that meet the spe-
5 cific needs of youth, including opportunity
6 youth, and individuals with barriers to em-
7 ployment;

8 “(iii) an analysis of educational, skill,
9 and competency levels of individuals served
10 by the workforce system as compared to
11 such levels required to address the employ-
12 ment needs in the State; and

13 “(iv) an analysis of the career path-
14 ways offered within the State, including an
15 analysis of how such pathways are aligned
16 to the education and training needs of the
17 current and future workforce within the
18 State, and the development and expansion
19 of career pathways to meet current and fu-
20 ture workforce needs;

21 “(D) a description of—

22 “(i) the State’s strategic vision and
23 goals for preparing an educated and skilled
24 workforce, including preparing youth (in-
25 cluding opportunity youth), and individuals

1 with barriers to employment and for meet-
2 ing the skilled workforce needs of employ-
3 ers (including in existing and emerging in-
4 demand industry sectors and occupations
5 as identified by the State), and goals of
6 the State relating to performance account-
7 ability measures based on primary indica-
8 tors of performance described in section
9 116(b)(2)(A), in order to support economic
10 growth and economic self-sufficiency;

11 “(ii) how the State will assess the
12 overall effectiveness of the workforce in-
13 vestment system in the State;

14 “(iii) the career pathways offered
15 within the State, including an analysis of
16 how such pathways are aligned to the edu-
17 cation and training needs of the current
18 and future workforce within the State, and
19 the development and expansion of career
20 pathways to meet current and future work-
21 force needs; and

22 “(iv) how the State will work with
23 local areas to achieve equitable service de-
24 livery and outcomes for individuals with
25 barriers to employment, including employ-

1 ment and earnings outcomes by applying
2 the information provided in the State eq-
3 uity report, for such State under section
4 116(f);

5 “(E) a description of strategies the State
6 intends to adopt to achieve the vision and each
7 goal described in subparagraph (D) through—

8 “(i) joint planning, alignment, coordi-
9 nation, and leveraging of funds between—

10 “(I) core programs under this
11 Act; and

12 “(II) other Federal programs, as
13 determined appropriate by the State,
14 such as—

15 “(aa) programs and activi-
16 ties under the Carl D. Perkins
17 Career and Technical Education
18 Act of 2006 (20 U.S.C. 2301 et
19 seq.);

20 “(bb) programs under the
21 Elementary and Secondary Edu-
22 cation Act of 1965 (20 U.S.C.
23 6301 et seq.);

24 “(cc) programs under the
25 Individuals with Disabilities Edu-

1 cation Act (20 U.S.C. 1400 et
2 seq.);

3 “(dd) programs under the
4 Higher Education Act of 1965
5 (20 U.S.C. 1001 et seq.);

6 “(ee) apprenticeship pro-
7 grams; and

8 “(ff) the Medicaid program
9 under title XIX of the Social Se-
10 curity Act (42 U.S.C. 1396 et
11 seq.); and

12 “(ii) the provision of information
13 about access to available State assistance
14 or assistance under related Federal pro-
15 grams, including such assistance under—

16 “(I) section 6(d) of the Food and
17 Nutrition Act of 2008 (7 U.S.C.
18 2015(d));

19 “(II) section 3672(c)(1) of title
20 38, United States Code;

21 “(III) section 231 of the Second
22 Chance Act of 2007 (34 U.S.C.
23 60541); and

24 “(IV) the State Temporary As-
25 sistance for Needy Families programs

1 under part A of title IV of the Social
2 Security Act.”;

3 (B) by redesignating paragraphs (2) and
4 (3) as paragraphs (3) and (4), respectively; and

5 (C) by inserting after paragraph (1) the
6 following:

7 “(2) PLAN DEVELOPMENT.—

8 “(A) IN GENERAL.—The Governor and
9 State board shall—

10 “(i) develop the unified State plan in
11 consultation with—

12 “(I) representatives of local
13 boards and chief elected officials;

14 “(II) the community colleges in
15 the State;

16 “(III) eligible providers of train-
17 ing services, including eligible pro-
18 viders of nontraditional training serv-
19 ices and eligible providers of appren-
20 ticeship programs and pre-apprentice-
21 ship programs, and eligible providers
22 of on-the-job training, customized
23 training, incumbent worker training,
24 internships, paid or unpaid work expe-
25 rience opportunities, or transitional

1 jobs, secondary schools and institu-
2 tions of higher education (including
3 institutions offering career and tech-
4 nical education programs, minority-
5 serving institutions, and historically
6 Black colleges and universities), and
7 providers of supported employment
8 services;

9 “(IV) interested community rep-
10 resentatives, including community-
11 based organizations;

12 “(V) individuals with barriers to
13 employment or organizations rep-
14 resenting such individuals;

15 “(VI) representatives of business
16 and industry, including representa-
17 tives of small business and representa-
18 tives of industry and sector partner-
19 ships in the State;

20 “(VII) representatives of labor
21 organizations and joint labor-manage-
22 ment organizations in the State;

23 “(VIII) representatives of agen-
24 cies serving opportunity youth, and
25 homeless children and youth, includ-

1 ing the State Coordinator for Edu-
2 cation of Homeless Children and
3 Youths established or designated
4 under section 722(d)(3) of the McKin-
5 ney-Vento Homeless Assistance Act
6 (42 U.S.C. 11432(d)(3));

7 “(IX) representatives of Indian
8 tribes and tribal organizations located
9 in, or providing services in, the State;

10 “(X) representatives of the Per-
11 kins-eligible agency;

12 “(XI) representatives of the adult
13 education and literacy community;
14 and

15 “(XII) other primary stake-
16 holders; and

17 “(ii) consult the heads of other State
18 agencies with respect to the development of
19 the unified State plan, including the State
20 designated unit under subparagraph (A) of
21 section 101(a)(11) of the Rehabilitation
22 Act of 1973.

23 “(B) PUBLIC COMMENT.—

24 “(i) WRITTEN COMMENTS.—Not less
25 than 60 days prior to submission of the

1 unified State plan, the Governor shall pro-
2 vide stakeholders described in subpara-
3 graph (A)(i) with the opportunity to pro-
4 vide written comments on the unified State
5 plan—

6 “(I) which shall be included in
7 the final unified State plan; and

8 “(II) which shall include com-
9 ments on whether and how the unified
10 State plan—

11 “(aa) meets the require-
12 ments of this Act;

13 “(bb) supports the improve-
14 ment of performance of individ-
15 uals with barriers to employment;

16 “(cc) supports the employ-
17 ment needs of the State (includ-
18 ing the business community,
19 labor organizations, education
20 and training providers, and other
21 relevant parties), including in the
22 design and content of the train-
23 ing, work experience, career ex-
24 ploration, on-the-job training,
25 and other career and training ac-

1 activities (including information re-
2 lated to employment opportuni-
3 ties, wage rates, benefits, career
4 pathways, and in-demand indus-
5 try sectors and occupations); and

6 “(dd) takes into account col-
7 lective bargaining agreements
8 that include training or sub-
9 subsidized employment, including
10 how the elements of such training
11 or employment may affect the
12 bargaining agreement (such as
13 wages, benefits, and other fac-
14 tors).

15 “(ii) STATE WORKFORCE AGENCY RE-
16 SPONSE.—Each State plan shall include a
17 written response to the comments provided
18 by stakeholders under clause (i).”;

19 (D) in paragraph (3), as so redesignated—

20 (i) in subparagraph (B)—

21 (I) in clause (iv), by striking
22 “colleges and area career and tech-
23 nical education schools” and inserting
24 “colleges, secondary schools and area
25 career and technical education

1 schools, and adult education providers
2 under title II”;

3 (II) in clause (v), by striking
4 “and” at the end;

5 (III) by amending clause (vi) to
6 read as follows:

7 “(vi) how the State’s strategy will—

8 (I) improve access to activities
9 leading to a recognized postsecondary
10 credential (including credentials that
11 are portable, stackable, and aligned to
12 high-skill, high-wage, or in-demand in-
13 dustry sectors and occupations); and

14 (II) assess and validate the
15 skills and competencies of such cre-
16 dentials and alignment to new or ex-
17 isting career pathways; and”;

18 (IV) by adding at the end the fol-
19 lowing:

20 “(viii) how the State will work with
21 local areas to achieve equitable service de-
22 livery and outcomes for individuals with
23 barriers to employment by applying the in-
24 formation provided in the State equity re-
25 port for such State under section 116(f).”;

1 (ii) in subparagraph (D)—

2 (I) in clause (i)(II), by striking
3 “local boards and chief elected offi-
4 cials in determining the planning re-
5 gions” and inserting “the State eco-
6 nomic development agency to support
7 alignment to the extent practicable,
8 local boards and chief elected officials
9 in determining the planning regions
10 and work of such regions”; and

11 (II) in clause (ii)—

12 (aa) in subclause (V), by in-
13 serting “and” at the end; and

14 (bb) by adding at the end
15 the following:

16 “(VI) how the eligible agency will
17 promote the professionalization of
18 adult education through the adoption
19 of full-time staffing models, including,
20 at the eligible agency’s discretion, how
21 the eligible agency will give funding
22 priority to local providers that have
23 adopted such models;”; and

24 (iii) in subparagraph (E)—

25 (I) in clause (iii)—

1 (aa) in subclause (I), by in-
2 serting “, ensuring that services
3 and resources are accessible
4 throughout the State and local
5 areas, including in urban, rural
6 and suburban areas” after “such
7 programs”; and

8 (bb) by amending subclause
9 (II) to read as follows:

10 “(II) that the State obtained input
11 into the development of the unified State
12 plan and provided an opportunity for com-
13 ment on the plan by the individuals listed
14 in subsection (b)(2)(A)(i), and that the
15 unified State plan is published on a pub-
16 licly accessible website;” and

17 (II) by striking “and” at the end
18 of clause (ix);

19 (III) in clause (x), by striking the
20 period at the end and inserting “;
21 and”; and

22 (IV) by adding at the end the fol-
23 lowing:

24 “(ix) that the employment services au-
25 thorized under sections 1 through 13 of

1 the Wagner-Peyser Act (29 U.S.C. 49 et
2 seq.) are performed by public employees
3 under a merit system; and

4 “(x) that the State will not prohibit
5 self-attestation in a manner consistent with
6 section 402A(e) of the Higher Education
7 Act of 1965 (20 U.S.C. 1070a–11(e)) as a
8 means for determining the eligibility of the
9 individual who is self-attesting for a pro-
10 gram or service under this Act.”; and

11 (2) in subsection (c)—

12 (A) in paragraph (1)(A), by striking “the
13 Workforce Innovation and Opportunity Act”
14 and inserting “the Workforce Innovation and
15 Opportunity Act of 2022”; and

16 (B) by striking paragraph (4).

17 **SEC. 203. COMBINED STATE PLAN.**

18 Section 103(a)(2) (29 U.S.C. 3113(a)(2)) is amended
19 by adding at the end the following:

20 “(L) State Apprenticeship Agencies, as ap-
21 plicable.”.

22 **CHAPTER 2—LOCAL PROVISIONS**

23 **SEC. 206. WORKFORCE DEVELOPMENT AREAS.**

24 (a) REGIONS.—Section 106(a)(1) (29 U.S.C.
25 3121(a)(1)) is amended—

1 (1) by striking “this Act” and inserting “the
2 Workforce Innovation and Opportunity Act of
3 2022”; and

4 (2) by inserting “, the State economic develop-
5 ment agency, the State apprenticeship agency, as
6 applicable,” after “local boards”.

7 (b) LOCAL AREAS.—Section 106(b) (29 U.S.C.
8 3121(b)) is amended—

9 (1) in paragraph (1)—

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

12 “(ii) after consultation with the State
13 economic development agency, chief elected
14 officials, and local boards, and consider-
15 ation of comments received through the
16 public comment process as described in
17 section 102(b)(2)(E)(iii)(II).”;

18 (B) in subparagraph (B)—

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

21 (ii) in clause (iii)—

22 (I) by striking “higher education
23 and” and inserting “higher edu-
24 cation,”; and

1 (II) by striking the period at the
2 end and inserting “, and apprentice-
3 ship and pre-apprenticeship programs;
4 and”;

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

7 “(iv) improve service delivery and effi-
8 ciency under the workforce development
9 system, and provide for sufficient access to
10 comprehensive one-stop centers and affili-
11 ated sites.”;

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

13 “(C) CONSULTATIONS.—The State eco-
14 nomic development agency, chief elected offi-
15 cials, and local boards shall provide such con-
16 sultations as requested by the Governor in a
17 timely manner.”;

18 (2) by amending paragraph (2) to read as fol-
19 lows:

20 “(2) INITIAL DESIGNATION.—During the first 2
21 full program years following the date of enactment
22 of the Workforce Innovation and Opportunity Act of
23 2022, the Governor shall approve a request for ini-
24 tial designation as a local area from any area that—

1 “(A) was designated as a local area for
2 purposes of this Act or the 2-year period pre-
3 ceding the date of enactment of the Workforce
4 Innovation and Opportunity Act of 2022;

5 “(B) performed successfully; and

6 “(C) sustained fiscal integrity.”; and

7 (3) in paragraph (4), by adding at the end the
8 following: “Such designation may include the com-
9 bining of areas that were designated as local areas
10 under this subsection before the date of enactment
11 of the Workforce Innovation and Opportunity Act of
12 2022 within a region described in subsection (a), to
13 form a new, redesignated local area under this sub-
14 section, if all chief elected officials and local boards
15 in the affected areas agree to such a redesignation.”.

16 (c) REGIONAL COORDINATION.—Section 106(c)(1)
17 (29 U.S.C. 3121(c)(1)) is amended—

18 (1) in subparagraph (F), by inserting “and
19 prioritizing such services for individuals with bar-
20 riers to employment,” after “services,”;

21 (2) in subparagraph (G), by striking “and” at
22 the end;

23 (3) in subparagraph (H), by striking the period
24 at the end and inserting “; and”; and

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

1 “(I) the analysis of in-demand skills and
2 competencies within the region, and cor-
3 responding wages offered for jobs requiring
4 such skills and competencies.”.

5 (d) DEFINITIONS.—Section 106(e) (29 U.S.C.
6 3121(e)) is amended—

7 (1) in paragraph (1), by striking “(or, if appli-
8 cable, core indicators of performance described in
9 section 136(b)(2)(A) of the Workforce Investment
10 Act of 1998, as in effect the day before the date of
11 enactment of this Act)”; and

12 (2) in paragraph (2), by striking “(or, if appli-
13 cable, title I of the Workforce Investment Act of
14 1998 as in effect prior to the effective date of such
15 subtitle B)”.

16 **SEC. 207. LOCAL WORKFORCE DEVELOPMENT BOARDS.**

17 (a) MEMBERSHIP.—Section 107(b) (29 U.S.C.
18 3122(b)) is amended—

19 (1) in paragraph (2)—

20 (A) in subparagraph (B)—

21 (i) in the matter preceding clause (i),
22 by striking “20” and inserting “30”; and

23 (ii) in clause (iv)—

24 (I) by inserting “eligible youth
25 and” after “include”; and

1 (II) by striking “out-of-school”
2 and inserting “opportunity”; and

3 (B) in subparagraph (C)(ii), by striking
4 the semicolon and inserting “; and”;

5 (C) by striking “and” at the end of sub-
6 paragraph (D)(v);

7 (D) by striking the period at the end of
8 subparagraph (E) and inserting a semicolon;
9 and

10 (E) by adding at the end the following:

11 “(F) DEMOGRAPHIC DIVERSITY.—The
12 members of the local board shall represent di-
13 verse demographic populations of the local
14 area.”;

15 (2) in paragraph (3), by adding at the end the
16 following: “Each chairperson shall ensure that each
17 new board member is provided with information on
18 the local area, employment opportunities (including
19 youth employment opportunities), industry or sector
20 partnerships, eligible providers or training services,
21 and demographic information of participants served
22 including individuals with barriers to employment.”;
23 and

24 (3) in paragraph (4)(A)—

1 (A) in clause (ii), by inserting “, if applica-
2 ble, YouthBuild operators, and” after “in-
3 clude”;

4 (B) in clause (iii), by inserting before the
5 period at the end the following: “, which include
6 individuals with disabilities or representatives of
7 organizations serving individuals with disabil-
8 ities”; and

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

10 “(iv) A standing committee to provide
11 information to assist with planning, oper-
12 ational, and other issues relating to the
13 provision of adult education services, which
14 shall include providers of adult education
15 carried out under title II of this Act.

16 “(v) A standing committee to provide
17 information related to work-based learning
18 opportunities, which shall include a rep-
19 resentative from a provider of work-based
20 learning, including a provider of related in-
21 struction under an apprenticeship.

22 “(vi) A standing committee, which
23 shall include representatives of workers
24 and their communities (including labor and
25 community-based organizations), to provide

1 information to assist with responding to
2 rapid changes in the economy such as—

3 “(I) mass layoffs;

4 “(II) unexpected increases in un-
5 employment; and

6 “(III) introduction of new em-
7 ployment opportunities, including the
8 assessment of the in-demand skills
9 and competencies of the local area.”.

10 (b) APPOINTMENT AND CERTIFICATION OF
11 BOARD.—Section 107(c) (29 U.S.C. 3122(c)) is amend-
12 ed—

13 (1) in paragraph (1), by adding at the end the
14 following:

15 “(D) PUBLICATION.—The chief elected of-
16 ficial or officials appointing the board for a
17 local area shall make publicly available the
18 membership of the board (including information
19 identifying how the membership composition re-
20 quirements of subsection (b) have been met
21 (other than the requirements of paragraph
22 (2)(F) of such subsection)), including by post-
23 ing that information on the website of the ap-
24 propriate unit of local government included in
25 the local area.”; and

1 (2) in paragraph (4)(A), by striking “and (2)”
2 and inserting “, (2), and (3)”.

3 (c) FUNCTIONS OF LOCAL BOARD.—Section 107(d)
4 (29 U.S.C. 3122(d)) is amended—

5 (1) in paragraph (2)(A), by striking “skills”
6 and inserting “, skills, and competencies”;

7 (2) in paragraph (3), in the first sentence, by
8 inserting “, including supportive services offered by
9 community-based organizations,” after “resources”;

10 (3) in paragraph (4)—

11 (A) in subparagraph (B), by inserting
12 “and” after the semicolon;

13 (B) by amending subparagraph (C) to read
14 as follows:

15 “(C) to ensure that workforce investment
16 activities meet the skilled workforce needs of
17 employers and support economic growth in the
18 region by enhancing communication, coordina-
19 tion, and collaboration among employers, eco-
20 nomic development entities, and service pro-
21 viders, including by developing and imple-
22 menting proven or promising strategies for—

23 “(i) meeting the employment, skill,
24 and competency needs of workers and em-
25 ployers (including the establishment of in-

1 industry and sector partnerships) and sup-
2 porting skill and competency-based hiring;

3 “(ii) improving access to jobs in high-
4 skill, high-wage, or in-demand industry
5 sectors and occupations, to expand employ-
6 ment and career advancement opportuni-
7 ties for workforce development system par-
8 ticipants in in-demand industry sectors or
9 occupations; and

10 “(iii) recruiting a more diverse work-
11 force.”; and

12 (C) by striking subparagraph (D);

13 (4) in paragraph (5)—

14 (A) by striking “and postsecondary” and
15 inserting “, postsecondary, and adult”;

16 (B) by inserting “, systems, and pro-
17 grams” after “pathways”; and

18 (C) by inserting “and opportunity youth”
19 after “to employment”;

20 (5) by amending subparagraph (A) of para-
21 graph (6) to read as follows:

22 “(A) identify and promote strategies and
23 initiatives to the one-stop delivery system for
24 meeting the needs of employers, workers, and
25 jobseekers (including individuals with barriers

1 to employment) in the local workforce develop-
2 ment system, including—

3 “(i) providing physical and pro-
4 grammatic accessibility, in accordance with
5 section 188, if applicable, and applicable
6 provisions of the Americans with Disabil-
7 ities Act of 1990 (42 U.S.C. 12101 et
8 seq.); and

9 “(ii) identifying and implementing
10 strategies to assure service delivery is ac-
11 cessible to all eligible individuals, including
12 individuals with barriers to employment;
13 and”;

14 (1) by amending paragraph (7) to read as fol-
15 lows:

16 “(7) TECHNOLOGY.—The local board shall de-
17 velop strategies for using technology to maximize the
18 accessibility and effectiveness of the local workforce
19 development system, including in remote areas, for
20 employers, workers, and jobseekers, by—

21 “(A) identifying and integrating new dig-
22 ital technologies into business services, career
23 navigation, and employment and training activi-
24 ties, and working with the State to offer serv-
25 ices virtually or through in-person service deliv-

1 ery strategies that are augmented through the
2 use of technology;

3 “(B) facilitating connections among the in-
4 take and case management information systems
5 of the one-stop partner programs to support a
6 comprehensive workforce development system in
7 the local area, including through coordination
8 and collaboration with one-stop partner pro-
9 grams to support coenrollment of programs, as
10 applicable;

11 “(C) identifying strategies for better meet-
12 ing the needs of individuals with barriers to em-
13 ployment, including strategies that augment
14 traditional service delivery, and increase access
15 to services and programs of the one-stop deliv-
16 ery system, such as improving digital literacy
17 skills, assessments of skills and competencies,
18 and prior learning assessments assisted through
19 the use of technology; and

20 “(D) leveraging resources and capacity
21 within the local workforce development system,
22 including resources and capacity for services for
23 individuals with barriers to employment.”;

24 (2) in paragraph (10)—

1 (A) in subparagraph (B)(ii), by inserting
2 “as described in section 122” after “providers”;

3 (B) in subparagraph (C), by inserting
4 “and make information about such providers
5 publicly available, including to community-based
6 organizations” after “local area”; and

7 (C) in subparagraph (D), by inserting
8 “and make information about such providers
9 publicly available, including to community-based
10 organizations” after “contracts”;

11 (3) in paragraph (11)(A), by inserting “, local
12 educational agencies, institutions of higher education
13 located in the local area, including minority-serving
14 institutions, historically Black colleges and univer-
15 sities, and Tribally controlled colleges or universities,
16 as appropriate,” after “2302))”; and

17 (4) in paragraph (12)(A), by striking “for the”
18 and inserting “for all funds not otherwise reserved
19 by the State allocated to local areas under section
20 128(b) and section 133(b), for local youth workforce
21 activities authorized under section 129(c), and for
22 local employment and training activities authorized
23 under subsection (b) of section 134, and”.

24 (d) SUNSHINE PROVISION.—Section 107(e) (29
25 U.S.C. 3122(e)) is amended by inserting “that conforms

1 at a minimum, to Level AA of the Web Content Accessi-
2 bility Guidelines 2.0 of the Web Accessibility Initiative (or
3 any successor guidelines)” after “means”.

4 (e) STAFF.—Section 107(f) (29 U.S.C. 3122(f)) is
5 amended—

6 (1) by amending paragraph (2) to read as fol-
7 lows:

8 “(2) QUALIFICATIONS.—The local board shall
9 establish and apply a set of qualifications for the po-
10 sition of director that ensures that the individual se-
11 lected has the requisite knowledge, skills, and abili-
12 ties, to meet identified benchmarks and effectively
13 carry out the functions of the local board.”; and

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

15 “(4) PROFESSIONAL DEVELOPMENT.—The local
16 board shall ensure the provision of training to local
17 board and one-stop delivery system staff on—

18 “(A) the expanded use of digital tech-
19 nology and tools for augmenting and improving
20 the delivery of services to participants and em-
21 ployers;

22 “(B) the implementation of evidence-based
23 strategies, such as career pathways and sector
24 initiatives, and trauma-informed and gender-re-

1 sponsive counseling for meeting the needs of in-
2 dividuals with barriers to employment; and

3 “(C) how to improve and ensure equitable
4 service delivery and outcomes for individuals
5 who have been historically underserved,
6 marginalized, and adversely affected as a result
7 of race, ethnicity, or gender, including training
8 on customer-centered service delivery, gender
9 and racial bias, cultural competence, occupa-
10 tional stereotyping, and strategies for increas-
11 ing participant and worker voice.”.

12 **SEC. 208. LOCAL PLAN.**

13 Section 108(b) (29 U.S.C. 3123(b)) is amended—

14 (1) in paragraph (1)—

15 (A) in subparagraph (A)—

16 (i) in clause (i), by striking “and” at
17 the end;

18 (ii) in clause (ii), by inserting “and”
19 at the end; and

20 (iii) by adding at the end the fol-
21 lowing:

22 “(iii) projected industries or sectors
23 within the local area expected to decline or
24 face significant changes in employment op-
25 portunities;”;

1 (B) in subparagraph (B), by striking “and
2 skills” and inserting “, skills, and com-
3 petencies”; and

4 (C) in subparagraph (C), by striking “(and
5 unemployment)” and inserting “(unemploy-
6 ment, and underemployment)”;

7 (2) by amending paragraph (2) to read as fol-
8 lows:

9 (3) in paragraph (2)—

10 “(2) a description and assessment of the work-
11 force development system in the local area that iden-
12 tifies the programs that are included in that system
13 and how the local board will work with the entities
14 carrying out core programs and other workforce de-
15 velopment programs to support alignment of serv-
16 ices, including—

17 “(A) services provided under programs
18 that support the strategies identified in the
19 State plan under section 102(b)(1)(E), includ-
20 ing—

21 “(i) programs of study authorized
22 under the Carl D. Perkins Career and
23 Technical Education Act of 2006 (20
24 U.S.C. 2301 et seq.);

1 “(ii) title II (relating to adult edu-
2 cation and family literacy activities), in-
3 cluding a description of how the local
4 board will carry out, consistent with sub-
5 paragraphs (A) and (B)(i) of section
6 107(d)(11) and section 232, the review of
7 local applications submitted under title II;

8 “(iii) title I of the Rehabilitation Act
9 of 1973 (29 U.S.C. 720 et seq.); and

10 “(iv) apprenticeship programs; and

11 “(B) the statewide rapid response activities
12 under section 134(a)(2)(A);”;

13 (4) in paragraph (3), by inserting “and expan-
14 sion” after “development”;

15 (5) in paragraph (4)—

16 (A) in subparagraph (A)—

17 (i) in clause (i), by striking “, includ-
18 ing small employers and employers in in-
19 demand industry sectors and occupations,
20 in workforce development programs” and
21 inserting “in workforce development pro-
22 grams, including small employers, employ-
23 ers in high-skill, high-wage, or in-demand
24 industry sectors and occupations, and em-
25 ployers in industry or sector partnerships”;

1 (ii) in clause (iii), by striking “and”
2 at the end;

3 (iii) in clause (iv), by inserting “, and
4 benefits, such as food and housing secu-
5 rity” after “unemployment insurance pro-
6 grams”; and

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

9 “(v) improve the ability of individuals
10 to make informed decisions about career
11 pathways and training services, employ-
12 ment opportunities and job quality, and
13 workplace rights and responsibilities; and”;
14 and

15 (B) in subparagraph (B), by inserting
16 “and individuals” after “employers”;

17 (6) in paragraph (6)—

18 (A) in subparagraph (B), by inserting “,
19 including digital technology,” after “tech-
20 nology”;

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

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

24 “(E) a description of how the one-stop de-
25 livery system, including one-stop operators and

1 one-stop partners, will work with employers to
2 support the hiring of individuals with barriers
3 to employment to ensure equitable service deliv-
4 ery and participant outcomes; and

5 “(F) a description of how one-stop centers
6 are implementing and transitioning to an inte-
7 grated, technology-enabled intake and case
8 management information system for programs
9 carried out under this Act and programs car-
10 ried out by one-stop partners;”;

11 (7) by striking paragraphs (7) and (8);

12 (8) by redesignating paragraphs (9) through
13 (12) as paragraphs (7) through (10), respectively;

14 (9) in paragraph (7), as so redesignated, by
15 striking “assessment of” and inserting “comprehen-
16 sive local needs assessment, as described in section
17 129(a)(2) of”;

18 (10) by striking paragraph (13);

19 (11) by redesignating paragraphs (14) through
20 (20) as paragraphs (11) through (17), respectively;

21 (12) by inserting after paragraph (17), as so
22 redesignated, the following:

23 “(18) that the local area will not prohibit self-
24 attestation in a manner consistent with section
25 402A(e) of the Higher Education Act of 1965 (20

1 U.S.C. 1070a–11(e)) as a means for determining the
2 eligibility of the individual who is self-attesting for
3 a program or service under this Act; and”;

4 (13) by striking paragraph (21); and

5 (14) by redesignating paragraph (22) as para-
6 graph (19).

7 **CHAPTER 3—PERFORMANCE**

8 **ACCOUNTABILITY**

9 **SEC. 211. PERFORMANCE ACCOUNTABILITY SYSTEM.**

10 Section 116 of the Workforce Innovation and Oppor-
11 tunity Act (29 U.S.C. 3141) is amended—

12 (1) in subsection (b)—

13 (A) in paragraph (2)—

14 (i) in subparagraph (A)—

15 (I) by amending clause (i) to
16 read as follows:

17 “(i) IN GENERAL.—The State primary
18 indicators of performance for activities
19 provided under the adult and dislocated
20 worker programs authorized under chapter
21 3 of subtitle B, the program of adult edu-
22 cation and family literacy activities author-
23 ized under title II, the employment services
24 program authorized under sections 1
25 through 13 of the Wagner-Peyser Act (29

1 U.S.C. 49 et seq.) (except that subclauses
2 (V) and (VI) shall not apply to such pro-
3 gram), and the program authorized under
4 title I of the Rehabilitation Act of 1973
5 (29 U.S.C. 720 et seq.) (other than section
6 112 or part C of that title (29 U.S.C. 732,
7 741)), shall consist of—

8 “(I) the percentage of program
9 participants who are in unsubsidized
10 employment during the second quarter
11 after exit from the program;

12 “(II) the percentage of program
13 participants who are in unsubsidized
14 employment during the fourth quarter
15 after exit from the program;

16 “(III) the median earnings of
17 program participants who are in un-
18 subsidized employment during the sec-
19 ond quarter after exit from the pro-
20 gram;

21 “(IV) the median earnings of
22 program participants who are in un-
23 subsidized employment during the
24 fourth quarter after exit from the pro-
25 gram;

1 “(V) the percentage of program
2 participants who obtain a recognized
3 postsecondary credential, or a sec-
4 ondary school diploma or its recog-
5 nized equivalent (subject to clause
6 (iii)), during participation in or within
7 1 year after exit from the program;
8 and

9 “(VI) the percentage of program
10 participants who are in an education
11 or training program that leads to a
12 recognized postsecondary credential or
13 employment, and who are achieving
14 measurable skill gains toward such a
15 credential or employment.”;

16 (II) in clause (iii), by inserting
17 before the period at the end the fol-
18 lowing: “, unless such participants are
19 enrolled in services under title II.”

20 (III) by striking clause (iv);

21 (ii) by amending subparagraph (B) to
22 read as follows:

23 “(B) ADDITIONAL INDICATORS.—

1 “(i) STATE IDENTIFIED.—A State
2 may identify in the State plan additional
3 performance accountability indicators.

4 “(ii) SECRETARY IDENTIFIED.—The
5 Secretary may identify additional indica-
6 tors related to the quality of participants’
7 unsubsidized employment after exit from a
8 program, including factors such as avail-
9 ability of paid time off, health, and retire-
10 ment benefits, workplace safety and non-
11 discrimination standards, predictable and
12 stable work schedule, stackable credentials,
13 and advancement opportunities.”; and

14 (B) in paragraph (3)(A)—

15 (i) by amending clause (iii) to read as
16 follows:

17 “(iii) IDENTIFICATION IN STATE
18 PLAN.—The Secretary of Labor in con-
19 junction with the Secretary of Education
20 shall—

21 “(I) propose expected levels of
22 performance for each of the cor-
23 responding primary indicators of per-
24 formance for each of the programs de-
25 scribed in clause (ii) for each State

1 for the first 2 program years covered
2 by the State plan, and for the third
3 and fourth program years covered by
4 the State plan, which shall be con-
5 sistent with the factors listed under
6 clause (v); and

7 “(II) publish on a publicly acces-
8 sible website—

9 “(aa) the statistical model
10 developed under clause (viii), and
11 the methodology used to develop
12 each such proposed expected level
13 of performance; and

14 “(bb) each such proposal.”;

15 (ii) in clause (v)—

16 (I) in subclause (II)(bb)—

17 (aa) by striking “ex-offender
18 status, and welfare dependency”
19 and inserting “justice involve-
20 ment, and receipt of public as-
21 sistance”; and

22 (bb) by inserting before the
23 semicolon at the end “; and other
24 factors the Secretary determines
25 relevant”;

1 (II) by amending subclause (III)
2 to read as follows:

3 “(III) take into account the ex-
4 tent to which the levels involved pro-
5 mote continuous improvement, which
6 may reflect an increase in the level of
7 performance accountability measures,
8 a change in service strategy and deliv-
9 ery, or a change in the participants
10 served by such State and ensure opti-
11 mal return on the investment of Fed-
12 eral funds; and”;

13 (iii) by amending clause (viii) to read
14 as follows:

15 “(viii) STATISTICAL ADJUSTMENT
16 MODEL.—The Secretary of Labor and the
17 Secretary of Education, after consultation
18 with the representatives described in para-
19 graph (4)(B), shall—

20 “(I) develop and disseminate an
21 objective statistical model that will be
22 used to make the adjustments in the
23 State adjusted levels of performance
24 for actual economic conditions and

1 characteristics of participants under
2 clauses (v) and (vii); and

3 “(II) publicly disclose the factors
4 included in the statistical adjustment
5 model in a report describing the model
6 used to determine the adjusted levels
7 of performance.”;

8 (2) in subsection (d)—

9 (A) in paragraph (2)—

10 (i) in subparagraph (F), by inserting
11 “, supportive,” after “career”;

12 (ii) in subparagraph (H), by inserting
13 “and percentage” after “number”; and

14 (iii) by redesignating subparagraph
15 (L) as subparagraph (M); and

16 (iv) by inserting after subparagraph
17 (K) the following:

18 “(L) information on earnings of partici-
19 pants 4 quarters prior to receiving career and
20 training services and, to the extent data is
21 available, in years 2 and 3 after exit from ca-
22 reer and training services;”;

23 (B) in paragraph (6)—

24 (i) by amending subparagraph (A) to
25 read as follows:

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

7 “(i) digitally using transparent,
8 linked, open, and interoperable data for-
9 mats that are human readable and ma-
10 chine actionable such that the data from
11 these reports can be easily included in web-
12 based tools and services supporting search,
13 discovery, comparison, analysis, navigation,
14 and guidance;

15 “(ii) electronically in easily under-
16 standable formats; and

17 “(iii) in paper-based formats, as nec-
18 essary.”;

19 (ii) by amending subparagraph (B) to
20 read as follows:

21 “(B) LOCAL AREA AND ELIGIBLE TRAIN-
22 ING PROVIDER PERFORMANCE REPORTS.—The
23 State shall, on an annual basis, make available
24 the performance reports for the local areas con-
25 taining the information described in paragraph

1 (3) and the performance reports for eligible
2 providers of training services containing the in-
3 formation described in paragraph (4), which
4 shall include making such reports available in
5 each of the formats described in clauses (i)
6 through (iii) of subparagraph (A).”; and

7 (iii) in subparagraph (D), by striking
8 “the Workforce” and inserting “Labor”;

9 (3) by redesignating subsections (f), (g), (h),
10 and (i) as subsections (g), (h), (i), and (j), respec-
11 tively;

12 (4) by inserting the following after subsection
13 (e):

14 “(f) STATE EQUITY REPORTS.—

15 “(1) IN GENERAL.—Using funds authorized
16 under a core program and made available to carry
17 out this section, the State, in coordination with local
18 boards in the State and the State agencies respon-
19 sible for the administration of the core programs,
20 shall annually prepare and submit to the Secretary
21 a report on the progress of the State in achieving
22 equitable outcomes in the State levels of perform-
23 ance relating to indicators described in subsection
24 (b)(2)(A) for a program for any program year,
25 which shall—

1 “(A) identify and quantify any disparities
2 or gaps in performance on such levels of per-
3 formance for each such indicator between—

4 “(i) individuals with barriers to em-
5 ployment; and

6 “(ii) individuals without such barriers
7 to employment; and

8 “(B) include a quantifiable description of
9 the progress that individuals with barriers to
10 employment have made in meeting such levels
11 of performance.

12 “(2) INFORMATION DISAGGREGATION.—The in-
13 formation provided in subparagraphs (A) and (B) of
14 paragraph (1) shall be disaggregated—

15 “(A) by industry sector; and

16 “(B) by each subpopulation of individuals
17 with barriers to employment (as defined in sec-
18 tion 3).

19 “(3) INFORMATION DISSEMINATION.—The Sec-
20 retary shall make the information contained in such
21 reports available to the general public in a manner
22 consistent with the requirements described in sub-
23 section (d)(6)(A).”.

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

3 **CHAPTER 1—WORKFORCE INVESTMENT**
4 **ACTIVITIES AND PROVIDERS**

5 **SEC. 221. 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)—

11 (A) in subparagraph (A)(ii), by striking “,
12 including payment of the infrastructure costs of
13 one-stop centers in accordance with subsection
14 (h)” and inserting “(other than payment of the
15 physical and virtual infrastructure costs of one-
16 stop centers in accordance with subsection (h),
17 except as provided under subsection
18 (c)(2)(A)(ii)(II) in the memorandum of under-
19 standing)”;

20 (B) in subparagraph (B)—

21 (i) by inserting “and” at the end of
22 clause (xi);

23 (ii) by striking clause (xii); and

24 (iii) by redesignating clause (xiii) as
25 clause (xii); and

1 (C) in subparagraph (C)(ii)(II), by striking
2 “and the Secretary of Health and Human Serv-
3 ices” and inserting “, the Secretary of Edu-
4 cation, and the Secretary of Health and Human
5 Services”; and

6 (2) in paragraph (2)(B)—

7 (A) by redesignating clause (vii) as clause
8 (viii);

9 (B) in clause (vi), by striking “and” after
10 the semicolon; and

11 (C) by inserting after clause (vii) the fol-
12 lowing:

13 “(vii) employment and training pro-
14 grams carried out by the Economic Devel-
15 opment Administration; and”.

16 (b) MEMORANDUM OF UNDERSTANDING.—Section
17 121(c)(2)(A) of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3151(c)(2)(A)) is amended—

19 (1) in clause (ii)—

20 (A) in subclause (I) by striking “and”
21 after the semicolon;

22 (B) by amending subclause (II) to read as
23 follows:

24 “(II) funding of physical and vir-
25 tual infrastructure costs of one-stop

1 centers in accordance with subsection
2 (h)(3), if funding received by the local
3 area under subsection (h)(2) is insuf-
4 ficient to cover such costs;” and

5 (2) by amending clause (iv) to read as follows:

6 “(iv) methods to provide appropriate
7 access of services (including access to tech-
8 nology and materials) to workers, youth,
9 and individuals with barriers to employ-
10 ment through the one-stop delivery system
11 to address the needs of such workers and
12 youth, and to increase access, particularly
13 in underserved and rural communities.”.

14 (c) ONE-STOP OPERATORS.—Section 121(d) of the
15 Workforce Innovation and Opportunity Act (29 U.S.C.
16 3151(d)) is amended—

17 (1) in paragraph (2)—

18 (A) in subparagraph (A), by striking
19 “process; and” and inserting “process, except
20 as authorized by paragraph (4); and”; and

21 (B) in subparagraph (B)—

22 (i) by amending clause (i) to read as
23 follows:

1 “(i) a secondary school, an area ca-
2 reer and technical education school, or an
3 institution of higher education;”;

4 (ii) in clause (v), by striking “and”
5 after the semicolon;

6 (iii) by redesignating clause (vi) as
7 clause (vii);

8 (iv) by inserting after clause (v) the
9 following:

10 “(vi) a public library; and”; and

11 (v) in clause (vii), as so redesignated,
12 by inserting “or joint labor-management”
13 after “a labor”;

14 (2) by redesignating paragraphs (3) and (4) as
15 paragraphs (5) and (6);

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

18 “(3) RESPONSIBILITIES.—The responsibilities
19 of the one-stop operator—

20 “(A) shall include managing the physical
21 and virtual infrastructure and operations of the
22 one-stop system in the local area, and facili-
23 tating coordination among the partners in the
24 one-stop system; and

1 “(B) may include the provision of direct
2 services to job seekers and employers.

3 “(4) LOCAL BOARD AS ONE-STOP OPERATOR.—
4 Subject to approval from the Governor and in ac-
5 cordance with any other eligibility criteria estab-
6 lished by the State, a local board may serve as a
7 one-stop operator consistent with the requirements
8 of this subsection.”; and

9 (4) in paragraph (5), as so redesignated, by
10 striking “and secondary schools”.

11 (d) ESTABLISHMENT OF ONE-STOP DELIVERY SYS-
12 TEM.—Section 121(e)(2) of the Workforce Innovation and
13 Opportunity Act (29 U.S.C. 3151(e)(2)) is amended—

14 (1) in subparagraph (A)—

15 (A) by inserting “in person or virtually”
16 after “accessible”; and

17 (B) by inserting “and virtually in a man-
18 ner that improves efficiency, coordination, and
19 quality in the delivery of one-stop partner serv-
20 ices” after “State”;

21 (2) in subparagraph (B)—

22 (A) in clause (i), by inserting “(such as a
23 community college campus, a secondary school,
24 an area career and technical education school,
25 or a public library) and through community-

1 based organizations” after “affiliated sites”;
2 and

3 (B) in clause (ii)(II) by adding “and” after
4 the semicolon;

5 (3) in subparagraph (C)—

6 (A) by inserting “virtual or physical” after
7 “may have”; and

8 (B) by striking “; and” and inserting a pe-
9 riod; and

10 (4) by striking subparagraph (D).

11 (e) CERTIFICATION AND CONTINUOUS IMPROVEMENT
12 OF ONE-STOP CENTERS.—Section 121(g)(2)(A) of the
13 Workforce Innovation and Opportunity Act (29 U.S.C.
14 3151(g)(2)(A)) is amended by striking “subsections
15 (h)(1)” and inserting “subsection (h)(3)”.

16 (f) FUNDING OF ONE-STOP INFRASTRUCTURE.—Sec-
17 tion 121(h) of the Workforce Innovation and Opportunity
18 Act (29 U.S.C. 3151(h)) is amended to read as follows:

19 “(h) FUNDING OF ONE-STOP INFRASTRUCTURE.—

20 “(1) IN GENERAL.—For any program year, not
21 more than 10 percent of the funds allotted under
22 sections 127, 132, and 211, and section 6 of the
23 Wagner-Peyser Act (29 U.S.C. 49e) shall be used to
24 fund the costs of infrastructure of one-stop centers
25 in local areas.

1 “(2) ALLOCATION BY GOVERNOR.—

2 “(A) IN GENERAL.—From the funds pro-
3 vided under paragraph (1), the Governor shall
4 allocate the funds to local areas in accordance
5 with the formula established under subpara-
6 graph (B) for the purposes of paying the costs
7 of infrastructure of one-stop centers.

8 “(B) ALLOCATION FORMULA.—The State
9 board shall develop a formula to be used by the
10 Governor to allocate the funds provided under
11 paragraph (1) to local areas. The formula shall
12 be based on factors including the number of
13 one-stop centers in a local area, the intensity of
14 services provided by such centers, the popu-
15 lation served by such centers, the services pro-
16 vided by such centers, and other factors relat-
17 ing to the performance of such centers that the
18 State board determines are appropriate.

19 “(C) COSTS OF INFRASTRUCTURE.—In
20 this subsection, the term “costs of infrastruc-
21 ture”, used with respect to a one-stop center,
22 means the nonpersonnel costs that are nec-
23 essary for the general operation of the one-stop
24 center (whether for in-person or virtual service
25 delivery), including the rental costs of the facili-

1 ties, the costs of utilities and maintenance,
2 equipment (including assessment-related prod-
3 ucts and assistive technology for individuals
4 with disabilities), and technology to facilitate
5 access to the one-stop center, including the cen-
6 ter’s planning and outreach activities.

7 “(3) ADDITIONAL FUNDING.—

8 “(A) IN GENERAL.—In the case of a local
9 area for which funds allocated under paragraph
10 (2) are insufficient to cover the total costs of
11 infrastructure of one-stop centers in such local
12 area, the local board, chief elected officials, and
13 one-stop partners described in subsection (b)(1)
14 in such local area may fund such costs through
15 methods agreed on by the local board, chief
16 elected officials, and one-stop partners (and de-
17 scribed in the memorandum of understanding
18 described in subsection (c)).

19 “(B) GUIDANCE FOR INFRASTRUCTURE
20 FUNDING.—The Governor, after consultation
21 with chief elected officials, local boards, and the
22 State board, and consistent with the guidance
23 and policies provided by the State board under
24 subparagraphs (B) and (C)(i) of section

1 101(d)(7), shall provide, for the use of local
2 areas under subparagraph (A)—

3 “(i) guidelines for State-administered
4 one-stop partner programs, for deter-
5 mining such programs’ contributions to a
6 one-stop delivery system, based on such
7 programs’ proportionate use of such sys-
8 tem consistent with chapter II of title 2,
9 Code of Federal Regulations (or any cor-
10 responding similar regulation or ruling),
11 including determining funding for the costs
12 of infrastructure, which contributions shall
13 be negotiated pursuant to the memo-
14 randum of understanding under subsection
15 (c); and

16 “(ii) guidance to assist local boards,
17 chief elected officials, and one-stop part-
18 ners in local areas in determining equitable
19 and stable methods of funding the costs of
20 infrastructure of one-stop centers in such
21 areas.”.

22 (g) OTHER FUNDS.—Section 121(i) (29 U.S.C.
23 3151(i)) is amended by striking “basic skills” and insert-
24 ing “foundational skill needs”.

1 **SEC. 222. IDENTIFICATION OF ELIGIBLE PROVIDERS OF**
2 **TRAINING SERVICES.**

3 (a) **ELIGIBILITY.**—Section 122(a) (29 U.S.C.
4 3152(a)) is amended by adding at the end the following:

5 “(4) **CONSUMER CHOICE.**—In establishing cri-
6 teria, information requirements, and procedures
7 under this subsection, the Governor shall not limit
8 the provision of consumer choice under section
9 134(c)(3)(F).”.

10 (b) **CRITERIA AND INFORMATION REQUIREMENTS.**—
11 Section 122(b) (29 U.S.C. 3152(b)) is amended—

12 (1) in paragraph (1)—

13 (A) by amending the matter preceding sub-
14 paragraph (A) to read as follows: “The criteria
15 established pursuant to subsection (a) shall in-
16 clude criteria on each of the following:”; and

17 (B) in subparagraph (A)(i), striking “per-
18 formance accountability measures” and insert-
19 ing “the levels of performance achieved on the
20 indicators described in section 116”;

21 (C) in subparagraph (B)—

22 (i) by striking “The need to ensure”
23 and inserting “Ensuring”; and

24 (ii) by inserting “and online learning
25 platforms” after “technology”;

1 (D) by amending subparagraph (D) to
2 read as follows:

3 “(D)(i) With respect to each training pro-
4 gram of each such provider—

5 “(I) the degree to which the training
6 program—

7 “(aa) relates to in-demand indus-
8 try sectors and occupations in the
9 State or local areas within the State,
10 based on analysis of labor market
11 data and direct engagement with local
12 employers; and

13 “(bb) satisfies any applicable
14 educational requirements for profes-
15 sional licensure or certification, in-
16 cluding licensure or certification ex-
17 aminations needed to practice or find
18 employment in the sectors or occupa-
19 tions for which the program prepares
20 the individual in the State; and

21 “(II) the expected—

22 “(aa) recognized postsecondary
23 credentials earned as part of such
24 program;

1 “(bb) employment opportunities
2 upon program completion;

3 “(cc) median earnings of individ-
4 uals within 1 year of program comple-
5 tion, as compared to median earnings
6 of occupations for which the program
7 prepares the individual in the State
8 and local area;

9 “(dd) program cost of such pro-
10 gram;

11 “(ee) competencies taught as
12 part of such program that align to ex-
13 pected job opportunities;

14 “(ff) time to completion of such
15 program; and

16 “(gg) alignment of such program
17 to career pathways; and

18 “(ii)(I) Subject to subclauses (II) and
19 (III), the information described in clause (i)
20 shall be validated in accordance with guidance
21 issued by the Secretary with respect to each
22 training program of each such provider, which
23 may include validation, by at least one of the
24 following entities:

25 “(aa) 3 or more employers.

1 “(bb) An industry association.

2 “(cc) A labor organization or joint
3 labor-management organization, or an in-
4 dustry or sector partnership.

5 “(II) The requirements of subclause (I)
6 shall not apply to any program that is—

7 “(aa) offered by an institution of
8 higher education; and

9 “(bb) accredited by a programmatic
10 accrediting agency (as defined in section
11 602.3 of title 34, Code of Federal Regula-
12 tions (or successor regulations)).

13 “(III) An entity listed in item (aa), (bb),
14 or (cc) of subclause (I) that is providing valida-
15 tion under this clause with respect to a training
16 program may not be the provider of such train-
17 ing program.”;

18 (E) by striking subparagraphs (E), (F),
19 (G), and (H);

20 (F) by redesignating subparagraphs (I)
21 and (J) as subparagraphs (E) and (F), respec-
22 tively; and

23 (G) in subparagraph (F), as so redesign-
24 nated—

1 (i) by amending clause (i) to read as
2 follows:

3 “(i) the accountability of the pro-
4 viders, including in the case of a training
5 program that is offered by an institution of
6 higher education, that such institution has
7 not been subject, during the 5 years pre-
8 ceding the date of the determination of
9 whether such a provider meets such cri-
10 teria, to—

11 “(I) any suspension, emergency
12 action, or termination of programs
13 under title IV of the Higher Edu-
14 cation Act of 1965;

15 “(II) any adverse action by the
16 accrediting agency or association of
17 the institution of higher education; or

18 “(III) any action by the State to
19 revoke a license or other authority to
20 operate;”; and

21 (ii) in clause (ii), by striking “one-
22 stop centers” and inserting “local boards”;

23 (2) in paragraph amending paragraph (2)—

24 (A) by striking “The information” and in-
25 serting the following:

1 “(A) PROVIDERS OF TRAINING SERV-
2 ICES.—The information”;

3 (B) by redesignating subparagraphs (A)
4 through (E) as clauses (i) through (v), respec-
5 tively: and

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

7 “(B) STATES.—The State shall make
8 available on a publicly accessible website and in
9 a manner that does not reveal personally identi-
10 fiable information—

11 “(i) the criteria, information require-
12 ments, and procedures regarding the eligi-
13 bility of providers of training services es-
14 tablished pursuant to subsection (a); and

15 “(ii) the appropriate, accurate, and
16 timely information each provider of train-
17 ing services submits to the State in accord-
18 ance with subparagraph (A) of this para-
19 graph.”;

20 (3) in paragraph (4)—

21 (A) in subparagraph (B)—

22 (i) by striking “section 122 of the
23 Workforce Investment Act of 1998, as in
24 effect on the day before the date of enact-
25 ment of this Act” and inserting “section

1 122, as in effect on the date before the
2 date of enactment of the Workforce Inno-
3 vation and Opportunity Act of 2022”; and

4 (ii) by inserting at the end the fol-
5 lowing: “A Governor shall make an eligi-
6 bility determination under this paragraph
7 with respect to a provider not later than
8 60 days after receipt of an application for
9 such a determination from such provider.”;

10 (B) in subparagraph (C) by inserting “, in-
11 cluding to the extent practicable for the 2-year
12 period preceding the date of the provider’s ap-
13 plication under this paragraph” after “sub-
14 title”; and

15 (C) in subparagraph (D)—

16 (i) in clause (i), by striking “a factor”
17 and inserting “the levels of performance
18 achieved”;

19 (ii) in clause (iii), by striking “and”
20 at the end;

21 (iii) in clause (iv), by striking the pe-
22 riod at the end and inserting “; and”;

23 (iv) by adding at the end the fol-
24 lowing:

1 “(v) a factor related to serving indi-
2 viduals with barriers to employment.”.

3 (c) PROCEDURES.—Section 122(c)(2) (29 U.S.C.
4 3152(c)(2)), by striking “biennial” and inserting “an-
5 nual”.

6 (d) LIST AND INFORMATION TO ASSIST PARTICI-
7 PANTS IN CHOOSING PROVIDERS.—Section 122(d)(3) (29
8 U.S.C. 3152(d)(3)), by inserting “on a publicly accessible
9 website that is consumer-tested and is searchable and
10 comparable, through the use of common, linked, open-data
11 description language” after “individual participant”.

12 (e) ENFORCEMENT.—Section 122(f)(1) (29 U.S.C.
13 3152(f)(1)) is amended to read as follows:

14 “(1) IN GENERAL.—The procedures established
15 under this section shall provide the following:

16 “(A) FAILURE TO MEET PROGRAM RE-
17 QUIREMENTS.—In addition to the violations de-
18 scribed in subparagraph (B), any provider of
19 training services eligible to receive funds under
20 chapter 3—

21 “(i) shall have such eligibility termi-
22 nated for a period of 1 year upon a deter-
23 mination by an individual or entity speci-
24 fied in the procedures, that such pro-
25 vider—

1 “(I) in a case in which the pro-
2 vider receives initial eligibility under
3 subsection (b)(4), failed to report in-
4 formation as required under sub-
5 section (b)(4)(C);

6 “(II) failed to inform the State
7 board or local board that the training
8 program of such provider has
9 changed, and as a result of such
10 change the information with respect
11 to such training program under sub-
12 section (b)(1) used by the Governor to
13 determine the provider’s eligibility to
14 receive such funds no longer accu-
15 rately describes such training pro-
16 gram; or

17 “(III) failed to meet the expected
18 performance as described in sub-
19 section (b)(4)(D); or

20 “(ii) may have such eligibility termi-
21 nated as a result of offering a program for
22 a period of less than 2 years—

23 “(I) that is no longer aligned to
24 in-demand industry sectors or occupa-
25 tions; or

1 “(II) that results in employment
2 with wages below the median earnings
3 for the occupation in the State or
4 local area due to the insufficient qual-
5 ity of training provided under the pro-
6 gram.

7 “(B) SUBSTANTIAL VIOLATIONS.—Upon a
8 determination, by an individual or entity speci-
9 fied in the procedures, that a provider of train-
10 ing services substantially violated any require-
11 ment under this title, or that an individual pro-
12 viding information on behalf of the provider in-
13 tentionally supplied inaccurate information
14 under this section, the eligibility of such pro-
15 vider to receive funds under chapter 3 for the
16 program involved shall be terminated for a pe-
17 riod of not less than 2 years.

18 “(C) REPAYMENT.—A provider of training
19 services whose eligibility is terminated under
20 subparagraph (A) or (B) of this paragraph
21 shall be liable for the repayment of funds re-
22 ceived under chapter 3 during a period of viola-
23 tion described in such subparagraph.”.

24 (f) TRANSITION PERIOD.—Section 122(i) ((29
25 U.S.C. 3152(i)) is amended to read as follows:

1 “(i) TRANSITION PERIOD FOR IMPLEMENTATION.—
 2 The Governor and local boards shall implement the re-
 3 quirements of this section, as amended by the Workforce
 4 Innovation and Opportunity Act of 2022, not later than
 5 12 months after the date of enactment of such Act, except
 6 that the criteria established under items (ff) and (gg) of
 7 subsection (b)(1)(D)(i)(II) may not be used until the date
 8 that is 3 years after the date of enactment of such Act.”.

9 **CHAPTER 2—YOUTH WORKFORCE**

10 **INVESTMENT ACTIVITIES**

11 **SEC. 231. STATE ALLOTMENTS.**

12 Section 127 of the Workforce Innovation and Oppor-
 13 tunity Act (29 U.S.C. 3162) is amended—

14 (1) by amending subsection (a)(1) to read as
 15 follows:

16 “(1) reserve 1½ percent of funds appropriated
 17 under section 136(a), for each fiscal year for which
 18 funds are appropriated under such section, to pro-
 19 vide youth workforce investment activities under sec-
 20 tion 167 (relating to migrant and seasonal farm-
 21 workers); and”;

22 (2) in subsection (b)(1)—

23 (A) in subparagraph (A), by striking “not
 24 more than 1½” and inserting “2”; and

1 (B) in subparagraph (B)(i), by striking
2 “ $\frac{1}{4}$ of”.

3 **SEC. 232. WITHIN STATE ALLOCATIONS.**

4 Section 128(b) of the Workforce Innovation and Op-
5 portunity Act (29 U.S.C. 3163(b)) is amended by adding
6 at the end the following:

7 “(4) TRANSFER AUTHORITY.—A local board
8 may transfer, if such a transfer is approved by the
9 Governor, up to and including 100 percent of the
10 funds allocated to the local area under section
11 130(a)(2), and up to and including 100 percent of
12 the funds allocated to the local area under this sub-
13 section for a fiscal year between—

14 “(A) activities under section 129(e); and

15 “(B) activities under section 130.”.

16 **SEC. 233. USE OF FUNDS FOR YOUTH WORKFORCE INVEST-**
17 **MENT ACTIVITIES.**

18 (a) COMPREHENSIVE LOCAL NEEDS ASSESSMENT.—
19 Section 129(a) of the Workforce Innovation and Oppor-
20 tunity Act (29 U.S.C. 3164(a)) is amended to read as fol-
21 lows:

22 “(a) COMPREHENSIVE LOCAL NEEDS ASSESS-
23 MENT.—

24 “(1) IN GENERAL.—In order to determine
25 which subpopulation of eligible youth a local area

1 can best serve, a local board shall ensure that the
2 comprehensive needs assessment related to youth
3 workforce investment activities under section
4 108(b)(9) of the local plan shall meet the require-
5 ments of this subsection, and shall be updated at
6 least once every 4 years.

7 “(2) REQUIREMENTS.—A comprehensive local
8 needs assessment described in paragraph (1) with
9 respect to a local area shall include each of the fol-
10 lowing:

11 “(A) An evaluation of the performance of
12 the eligible youth served by the local area with
13 respect to State determined and local levels of
14 performance established pursuant to section
15 116.

16 “(B) A description of how youth workforce
17 investment activities offered by the local area
18 are—

19 “(i) sufficient in size, scope, and qual-
20 ity to meet the needs of eligible youth in
21 the local area;

22 “(ii) aligned to State, regional, Tribal,
23 or local in-demand industry sectors or oc-
24 cupations (including career pathways),

1 identified by the State board or local
2 board; and

3 “(iii) developed in partnership with el-
4 igible youth in the local area and aligned
5 with their needs, including program ele-
6 ments and offerings.

7 “(C) An identification of successful models
8 of youth workforce investment activities.

9 “(D) A description of the progress during
10 the most recent 2 program years covered by the
11 local plan of the local area toward implementa-
12 tion of equal access to high-quality youth work-
13 force investment activities, including—

14 “(i) strategies to provide eligible
15 youth access to paid work experience op-
16 portunities and career pathways;

17 “(ii) strategies to overcome barriers
18 that result in lower rates of access to, or
19 performance gaps in, youth workforce in-
20 vestment activities for eligible youth;

21 “(iii) providing programs and activi-
22 ties that are designed to enable eligible
23 youth to attain a secondary school diploma
24 or its equivalent, or recognized postsec-
25 ondary credentials;

1 “(iv) providing programs and activi-
2 ties to prepare eligible youth for high-skill,
3 high-wage, or in-demand industry sectors
4 or occupations that will lead to self-suffi-
5 ciency; and

6 “(v) strategies to identify the local
7 area needs of the subpopulations of eligible
8 youth described in section 128(b)(4)(A)(i).

9 “(3) CONSULTATION.—In conducting the com-
10 prehensive needs assessment under paragraph
11 (1)(A), the local area shall involve a diverse body of
12 stakeholders, including, at a minimum—

13 “(A) representatives of local educational
14 agencies, including representatives of career
15 and technical education programs;

16 “(B) eligible providers of training services,
17 including eligible providers of apprenticeship
18 programs and pre-apprenticeship programs, and
19 providers of internships, paid or unpaid work
20 experience opportunities, or transitional jobs;

21 “(C) representatives of business and indus-
22 try (including representatives of small busi-
23 ness), which shall include representatives of in-
24 dustry and sector partnerships in the State;

1 “(D) interested community representatives,
2 including community-based organizations;

3 “(E) representatives of eligible youth, in-
4 cluding representatives of regional or local
5 agencies serving eligible youth;

6 “(F) representatives of Indian Tribes and
7 Tribal organizations in the State, where appli-
8 cable; and

9 “(G) any other stakeholders that the State
10 may require the local area to consult.

11 “(4) CONTINUED CONSULTATION.—Each local
12 area receiving financial assistance under this chapter
13 shall consult with stakeholders described in para-
14 graph (3) on an ongoing basis, as determined by the
15 Governor. This may include consultation in order
16 to—

17 “(A) provide input on quadrennial updates
18 to the comprehensive needs assessment required
19 under paragraph (1)(A);

20 “(B) ensure youth workforce investment
21 activities—

22 “(i) are responsive to local area em-
23 ployment needs;

24 “(ii) are responsive to local area
25 youth’s career interests and goals;

1 “(iii) are aligned with employment
2 priorities in the State, regional, tribal, or
3 local economy identified by employers and
4 the entities described in paragraph (3),
5 which may include high-skill, high-wage, or
6 in-demand industry sectors or occupations
7 identified by the local board;

8 “(iv) are informed by labor market in-
9 formation, including information provided
10 under section 15(e)(2)(C) of the Wagner-
11 Peysner Act (29 U.S.C. 491–2(e)(2)(C));

12 “(v) are designed to meet current, in-
13 termediate, or long-term labor market pro-
14 jections; and

15 “(vi) allow employer input, including
16 input from industry or sector partnerships
17 in the local area, where applicable, into the
18 development and implementation of youth
19 workforce investment activities to ensure
20 such activities align with skills and com-
21 petencies required by local employment op-
22 portunities, including activities such as the
23 identification of relevant skills, com-
24 petencies, recognized postsecondary creden-

1 tials, and current technology and equip-
2 ment;

3 “(C) identify and encourage opportunities
4 for work-based learning; and

5 “(D) ensure funding under this part is
6 used in a coordinated manner with other local
7 resources.”.

8 (b) STATEWIDE ACTIVITIES.—Section 129(b) of the
9 Workforce Innovation and Opportunity Act (29 U.S.C.
10 3164(b)) is amended—

11 (1) by amending paragraph (1)(B) to read as
12 follows:

13 “(B) disseminating the list of eligible pro-
14 viders of youth workforce investment activities,
15 as determined under section 123, including in
16 transparent, linked, open, and interoperable
17 data formats;”; and

18 (2) in paragraph (2)—

19 (A) in subparagraph (C), by striking “de-
20 scribed in section 134(c)(2)” and inserting “,
21 including individualized career services,”;

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

24 (C) in subparagraph (E), by striking the
25 period at the end and inserting “ and”; and

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

2 “(F) establishing, supporting, and expand-
3 ing work-based learning opportunities, including
4 transitional jobs, that are aligned with career
5 pathways.”.

6 (c) LOCAL ELEMENTS AND REQUIREMENTS.—

7 (1) PROGRAM DESIGN.—Section 129(c)(1) of
8 the Workforce Innovation and Opportunity Act (29
9 U.S.C. 3164(c)(1)) is amended—

10 (A) in subparagraph (C)—

11 (i) in clause (iv), by striking “in ap-
12 propriate cases” and inserting “including
13 paid work-based learning opportunities”;
14 and

15 (ii) in clause (v), by inserting “high-
16 skill, high-wage, or” before “in-demand”;
17 and

18 (B) in subparagraph (D), by striking “10
19 percent” and inserting “15 percent”.

20 (2) PROGRAM ELEMENTS.—Section 129(c)(2)
21 of the Workforce Innovation and Opportunity Act
22 (29 U.S.C. 3164(c)(2)) is amended to read as fol-
23 lows:

24 “(2) PROGRAM ELEMENTS.—In order to sup-
25 port the attainment of a secondary school diploma or

1 its recognized equivalent, entry into postsecondary
2 education, and career readiness for participants,
3 local areas shall ensure that each of following ele-
4 ments are provided under the programs described in
5 paragraph (1), as appropriate, to meet the needs of
6 eligible youth in the local area:

7 “(A) Tutoring, study skills training, in-
8 struction, and dropout prevention and recovery
9 strategies that lead to completion of the re-
10 quirements for a secondary school diploma or
11 its recognized equivalent (including a recognized
12 certificate of attendance or similar document
13 for individuals with disabilities) or for a recog-
14 nized postsecondary credential.

15 “(B) Alternative secondary school services,
16 or dropout recovery services, as appropriate.

17 “(C) Work-based learning experiences,
18 which—

19 “(i) may include summer and year-
20 round employment opportunities that meet
21 the requirements of section 130; and

22 “(ii) may include, to the extent prac-
23 ticable—

24 “(I) pre-apprenticeship or ap-
25 prenticeship programs;

1 “(II) internships and job shad-
2 owing; and

3 “(III) on-the-job training oppor-
4 tunities.

5 “(D) Occupational skill training, which
6 shall include priority consideration for training
7 programs that lead to recognized postsecondary
8 credentials that are aligned with high-skill,
9 high-wage, or in-demand industry sectors or oc-
10 cupations in the local area involved, if the local
11 board determines that the programs meet the
12 quality criteria described in section 123.

13 “(E) Education offered concurrently with
14 and in the same context as workforce prepara-
15 tion activities and training for a specific occu-
16 pation or occupational cluster.

17 “(F) Leadership development opportuni-
18 ties, which may include community service and
19 peer-centered activities encouraging responsi-
20 bility and other positive social and civic behav-
21 iors, as appropriate.

22 “(G) Supportive services.

23 “(H) Adult mentoring for the period of
24 participation and a subsequent period, for a
25 total of not less than 12 months;

1 “(I) Follow-up services for the longer of 36
2 months or the completion of any postsecondary
3 education or training to which participants are
4 referred after completion of such program.

5 “(J) Comprehensive guidance and coun-
6 seling, including trauma-informed approaches.

7 “(K) Financial literacy education.

8 “(L) Entrepreneurial skills training.

9 “(M) Services that provide labor market
10 and employment information about high-skill,
11 high-wage, or in-demand industry sectors or oc-
12 cupations available in the local area, such as ca-
13 reer awareness, career counseling, and career
14 exploration services, which may include pro-
15 viding such services to elementary and sec-
16 ondary schools (as defined in section 8101 of
17 the Elementary and Secondary Education Act
18 of 1965 (20 U.S.C. 7801).

19 “(N) Activities that help youth prepare for
20 and transition to postsecondary education and
21 training.”.

22 (3) CONSISTENCY WITH COMPULSORY SCHOOL
23 ATTENDANCE LAWS.—Section 129(c)(4) (29 U.S.C.
24 3164(c)(4)) is amended to read as follows:

1 “(4) CONSISTENCY WITH COMPULSORY SCHOOL
2 ATTENDANCE LAWS.—In providing assistance under
3 this section to an individual who is required to at-
4 tend school under applicable State compulsory school
5 attendance laws, the priority in providing such as-
6 sistance shall be for the individual to attend school
7 regularly.”.

8 **SEC. 234. SUMMER AND YEAR-ROUND EMPLOYMENT FOR**
9 **YOUTH.**

10 Chapter 2 of subtitle B of title I of the Workforce
11 Innovation and Opportunity Act (29 U.S.C. 3111 et seq.),
12 as amended by the preceding sections, is further amended
13 by adding at the end the following:

14 **“SEC. 130. SUMMER AND YEAR-ROUND EMPLOYMENT FOR**
15 **YOUTH.**

16 “(a) FUNDING.—

17 “(1) STATE ALLOTMENT.—From the amount
18 appropriated under section 136(b) for a fiscal year,
19 the Secretary shall allot funds to each State on the
20 basis of the relative allotment the State received
21 under section 127(b) for such fiscal year, compared
22 to the total amount allotted to all States under sec-
23 tion 127(b) for such fiscal year.

24 “(2) LOCAL AREA ALLOCATION.—A State shall
25 use the funds allotted under paragraph (1) for a fis-

1 cal year to allocate funds to each local area of the
2 State on the basis of the relative allocation the local
3 area received under section 128(b) for such fiscal
4 year, compared to the total amount allocated to all
5 local areas in the State under section 128(b) for
6 such fiscal year.

7 “(b) ACTIVITIES.—The local board of a local area
8 covered by the local plan submitted under section 108—

9 “(1) shall use the funds received under this sec-
10 tion to—

11 “(A) plan, develop, and carry out a sum-
12 mer employment program or a year-round em-
13 ployment program described in subsection (c);

14 “(B) increase the number of summer or
15 year-round employment opportunities offered
16 through such program, including unsubsidized
17 or partly subsidized opportunities, and opportu-
18 nities in the private sector;

19 “(C) engage or establish industry or sector
20 partnerships to determine local employment
21 needs to inform the establishment of such a
22 program; and

23 “(D) conduct outreach to eligible youth
24 and employers; and

25 “(2) may—

1 “(A) use the funds received under this sec-
2 tion to develop technology infrastructure, in-
3 cluding data and management systems, to sup-
4 port such a program;

5 “(B) use such funds to enhance the pro-
6 gram elements required under subsection (c)(1);
7 and

8 “(C) use not more than 25 percent of such
9 funds to subsidize not more than 65 percent of
10 the wages of each eligible youth participating in
11 such a program.

12 “(c) SUMMER AND YEAR-ROUND EMPLOYMENT PRO-
13 GRAM REQUIREMENTS.—

14 “(1) PROGRAM ELEMENTS.—A summer employ-
15 ment program or a year-round employment program
16 described in this subsection shall include the fol-
17 lowing program elements:

18 “(A) Work-readiness training (including
19 soft skills) and educational programs aligned to
20 career pathways for eligible youth to enhance
21 their year-round employment opportunities, in-
22 cluding digital literacy and online work-readi-
23 ness opportunities, as appropriate, and support
24 obtaining documentation needed for employ-
25 ment, such as identification or licenses.

1 “(B) Coaching and mentoring services for
2 eligible youth participating in the program to
3 enhance their summer or year-round employ-
4 ment opportunities and encourage completion of
5 such opportunities through the program.

6 “(C) Coaching and mentoring services for
7 employers on how to successfully employ each
8 eligible youth participating in the program in
9 meaningful work, including providing a safe
10 work and training environment for all partici-
11 pants, regardless of race, color, disability, age,
12 religion, national origin, sexual orientation, or
13 gender identity.

14 “(D) Career exploration, career counseling,
15 career planning, and college planning services
16 for eligible youth participating in the program.

17 “(E) High-quality financial literacy edu-
18 cation as described in section 129(b)(2)(D), for
19 eligible youth participating in the program, in-
20 cluding education on the use of credit and fi-
21 nancing higher education, and access to safe
22 and affordable banking.

23 “(F) Providing supportive services to eligi-
24 ble youth, or connecting such youth to sup-
25 portive services provided by another entity, to

1 enable participation in the program, which may
2 include food and nutrition services, and health
3 and mental health care supports.

4 “(G) Follow-up services for not less than
5 12 months after the completion of participation,
6 as appropriate.

7 “(H) Integration of services provided by
8 the program with youth development programs,
9 secondary school programs, career and technical
10 education programs, youth workforce invest-
11 ment activities under this chapter, and skills
12 training programs funded by the State or Fed-
13 eral Government, as applicable.

14 “(I) Connecting youth participating in the
15 program to providers of youth services, adult
16 employment and training services, vocational re-
17 habilitation services, adult education and family
18 literacy services under title II, career pathways,
19 postsecondary education, or skills training pro-
20 grams funded by the State or Federal Govern-
21 ment, as applicable.

22 “(J) Commitment and support from may-
23 ors or county executives to support the execu-
24 tion of the program.

25 “(2) PROGRAM DESIGN.—

1 “(A) SUMMER EMPLOYMENT PROGRAM.—

2 In addition to the program elements described
3 in paragraph (1), a summer employment pro-
4 gram described in this subsection shall be a
5 program that matches eligible youth partici-
6 pating in such program with an appropriate
7 employer (based on factors including the needs
8 of the employer and the age, skill, and aspira-
9 tions of the eligible youth) for high-quality sum-
10 mer employment, which—

11 “(i) may not be less than 4 weeks;

12 and

13 “(ii) may not pay less than the great-
14 er of the applicable Federal, State, or local
15 minimum wage.

16 “(B) YEAR-ROUND EMPLOYMENT PRO-

17 GRAM.—In addition to the program elements
18 described in paragraph (1), a year-round em-
19 ployment program described in this subsection
20 shall be a program that matches each eligible
21 youth participating in the program with an ap-
22 propriate employer, based on factors (including
23 the needs of the employer and the age, skill,
24 and informed aspirations of the participant) for
25 high-quality, year-round employment, which—

1 “(i) may not be less than 180 days
2 and more than 1 year;

3 “(ii) may not pay less than the great-
4 er of the applicable Federal, State, or local
5 minimum wage; and

6 “(iii) may not employ the eligible
7 youth for less than 20 hours per week.

8 “(3) PRIORITY.—In carrying out a summer em-
9 ployment program or a year-round employment pro-
10 gram receiving assistance under this section, a local
11 area shall give priority to year-round employment
12 opportunities offered under such program—

13 “(A) in existing or emerging high-skill,
14 high-wage, or in-demand industry sectors or oc-
15 cupations; or

16 “(B) that meet community needs in the
17 public, private, or nonprofit sector.

18 “(d) PERFORMANCE ACCOUNTABILITY.—For each
19 local board carrying out a summer or year-round employ-
20 ment program receiving assistance under this section, the
21 primary indicators of performance, with respect to each
22 such program, shall include—

23 “(1) the performance metrics described in
24 clause (i)(VI), and subparagraphs (I) and (II) of
25 clause (ii), of section 116(b)(2)(A);

1 “(2) the percentage of eligible youth completing
2 the summer or year-round program, as applicable;
3 and

4 “(3) the percentage of youth having partici-
5 pated in work-based learning.

6 “(e) REPORTS.—

7 “(1) IN GENERAL.—In addition to information
8 required as part of the State performance report de-
9 scribed in section 116(d)(2), each State shall include
10 for each summer and year round employment pro-
11 gram receiving assistance under this section—

12 “(A) the number of eligible youth partici-
13 pating in the program who complete a summer
14 employment opportunity or a year-round em-
15 ployment opportunity through the program;

16 “(B) the average cost per participant to
17 develop or expand such program, and the activi-
18 ties and services, and supportive services pro-
19 vided under such program;

20 “(C) the number of eligible youth partici-
21 pating in such program and accessing services
22 as described in subparagraph (B);

23 “(D) the number of youth participants re-
24 ceiving a subsidized wage, and the total amount
25 and source of each such subsidy, including the

1 average amount of the subsidy covered by funds
2 received under this section;

3 “(E) the average number of hours and
4 weeks worked and the average amount of wages
5 earned by eligible youth participating in the
6 program;

7 “(F) the average number of hours spent
8 on—

9 “(i) recruitment and retention strate-
10 gies; and

11 “(ii) support for participating youth,
12 such as time management, career planning,
13 and financial literacy training;

14 “(G) the percent of eligible youth partici-
15 pating in the program that are placed in—

16 “(i) an employment opportunity in the
17 nonprofit sector;

18 “(ii) an employment opportunity in
19 the public sector; and

20 “(iii) an employment opportunity in
21 the for-profit sector; and

22 “(H) any other information that the Sec-
23 retary of Labor determines necessary to mon-
24 itor the effectiveness of the summer or year-
25 round employment program.

1 “(2) DISAGGREGATION.—The information re-
2 quired to be reported under subparagraphs (A), (B),
3 and (G) of paragraphs (1) shall be disaggregated by
4 race, ethnicity, sex, age, and the subpopulations of
5 eligible youth (as defined in section 3).”.

6 **CHAPTER 3—ADULT AND DISLOCATED**
7 **WORKER EMPLOYMENT AND TRAIN-**
8 **ING ACTIVITIES**

9 **SEC. 241. WITHIN STATE ALLOCATIONS.**

10 Section 133(b)(2) (29 U.S.C. 3173(b)(2)) is amend-
11 ed—

12 (1) in subparagraph (A)(iii), by striking “The
13 term, used with respect to fiscal year 2013 or 2014,
14 means a percentage of the amount allocated to local
15 areas under paragraphs (2)(A) and (3) of section
16 133(b) of the Workforce Investment Act of 1998 (as
17 in effect on the day before the date of enactment of
18 this Act), received through an allocation made under
19 paragraph (2)(A) or (3) of that section for fiscal
20 year 2013 or 2014, respectively.”; and

21 (2) in subparagraph (B)(iv), by striking “The
22 term, used with respect to fiscal year 2014, means
23 a percentage of the amount allocated to local areas
24 under section 133(b)(2)(B) of the Workforce Invest-
25 ment Act of 1998 (as in effect on the day before the

1 date of enactment of this Act), received through an
2 allocation made under that section for fiscal year
3 2014.”.

4 **SEC. 242. USE OF FUNDS FOR EMPLOYMENT AND TRAINING**
5 **ACTIVITIES.**

6 (a) REQUIRED STATEWIDE EMPLOYMENT AND
7 TRAINING ACTIVITIES.—

8 (1) STATEWIDE RAPID RESPONSE ACTIVI-
9 TIES.—Section 134(a)(2)(A)(ii) (29 U.S.C.
10 3174(a)(2)(A)(ii)) is amended by striking “, and
11 section 133(a)(2) of the Workforce Investment Act
12 of 1998 (as in effect on the day before the date of
13 enactment of this Act)”.

14 (2) STATEWIDE EMPLOYMENT AND TRAINING
15 ACTIVITIES.—Section 134(a)(2)(B)(i) (29 U.S.C.
16 3174(a)(2)(B)) is amended by striking subclauses
17 (III) and (IV) and inserting the following:

18 “(III) local areas by providing in-
19 formation on and support for the ef-
20 fective development, convening, and
21 implementation of industry or sector
22 partnerships described in subsection
23 (c)(5);

24 “(IV) local areas for carrying out
25 career pathway development efforts,

1 which may include alignment and co-
2 ordination efforts with career and
3 technical education programs of
4 study; and

5 “(V) local areas, one-stop opera-
6 tors, one-stop partners, and eligible
7 providers, including for—

8 “(aa) the continuous devel-
9 opment and training of staff on
10 strategies for preparing individ-
11 uals with barriers to employment
12 to enter in-demand industry sec-
13 tors or occupations and nontradi-
14 tional occupations;

15 “(bb) the development of ex-
16 emplary program activities; and

17 “(cc) the provision of tech-
18 nical assistance to local areas
19 that fail to meet local perform-
20 ance accountability measures de-
21 scribed in section 116(c);”.

22 (b) ALLOWABLE STATEWIDE EMPLOYMENT AND
23 TRAINING ACTIVITIES.—Section 134(a)(3)(A) (29 U.S.C.
24 3174(a)(3)(A)) is amended—

1 (1) in clause (ii), by inserting “or bringing evi-
2 denced-based programs to scale” after “strategies”;

3 (2) by amending clause (iii) to read as follows:

4 “(iii) the development or identification
5 of, and sharing of information (in trans-
6 parent, linked, open, and interoperable
7 data formats) about, education and train-
8 ing programs that—

9 “(I) respond to real-time labor
10 market analysis;

11 “(II) utilize direct assessment
12 and prior learning assessment to
13 measure and provide credit for prior
14 knowledge, skills, competencies, and
15 experiences;

16 “(III) evaluate such skills and
17 competencies for adaptability, ensure
18 credits are portable and stackable for
19 more skilled employment; and

20 “(IV) accelerate course or cre-
21 dential completion, and facilitate the
22 sharing of information about such
23 programs in transparent, linked, open,
24 and interoperable data formats;”;

25 (3) by amending clause (v) to read as follows:

1 “(v) supporting the development of al-
2 ternative programs and other activities
3 that enhance the choices available to older
4 individuals (including options for self-em-
5 ployment and other wage-earning activities
6 that lead to economic self-sufficiency), and
7 enhance skills (such as digital literacy) in
8 older individuals;”;

9 (4) in clause (viii)(II)—

10 (A) by amending item (dd) to read as fol-
11 lows:

12 “(dd) adult education, lit-
13 eracy, and digital literacy activi-
14 ties, including those provided by
15 public libraries;”;

16 (B) in item (ee), by striking “ex-offenders”
17 and inserting “justice-involved individuals”;

18 (C) by striking “and” at the end of item
19 (ff); and

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

21 “(gg) programs under the
22 Older Americans Act of 1965 (42
23 U.S.C. 3001 et seq.) that support
24 employment and economic secu-
25 rity; and

1 “(hh) State domestic vio-
2 lence coalitions (as defined in
3 section 302 of the Family Vio-
4 lence Prevention and Services
5 Act (42 U.S.C. 10402) and tribal
6 coalitions (as defined in section
7 40002(a) of the Violence Against
8 Women Act of 1994 (34 U.S.C.
9 12291(a)).”.

10 (c) REQUIRED LOCAL EMPLOYMENT AND TRAINING
11 ACTIVITIES.—

12 (1) IN GENERAL.—Section 134(c)(1)(A) (29
13 U.S.C. 3174(c)(1)(A)) is amended by striking
14 clauses (iv) and (v) and inserting the following:

15 “(iv) to provide supportive services de-
16 scribed in paragraph (4) to adults and dis-
17 located workers, respectively, through the
18 one-stop delivery system in accordance
19 with such paragraph;

20 “(v) to establish and develop relation-
21 ships and networks with large and small
22 employers and their intermediaries; and

23 “(vi) to develop, convene, or imple-
24 ment industry or sector partnerships de-
25 scribed in paragraph (5).”.

1 (2) CAREER SERVICES.—

2 (A) SERVICES PROVIDED.—Section
3 134(c)(2)(A) (29 U.S.C. 3174(c)(2)(A)) is
4 amended—

5 (i) by amending clause (iii) to read as
6 follows:

7 “(iii) initial assessment of skill levels
8 (including literacy, digital literacy,
9 numeracy, and English language pro-
10 ficiency), competencies, abilities, current
11 applicable foreign academic and profes-
12 sional credentials, guidance and services on
13 transferring high-skilled foreign certifi-
14 cations, and supportive service needs,
15 which may include diagnostic testing and
16 use of other assessment tools;”;

17 (ii) by amending clause (vi) to read as
18 follows:

19 “(vi) provision of workforce and labor
20 market employment statistics information
21 and related skills development information,
22 including the provision of accurate infor-
23 mation relating to local, regional, and na-
24 tional labor market areas, including—

1 “(I) job vacancy listings in such
2 labor market areas;

3 “(II) information on job skills
4 and credentials necessary to obtain
5 the jobs described in subclause (I);
6 and

7 “(III) information on education
8 and skills development programs that
9 are available for attaining needed
10 skills and credentials for the jobs de-
11 scribed in subclause (I), including in-
12 formation—

13 “(aa) on the pathways to
14 such skills and credentials (in-
15 cluding information on career
16 pathway programs in the local
17 area);

18 “(bb) on the quality of such
19 education and training programs,
20 consistent with the performance
21 information provided under
22 clause (vii); and

23 “(cc) on the comparability of
24 current foreign academic and

1 professional certifications to
2 needed skills and credentials; and

3 “(IV) information relating to
4 local occupations in demand and the
5 earnings, skill requirements, and op-
6 portunities for advancement for such
7 occupations; and”;

8 (iii) by amending clause (xi) to read
9 as follows:

10 “(xi) assistance in identifying and es-
11 tablishing eligibility for programs of finan-
12 cial aid assistance for training and edu-
13 cation programs that are not funded under
14 this Act, including Federal financial aid
15 under title IV of the Higher Education Act
16 of 1965 (20 U.S.C. 1070 et seq.) and
17 through State-funded education and train-
18 ing programs;”;

19 (iv) in clause (xii)—

20 (I) by striking subclauses (IV)
21 through (XI) and inserting the fol-
22 lowing:

23 “(IV) individual counseling, in-
24 cluding career counseling;

25 “(V) career planning;

1 “(VI) assessment and develop-
2 ment of employability skills, including
3 development of learning skills, com-
4 munication skills, interviewing skills,
5 punctuality, and professional conduct,
6 to prepare individuals for unsub-
7 sidized employment or training;

8 “(VII) financial literacy services,
9 such as the activities described in sec-
10 tion 129(b)(2)(D);

11 “(VIII) out-of-area job search as-
12 sistance and relocation assistance; or

13 “(IX) English language acquisi-
14 tion and integrated education and
15 training programs; and”;

16 (v) in clause (xiii), by inserting “and
17 options for further skill upgrading and ca-
18 reer advancement” after “the workplace”.

19 (B) USE OF PREVIOUS ASSESSMENTS.—
20 Subparagraph (B) of section 134(c)(2) (29
21 U.S.C. 3174(c)(2)) is amended to read as fol-
22 lows:

23 “(B) USE OF PREVIOUS ASSESSMENTS.—A
24 one-stop operator or one-stop partner shall not
25 be required to conduct a new interview, evalua-

1 tion, or assessment of a participant under sub-
2 paragraph (A)(xii) if the one-stop operator or
3 one-stop partner determines that it is—

4 “(i) appropriate to use a recent inter-
5 view, evaluation, or assessment of the par-
6 ticipant conducted for another education or
7 training program; and

8 “(ii) using such recent interview, eval-
9 uation, or assessment may accelerate eligi-
10 bility determination or facilitate enrollment
11 in a training program for which such par-
12 ticipant has been selected.”.

13 (C) DELIVERY OF SERVICES.—Subpara-
14 graph (C) of section 134(c)(2) (29 U.S.C.
15 3174(c)(2)) is amended by inserting “or com-
16 munity-based organizations to serve individuals
17 with barriers to employment,” after “nonprofit
18 service providers,”.

19 (3) TRAINING SERVICES.—

20 (A) IN GENERAL.—Section 134(c)(3)(A)(i)
21 (29 U.S.C. 3174(c)(3)(A)(i)) is amended—

22 (i) in clause (i)(II), by inserting be-
23 fore the semicolon at the end the following:
24 “, or to jobs that may be performed re-
25 motely”; and

1 (ii) by adding at the end the fol-
2 lowing:

3 “(iv) ADULT EDUCATION AND FAMILY
4 LITERACY ACTIVITIES.—In the case of an
5 individual who is determined to not have
6 the skills and qualifications to successfully
7 participate in the selected program of
8 training services under clause (i)(I)(cc),
9 the one-stop operator or one-stop partner
10 shall make available, or refer such indi-
11 vidual to, adult education and family lit-
12 eracy activities under title II.”

13 (B) QUALIFICATION.—Section
14 134(c)(3)(B) (29 U.S.C. 3174(c)(3)(B)) is
15 amended by adding at the end the following:

16 “(iv) PARTICIPATION DURING PEND-
17 ING APPLICATION.—An individual who
18 meets the eligibility requirements under
19 subparagraph (A)(i) to participate in a
20 program of training services may partici-
21 pate in such a program during the period
22 in which such individual’s enrollment in
23 such program is being reviewed under this
24 section, except that the provider of such
25 program shall only receive reimbursement

1 under this Act for the individual’s partici-
2 pation during such period if such individ-
3 ual’s enrollment is approved under this
4 section.”.

5 (C) TRAINING SERVICES.—Section
6 134(c)(3)(D) (29 U.S.C. 3174(c)(3)(D)) is
7 amended by amending the matter preceding
8 clause (i) to read as follows: “Training services
9 may be delivered in-person or virtually, and
10 may include—”.

11 (D) PRIORITY.—Section 134(c)(3)(E) (29
12 U.S.C. 3174(c)(3)(E)) is amended to read as
13 follows:

14 “(E) PRIORITY.—

15 “(i) IN GENERAL.—With respect to
16 funds allocated to a local area for adult
17 employment and training activities under
18 paragraph (2)(A) or (3) of section 133(b),
19 not less than 75 percent of such funds,
20 used to provide career services described in
21 paragraph (2)(A)(xii), training services,
22 and supportive services, shall be used to
23 provide such services to—

24 “(I) recipients of public assist-
25 ance;

1 “(II) other low-income individ-
2 uals;

3 “(III) individuals who have
4 foundational skill needs; and

5 “(IV) individuals with barriers to
6 employment who are not described in
7 subclauses (I) through (III).

8 “(ii) DETERMINATIONS OF PRI-
9 ORITY.—The appropriate local board and
10 the Governor shall direct the one-stop op-
11 erators in the local area with regard to
12 making determinations on how to prioritize
13 the populations listed in subclauses (I)
14 through (IV) of clause (i) for purposes of
15 clause (i).”;

16 (E) USE OF INDIVIDUAL TRAINING AC-
17 COUNTS.—Section 134(c)(3)(G) (29 U.S.C.
18 3174(c)(3)(G)) is amended—

19 (i) by amending clause (i) to read as
20 follows:

21 “(i) IN GENERAL.—

22 “(I) TRAINING SERVICES.—Ex-
23 cept as provided in clause (ii), train-
24 ing services provided under this para-
25 graph shall be provided through the

1 use of individual training accounts in
2 accordance with this paragraph, and
3 shall be provided to eligible individuals
4 through the one-stop delivery system.

5 “(II) AUTHORIZED COSTS.—An
6 individual training account may pro-
7 vide any costs with respect to such
8 training services, as determined by the
9 local board, including—

10 “(aa) the costs of course
11 materials, supplies, uniforms,
12 technology, and other required
13 fees for graduation, licensure, or
14 certification; and

15 “(bb) in the case of a pro-
16 vider that charges tuition and
17 fees for a training program, the
18 cost of such tuition and fees.”;

19 (ii) in clause (ii), by amending sub-
20 clause (IV) to read as follows:

21 “(IV) the local board determines
22 that there is a training program dem-
23 onstrating effectiveness (including
24 cost effectiveness), and that can be of-
25 fered in the local area by a commu-

1 nity-based organization or another
2 private, nonprofit organization to
3 serve individuals with barriers to em-
4 ployment;” and

5 (iii) by striking clauses (iii) and (iv)

6 and inserting the following:

7 “(iii) LINKAGE TO OCCUPATIONS IN
8 DEMAND.—

9 “(I) IN GENERAL.—Subject to
10 subclause (II), training services pro-
11 vided under this paragraph shall be
12 directly linked to an in-demand indus-
13 try sector or occupation in the local
14 area or the planning region, or in an-
15 other area to which an adult or dis-
16 located worker receiving such services
17 is willing to relocate or that may be
18 performed remotely.

19 “(II) EXCEPTION.—A local board
20 may approve training services for oc-
21 cupations determined by the local
22 board to be in sectors of the economy
23 that have a high potential for sus-
24 tained demand or growth in the local
25 area.

1 “(iv) CREDENTIAL IN DEMAND.—To
2 the extent practicable, training services
3 provided under this paragraph shall result
4 in the attainment of skills and credentials
5 that are portable and stackable.

6 “(v) RULE OF CONSTRUCTION.—
7 Nothing in this paragraph shall be con-
8 strued to preclude the combined use of in-
9 dividual training accounts and contracts in
10 the provision of training services, including
11 arrangements that allow individuals receiv-
12 ing individual training accounts to obtain
13 training services that are contracted for
14 under clause (ii).”.

15 (F) REIMBURSEMENT FOR ON-THE-JOB
16 TRAINING.—Section 134(c)(3)(H) (29 U.S.C.
17 3174(c)(3)(H)) is amended to read as follows:

18 “(H) REIMBURSEMENT FOR ON-THE-JOB
19 TRAINING.—

20 “(i) REIMBURSEMENT LEVELS.—For
21 purposes of the provision of on-the-job
22 training under this paragraph, the Gov-
23 ernor or local board involved may increase
24 the amount of the reimbursement to an
25 amount of up to 90 percent of the wage

1 rate of a participant for a program carried
2 out under chapter 2 or this chapter, if—

3 “(I) the Governor approves the
4 increase with respect to a program
5 carried out with funds reserved by the
6 State under such chapter, taking into
7 account the factors described in clause
8 (iii); or

9 “(II) the local board approves the
10 increase with respect to a program
11 carried out with funds allocated to a
12 local area under such chapter, taking
13 into account the factors described in
14 clause (iii).

15 “(ii) VERIFICATION BY ONE-STOP OP-
16 ERATOR.—The one-stop operator within a
17 local area shall—

18 “(I) at least once during the on-
19 the-job training program, verify that
20 the employer meets the conditions
21 that—

22 “(aa) were certified by the
23 employer in the contract for such
24 program; and

1 “(bb) are consistent with the
2 factors described in clause (iii),
3 according to a methodology de-
4 termined by the local board with
5 consent from the Governor; and

6 “(II) terminate the employer’s
7 contract for such program if the em-
8 ployer is not meeting such conditions.

9 “(iii) FACTORS.—For purposes of this
10 subparagraph, the Governor or local board,
11 respectively, may take into account factors
12 consisting of—

13 “(I) basic indicators of job qual-
14 ity, including—

15 “(aa) wage level upon com-
16 pletion of a training program;

17 “(bb) availability of benefits,
18 such as paid time off, health in-
19 surance, and retirement savings
20 plan; and

21 “(cc) a safe workplace, such
22 as a record of compliance with
23 safety regulations consistent with
24 or better than the industry aver-
25 age and adoption of an independ-

1 ently certified injury and illness
2 prevention program;

3 “(II) the characteristics of the
4 participants;

5 “(III) the size of the employer;

6 “(IV) the quality of employer-
7 provided training and advancement
8 opportunities; and

9 “(V) such other factors as the
10 Governor or local board, respectively,
11 may determine to be appropriate,
12 which may include the number of em-
13 ployees participating in the training,
14 opportunities for promotions, predict-
15 able and stable work schedule, and re-
16 lation of the training to the competi-
17 tiveness of a participant.”.

18 (4) SUPPORTIVE SERVICES.—Section 134(c)
19 (29 U.S.C. 3174) is further amended by adding at
20 the end the following:

21 “(4) SUPPORTIVE SERVICES.—

22 “(A) IN GENERAL.—A portion of the funds
23 allocated to a local area for adults under para-
24 graph (2)(A) or (3), as appropriate, of section
25 133(b), and a portion of the funds allocated to

1 the local area for dislocated workers under sec-
2 tion 133(b)(2)(B)—

3 “(i) shall be used to provide sup-
4 portive services (that are not needs-related
5 payments) to adults and dislocated work-
6 ers, respectively—

7 “(I) who are participating in pro-
8 grams with activities authorized in
9 paragraph (2) or (3) of subsection (c),
10 or who entered unsubsidized employ-
11 ment after participating in such pro-
12 grams, for up to 12 months following
13 the date of first employment; and

14 “(II) who are unable to obtain
15 such supportive services through other
16 programs providing such services; and

17 “(ii) may be used to provide needs-re-
18 lated payments to adults and dislocated
19 workers, respectively, who are unemployed
20 and do not qualify for (or have ceased to
21 qualify for) unemployment compensation
22 for the purpose of enabling such individ-
23 uals to participate in programs of training
24 services under subsection (c)(3).

1 “(B) ADDITIONAL ELIGIBILITY REQUIRE-
2 MENTS FOR NEEDS-RELATED PAYMENTS.—In
3 addition to the requirements contained in sub-
4 paragraph (A)(ii), a dislocated worker who has
5 ceased to qualify for unemployment compensa-
6 tion may be eligible to receive needs-related
7 payments under this paragraph only if such
8 worker is enrolled in training services.

9 “(C) LEVEL OF PAYMENTS.—The level of
10 a needs-related payment made to a dislocated
11 worker under this paragraph shall not exceed
12 the greater of—

13 “(i) the applicable level of unemploy-
14 ment compensation; or

15 “(ii) if such worker did not qualify for
16 unemployment compensation, an amount
17 equal to 150 percent of the poverty line,
18 for an equivalent period, which amount
19 shall be adjusted to reflect changes in total
20 family income.”.

21 (d) PERMISSIBLE LOCAL EMPLOYMENT AND TRAIN-
22 ING ACTIVITIES.—

23 (1) IN GENERAL.—Section 134(d)(1)(A) (29
24 U.S.C. 3174(d)(1)(A)) is amended—

25 (A) in clause (vii)—

1 (i) by inserting “and” at the end of
2 subclause (III); and

3 (ii) by adding at the end the fol-
4 lowing:

5 “(IV) to strengthen, through pro-
6 fessional development activities, the
7 knowledge and capacity of staff to use
8 the latest digital technologies, tools
9 and strategies to equitably deliver
10 high quality services and outcomes for
11 jobseekers, workers, and employers;”;

12 (B) in clause (viii), strike “displaced home-
13 makers” and insert “displaced caregivers”; and

14 (C) in clause (ix)(II)(bb), by inserting “,
15 technical assistance in support of job quality,
16 adoption of skills-based and equitable hiring
17 practices,” after “apprenticeship”.

18 (2) INCUMBENT WORKER TRAINING PROGRAMS;
19 TRANSITIONAL JOBS.—Section 134(d) (29 U.S.C.
20 3174(d), as amended by this section, is further
21 amended by striking paragraphs (2) through (5),
22 and inserting the following:

23 “(2) INCUMBENT WORKER TRAINING PRO-
24 GRAMS.—

25 “(A) IN GENERAL.—

1 “(i) STANDARD RESERVATION OF
2 FUNDS.—The local board may reserve and
3 use not more than 25 percent of the funds
4 allocated to the local area involved under
5 section 133(b) to pay for the Federal share
6 of the cost of providing training through a
7 training program for incumbent workers,
8 carried out in accordance with this para-
9 graph.

10 “(ii) INCREASE IN RESERVATION OF
11 FUNDS.—The local board may increase
12 such reservation of funds for a program
13 year if the Governor determines that the
14 training from such funds from the prior
15 program year resulted in career pro-
16 motions for workers receiving such training
17 and created new job vacancies. For a pro-
18 gram year for which the reservation of
19 funds is increased, clause (i) shall be ap-
20 plied by substituting ‘30 percent’ for ‘25
21 percent’.

22 “(iii) DETERMINATION OF ELIGI-
23 BILITY.—In order for a local board to de-
24 termine that an employer is eligible to re-
25 ceive funding under clause (i), the local

1 board shall take into account factors con-
2 sisting of—

3 “(I) the basic indicators of job
4 quality described in subsection
5 (c)(3)(H)(iv)(I);

6 “(II) the characteristics of the
7 participants in the program;

8 “(III) the relationship of the
9 training to the competitiveness of a
10 participant and the employer; and

11 “(IV) such other factors as the
12 local board may determine to be ap-
13 propriate, which may include the
14 number of employees participating in
15 the training, and the existence of
16 other training and advancement op-
17 portunities provided by the employer.

18 “(iv) STATEWIDE IMPACT.—The Gov-
19 ernor or State board involved may make
20 recommendations to the local board for
21 providing incumbent worker training that
22 has statewide impact.

23 “(B) TRAINING ACTIVITIES.—The training
24 program for incumbent workers carried out
25 under this paragraph shall be carried out by the

1 local board in conjunction with the employers or
2 groups of employers of such workers (which
3 may include employers in partnership with
4 other entities for the purposes of delivering
5 training) for the purpose of assisting such
6 workers in obtaining the skills necessary to re-
7 tain employment or avert layoffs.

8 “(C) EMPLOYER PAYMENT OF NON-FED-
9 ERAL SHARE.—Employers participating in the
10 program carried out under this paragraph shall
11 be required to pay for the non-Federal share of
12 the cost of providing the training to incumbent
13 workers of the employers.

14 “(D) NON-FEDERAL SHARE.—

15 “(i) FACTORS.—Subject to clause (ii),
16 the local board shall establish the non-Fed-
17 eral share of the cost of providing training
18 through a training program for incumbent
19 workers, by considering—

20 “(I) the indicators of quality jobs
21 described in clause (c)(3)(H)(iv); and

22 “(II) which indicators described
23 in clause (c)(3)(H)(iv) or how many
24 of such indicators the employer cer-
25 tifies will be met with respect to the

1 employment of incumbent workers
2 upon completion of training funded
3 under this section.

4 “(ii) LIMITS.—The non-Federal share
5 shall not be less than—

6 “(I) 10 percent of the cost, for
7 employers with not more than 50 em-
8 ployees;

9 “(II) 25 percent of the cost, for
10 employers with more than 50 employ-
11 ees but not more than 100 employees;
12 and

13 “(III) 50 percent of the cost, for
14 employers with more than 100 em-
15 ployees.

16 “(iii) CALCULATION OF EMPLOYER
17 SHARE.—The non-Federal share provided
18 by an employer participating in the pro-
19 gram may include the amount of the wages
20 paid by the employer to a worker while the
21 worker is attending a training program
22 under this paragraph. The employer may
23 provide the share in cash or in kind, fairly
24 evaluated.

1 “(E) VERIFICATION BY ONE-STOP OPER-
2 ATOR.—Upon completion of the incumbent
3 worker training program funded under this sec-
4 tion, the one-stop operator within a local area
5 shall verify that the employer met the condi-
6 tions that were certified to prior to receiving
7 the Federal share of the training program’s
8 costs, consistent with this paragraph, according
9 to a methodology determined by the Governor
10 or local board. If such conditions were not met,
11 the one-stop operator shall prohibit the em-
12 ployer from receiving funds for incumbent
13 worker training under this section for a period
14 of 5 years.

15 “(3) TRANSITIONAL JOBS.—The local board
16 may use not more than 40 percent of the funds allo-
17 cated to the local area involved under section 133(b)
18 to provide transitional jobs under subsection (c)(3)
19 that—

20 “(A) are time-limited work experiences
21 that are subsidized and are in the public, pri-
22 vate, employment social enterprise, or nonprofit
23 sectors for individuals with barriers to employ-
24 ment who are chronically unemployed or have
25 an inconsistent work history;

1 “(B) are combined with comprehensive em-
2 ployment and supportive services; and

3 “(C) are designed to assist the individuals
4 described in subparagraph (A) to establish a
5 work history, demonstrate success in the work-
6 place, and develop skills that lead to entry into
7 and retention in unsubsidized employment.”.

8 **CHAPTER 4—GENERAL WORKFORCE**
9 **INVESTMENT PROVISIONS**

10 **SEC. 251. AUTHORIZATION OF APPROPRIATIONS.**

11 Section 136 (29 U.S.C. 3181) is amended to read as
12 follows:

13 **“SEC. 136. AUTHORIZATION OF APPROPRIATIONS.**

14 “(a) YOUTH WORKFORCE INVESTMENT ACTIVI-
15 TIES.—There are authorized to be appropriated to carry
16 out the activities described in section 127(a),
17 \$1,026,450,000 for fiscal year 2023, \$1,129,100,000 for
18 fiscal year 2024, \$1,242,000,000 for fiscal year 2025,
19 \$1,366,200,000 for fiscal year 2026, \$1,502,800,000 for
20 fiscal year 2027, and \$1,653,100,000 for fiscal year 2028.

21 “(b) SUMMER AND YEAR-ROUND EMPLOYMENT AC-
22 TIVITIES.—There are authorized to be appropriated to
23 section 130, \$926,650,000 for fiscal year 2023,
24 \$1,019,300,000 for fiscal year 2024, \$1,121,250,000 for
25 fiscal year 2025, \$1,233,400,000 for fiscal year 2026,

1 \$1,356,750,000 for fiscal year 2027, and \$1,492,450,000
2 for fiscal year 2028.

3 “(c) ADULT EMPLOYMENT AND TRAINING ACTIVI-
4 TIES.—There are authorized to be appropriated to carry
5 out the activities described in section 132(a)(1),
6 \$1,555,600,000 for fiscal year 2023, \$1,711,200,000 for
7 fiscal year 2024, \$1,882,300,000 for fiscal year 2025,
8 \$2,070,500,000 for fiscal year 2026, \$2,277,600,000 for
9 fiscal year 2027, and \$2,505,400,000 for fiscal year 2028.

10 “(d) DISLOCATED WORKER EMPLOYMENT AND
11 TRAINING ACTIVITIES.—There are authorized to be ap-
12 propriated to carry out the activities described in section
13 132(a)(2), \$2,486,300,000 for fiscal year 2023,
14 \$2,734,900,000 for fiscal year 2024, \$3,008,400,000 for
15 fiscal year 2025, \$3,309,200,000 for fiscal year 2026,
16 \$3,640,100,000 for fiscal year 2027, and \$4,004,100,000
17 for fiscal year 2028.”

18 **Subtitle C—Job Corps**

19 **SEC. 261. AMENDMENTS RELATING TO JOB CORPS.**

20 (a) DEFINITIONS.—

21 (1) IN GENERAL.—Section 142 (29 U.S.C.
22 3192) is amended—

23 (A) by amending paragraph (7) to read as
24 follows:

1 “(7) JOB CORPS CAMPUS.—The term ‘Job
2 Corps campus’ means a campus run by an operator
3 selected by the Secretary pursuant to section 147,
4 carrying out Job Corps activities.”; and

5 (B) by adding at the end the following:

6 “(11) STATE.—The term ‘State’ has the mean-
7 ing given the term in section 3, except that such
8 term also includes outlying areas (as defined in sec-
9 tion 3).”.

10 (2) CONFORMING AMENDMENTS.—Subtitle C of
11 title I (29 U.S.C. 3191 et seq.) is amended—

12 (A) by striking “Job Corps center” each
13 place such term appears and inserting “Job
14 Corps campus”; and

15 (B) by striking “Job Corps centers” each
16 place such term appears and inserting “Job
17 Corps campuses”.

18 (b) INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.—
19 Section 144 (29 U.S.C. 3194) is amended—

20 (1) in subsection (a)—

21 (A) by amending paragraph (1) to read as
22 follows:

23 “(1) not less than age 16 and not more than
24 age 24 on the date of enrollment, except that such
25 maximum age limitation may be waived by the Sec-

1 retary, in accordance with regulations of the Sec-
2 retary, up to age 28 in the case of an individual with
3 a disability or a justice-involved individual; and”;

4 (B) by striking paragraph (2); and

5 (C) by redesignating paragraph (3) as
6 paragraph (2) and by amending such para-
7 graph—

8 (i) in subparagraph (A), by striking
9 “Basic skills deficient” and inserting “An
10 individual with foundational skill needs”;

11 (ii) in subparagraph (B), by striking
12 “A school dropout” and inserting “An op-
13 portunity youth”;

14 (iii) in subparagraph (D), by inserting
15 “or an individual who is pregnant” before
16 the period;

17 (iv) by adding at the end the fol-
18 lowing:

19 “(G)(i) A low-income individual as defined
20 in subsection (h)(4) of section 402A of the
21 Higher Education Amendments of 1992 (20
22 U.S.C. 1070a-11) as determined using proce-
23 dures similar to those in subsection 402a(e) of
24 such section; or

1 “(ii) a resident of a qualified opportunity
2 zone as defined in section 1400Z–1(a) of the
3 Internal Revenue Code of 1986.”; and

4 (2) by amending subsection (b) to read as fol-
5 lows:

6 “(b) SPECIAL RULE FOR VETERANS.—A veteran
7 shall be eligible to become an enrollee if the veteran meets
8 the requirements of subsection (a)(1).”.

9 (c) RECRUITMENT, SCREENING, SELECTION, AND
10 ASSIGNMENT OF ENROLLEES.—Section 145(a) (29
11 U.S.C. 3195(a)) is amended—

12 (1) in paragraph (2)—

13 (A) in subparagraph (D), by striking
14 “and” at the end;

15 (B) in subparagraph (E), by striking the
16 period at the end and inserting “; and”; and

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

18 “(F) assist one-stop centers and other en-
19 tities identified in paragraph (3) in developing
20 joint applications for Job Corps, YouthBuild,
21 and youth workforce investment activities under
22 which an applicant may submit a single applica-
23 tion for all such programs.”; and

24 (2) in paragraph (5), by striking the last sen-
25 tence.

1 (d) JOB CORPS CAMPUSES.—Section 147 (29 U.S.C.
2 3197) is amended—

3 (1) in subsection (a)—

4 (A) in paragraph (2)—

5 (i) in subparagraph (A), by inserting
6 at the end the following: “Such award shall
7 be based upon best value and fair and rea-
8 sonable pricing.”; and

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

11 “(B) CONSIDERATIONS.—

12 “(i) STUDENT OUTCOMES.—In select-
13 ing an entity to operate a Job Corps cam-
14 pus, the Secretary shall consider a numeric
15 metric of recent past effectiveness of the
16 entity in assisting opportunity youth to
17 connect to the workforce, to be calculated
18 based on data regarding—

19 “(I) the percentage of students
20 served by the entity who were in edu-
21 cation or training activities, or in un-
22 subsidized employment, during the
23 second quarter after exit from the rel-
24 evant program;

1 “(II) the percentage of students
2 served by the entity who were in edu-
3 cation or training activities, or in un-
4 subsidized employment, during the
5 fourth quarter after exit from the rel-
6 evant program;

7 “(III) the median earnings of
8 students served by the entity who
9 were in unsubsidized employment dur-
10 ing the second quarter after exit from
11 the relevant program;

12 “(IV) the percentage of students
13 served by the entity who obtained a
14 recognized postsecondary credential,
15 or a secondary school diploma or its
16 recognized equivalent, during partici-
17 pation in or within 1 year after exit
18 from the relevant program;

19 “(V) expected levels of perform-
20 ance established under section
21 159(c)(2) or similar metrics for re-
22 cruitment of eligible youth for rel-
23 evant contracts or grants.

24 “(ii) MARKET DEVELOPMENT.—

1 “(I) MENTOR-PROTÉGÉ PRO-
2 GRAM.—The Secretary shall carry out
3 a mentor-protégé program in accord-
4 ance with section 45 of the Small
5 Business Act (15 U.S.C. 657r) with
6 respect to Job Corps campus oper-
7 ations.

8 “(II) PAST-PERFORMANCE.—The
9 Secretary shall publish comparable al-
10 ternative metrics for entities without
11 previous experience in Job Corps cam-
12 pus operations to demonstrate their
13 past effectiveness in accordance with
14 the requirements of clause (i).”; and

15 (B) in paragraph (3)—

16 (i) in subparagraph (A), by inserting
17 “high-skill, high-wage, or” before “in-de-
18 mand”;

19 (ii) in subparagraph (C), by striking
20 “Workforce Investment Act of 1998” and
21 inserting “Workforce Innovation and Op-
22 portunity Act”;

23 (iii) by redesignating subparagraph
24 (K) as subparagraph (L); and

1 (iv) by inserting after subparagraph
2 (J) the following:

3 “(K) A description of the entity’s ability to
4 demonstrate a record of successfully operating
5 a safe learning and residential environment for
6 opportunity youth.”;

7 (2) in subsection (b), by striking paragraphs
8 (2) and (3) and inserting the following:

9 “(2) HIGH PERFORMANCE.—An entity shall be
10 considered to be an operator of a high-performing
11 campus if the Job Corps campus operated by the en-
12 tity was ranked among the top 25 percent of Job
13 Corps campuses, excluding Civilian Conservation
14 Centers described in subsection (d), for the two most
15 recent preceding program years.”;

16 (3) in subsection (d), by adding at the end the
17 following:

18 “(4) DIRECT HIRE AUTHORITY.—The Secretary
19 of Agriculture may appoint, without regard to the
20 provisions of subchapter I of chapter 33 of title 5,
21 United States Code (other than sections 3303 and
22 3328 of such title), a graduate of a Civilian Con-
23 servation Center who successfully completed a train-
24 ing program focused on forestry, wildland fire-
25 fighting, or another topic relating to the mission of

1 the Forest Service directly to a position with the De-
2 partment of Agriculture, Forest Service, for which
3 the candidate meets Office of Personnel Manage-
4 ment qualification standards.”;

5 (4) in subsection (f), by striking “2-year” and
6 inserting “4-year”;

7 (5) in subsection (g)(1), by striking “the pre-
8 ceding year for which information is available” and
9 all that follows through the end and inserting “the
10 preceding year for which information is available,
11 such campus has been ranked in the lowest 10 per-
12 cent of Job Corps campuses.”.

13 (e) PROGRAM ACTIVITIES.—Section 148(a) (29
14 U.S.C. 3198(a)) is amended, in the subsection heading,
15 by inserting “Academic” before “Activities”.

16 (f) SUPPORT.—Section 150 (29 U.S.C. 3200) is
17 amended—

18 (1) in subsection (c), by striking “3 months”
19 and inserting “12 months”; and

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

21 “(d) PERIOD OF TRANSITION.—Notwithstanding the
22 requirements of section 146(b), Job Corps graduates may
23 remain enrolled and a resident of a Job Corps campus
24 for not more than 1 month after graduation, subject to
25 approval by the director of the Job Corps Campus, in

1 order to facilitate their transition into independent living
2 and employment.”.

3 (g) OPERATIONS.—Section 151 (29 U.S.C. 3201) is
4 amended to read as follows:

5 **“SEC. 151. OPERATIONS.**

6 “(a) OPERATING PLAN.—

7 “(1) IN GENERAL.—The provisions of the con-
8 tract between the Secretary and an entity selected to
9 operate a Job Corps campus shall, including any
10 subsequent modifications to such contract, serve as
11 an operating plan for the Job Corps campus.

12 “(2) FEDERAL CHANGES TO OPERATING
13 PLAN.—The Secretary may require the operator to
14 submit additional information, as the Secretary
15 deems necessary for compliance with any relevant
16 regulations, which shall be considered part of the op-
17 erating plan.

18 “(3) AVAILABILITY.—The Secretary shall make
19 the operating plan described in paragraphs (1) and
20 (2), excluding any proprietary information, available
21 on a publicly accessible website.

22 “(b) LOCAL AUTHORITIES.—Subject to the limita-
23 tions of their approved budgets, the operators of Job
24 Corps campuses shall have the authority, without prior ap-
25 proval from the Secretary, to—

1 “(1) hire staff and invest in staff professional
2 development;

3 “(2) enter into agreements with local partners,
4 such as secondary and postsecondary schools or em-
5 ployers; and

6 “(3) engage with and educate stakeholders
7 about Job Corps operations and activities.”.

8 (h) STANDARDS OF CONDUCT.—Section 152 (29
9 U.S.C. 3202) is amended—

10 (1) in subsection (a), by striking the second
11 sentence;

12 (2) by amending subsection (b) to read as fol-
13 lows:

14 “(b) BEHAVIORAL MANAGEMENT PLAN.—

15 “(1) IN GENERAL.—As part of the operating
16 plan defined in section 151(a), the director of each
17 Job Corps campus shall develop and implement a be-
18 havioral management plan, subject to the approval
19 of the Secretary. Such plan shall include student
20 standards of conduct, positive behavioral interven-
21 tions and supports, and multi-tier disciplinary sys-
22 tems.

23 “(2) DISCIPLINARY MEASURES AND DRUG
24 TESTING.—

1 “(A) DISCIPLINARY MEASURES.—To pro-
2 mote the proper behavioral standards in the
3 Job Corps, the director of each Job Corps cam-
4 pus shall, consistent with the applicable behav-
5 ioral management plan described in paragraph
6 (1), have the authority to take appropriate dis-
7 ciplinary measures against enrollees if such di-
8 rector determines that an enrollee has com-
9 mitted a violation of the standards of conduct.
10 The director shall adopt a zero tolerance policy
11 for an act of violence or a credible threat of vio-
12 lence that seriously endangers the safety of stu-
13 dents, staff, or the local community and for ille-
14 gal activity on the campus.

15 “(B) DRUG TESTING.—The Secretary shall
16 require drug testing of all enrollees for con-
17 trolled substances, as set forth in section 102 of
18 the Controlled Substances Act (21 U.S.C. 802),
19 in accordance with procedures prescribed by the
20 Secretary under section 145(a).

21 “(C) DEFINITIONS.—In this paragraph:

22 “(i) CONTROLLED SUBSTANCE.—The
23 term ‘controlled substance’ has the mean-
24 ing given the term in section 102 of the

1 Controlled Substances Act (21 U.S.C.
2 802).

3 “(ii) ZERO TOLERANCE POLICY.—The
4 term ‘zero tolerance policy’ means a policy
5 under which an enrollee shall be automati-
6 cally dismissed from the Job Corps after a
7 determination by the director that the en-
8 rollee has carried out an act of violence
9 that seriously endangers the safety of stu-
10 dents, staff, or the local community or en-
11 gaged in an illegal activity on the campus.

12 “(3) ADVISORY GROUP.—The Secretary shall
13 periodically convene an advisory group of Job Corps
14 operators and service providers and subject matter
15 experts to review the reporting data collected under
16 paragraph (5) and provide recommendations for Job
17 Corps behavioral management plans based on evi-
18 dence-based research regarding effective and equi-
19 table behavioral policies.

20 “(4) LAW ENFORCEMENT AGREEMENTS.—The
21 directors of each Job Corps campus shall enter into
22 an agreement with the relevant local law enforce-
23 ment agency of jurisdiction regarding the procedures
24 for reporting and investigating potentially illegal ac-
25 tivity on Job Corps campuses.

1 “(5) INCIDENT REPORTING.—The Secretary
2 shall establish procedures for—

3 “(A) reporting significant health incidents,
4 including substance abuse, self-harm, and acci-
5 dents resulting in bodily harm; and

6 “(B) reporting significant behavioral inci-
7 dents, defined as acts of violence or illegal ac-
8 tivity.

9 “(6) ACCOUNTABILITY.—The Secretary shall
10 establish standards under which a Job Corps cam-
11 pus shall be required to take performance improve-
12 ment actions described in section 159(f), based on
13 an evaluation of such Job Corps campus, which shall
14 take into account reporting data collected under
15 paragraph (5) and recommendations of the advisory
16 group pursuant to paragraph (3).”.

17 (i) EXPERIMENTAL PROJECTS AND TECHNICAL AS-
18 SISTANCE.—Section 156(a) (29 U.S.C. 3206(a)) is
19 amended to read as follows:

20 “(a) PROJECTS.—The Secretary may carry out ex-
21 perimental, research, or demonstration projects relating to
22 evidence-based strategies for improving the operations of
23 a Job Corps campus that was ranked among the bottom
24 10 percent of Job Corps campuses. The Secretary may
25 waive any provisions of this subtitle that the Secretary

1 finds would prevent the Secretary from carrying out the
2 projects (other than sections 145, 147, and 159(e)) pro-
3 vided that—

4 “(1) the project will not result in a reduction in
5 the number of students served; and

6 “(2) if the Secretary informs the Committee on
7 Education and Labor of the House of Representa-
8 tives and the Committee on Health, Education,
9 Labor, and Pensions of the Senate, in writing, not
10 less than 90 days in advance of issuing such waiv-
11 er.”.

12 (j) APPLICATION OF PROVISIONS OF FEDERAL
13 LAW.—

14 (1) IN GENERAL.—Section 157 (29 U.S.C.
15 3207) is amended by adding at the end the fol-
16 lowing:

17 “(d) SERVICE CONTRACT ACT.—

18 “(1) IN GENERAL.—Operators and service pro-
19 viders, including subcontractors thereto, are subject
20 to and shall be required to abide by chapter 67 of
21 title 41, United States Code (commonly known as
22 the ‘McNamara-O’Hara Service Contract Act of
23 1965’).

24 “(2) ACADEMIC AND CAREER TECHNICAL IN-
25 STRUCTIONAL EMPLOYEES.—Notwithstanding sec-

1 tion 6701(3)(C) of such chapter, an academic or ca-
2 reer technical instructional employee at a Job Corps
3 campus shall be considered a ‘service employee’ for
4 purposes of applying such chapter under paragraph
5 (1).

6 “(3) RULE OF CONSTRUCTION.—To the extent
7 compensation levels being paid or scheduled to be
8 paid by an employer are, in the aggregate, greater
9 than those determined by the Secretary of Labor to
10 be required under this subsection, or as set forth in
11 a collective bargaining agreement, nothing herein
12 shall be construed to require a reduction of such
13 compensation.”.

14 (2) EFFECTIVE DATE.—

15 (A) AGREEMENTS IN EFFECT ON DATE OF
16 ENACTMENT.—Not later than 60 days after the
17 date of enactment of this Act, the Secretary
18 shall, subject to appropriations, modify all
19 agreements with operators and service providers
20 in effect as of such date of enactment to include
21 the requirements imposed by the amendment
22 made by paragraph (1).

23 (B) PENDING SOLICITATIONS.—Upon the
24 date of enactment of this Act, the Secretary
25 shall include the requirements imposed by the

1 amendment made by paragraph (1) in any
2 pending solicitation for an operator or service
3 provider.

4 (k) STAFFING.—

5 (1) IN GENERAL.—To ensure compliance with
6 chapter 67 of title 41, United States Code (com-
7 monly known as the ‘McNamara-O’Hara Service
8 Contract Act of 1965’), as such chapter is applied
9 by section 157(d) of the Workforce Innovation and
10 Opportunity Act, the staffing plan and the associ-
11 ated budget of an entity proposing to be an operator
12 or service provider for a Job Corps campus shall in-
13 corporate hourly wages (or salaries as appropriate)
14 and fringe benefit costs for occupational classifica-
15 tions at least equal to the wage determination deter-
16 mined by the Secretary of Labor for the locality of
17 the Job Corps campus. In preparing such wage de-
18 termination, the Secretary shall compare the specific
19 job classifications at the Job Corps campus with
20 those occupations most closely correlated with those
21 employed by public education providers in the local-
22 ity with the goal of ensuring equivalency to the max-
23 imum extent feasible.

24 (2) ADJUSTMENTS PERMITTED.—The Secretary
25 may further adjust compensation levels in a contract

1 with an operator or service provider to ensure suffi-
2 cient availability and retention of qualified personnel
3 in the locality.

4 (3) ANNUAL UPDATES.—The Secretary shall
5 update hourly wages (or salaries as appropriate) and
6 fringe benefit levels for such occupations covered in
7 this paragraph on an annual basis.

8 (l) SPECIAL PROVISIONS.—Section 158(f) (29 U.S.C.
9 3208(f)) is amended—

10 (1) by striking “Secretary” and inserting “di-
11 rectors of Job Corps campuses”;

12 (2) by striking “the Job Corps or individual”
13 and inserting “such”; and

14 (3) by adding at the end the following: “Any
15 real property acquired shall be directly transferred
16 to the Secretary in accordance with chapter 5 of title
17 40 and on a nonreimbursable basis.”.

18 (m) MANAGEMENT INFORMATION.—Section 159 (29
19 U.S.C. 3209) is amended—

20 (1) in subsection (a), by adding at the end the
21 following:

22 “(4) ANNUAL RECONCILIATION.—Prior to the
23 expiration of any appropriated Job Corps operations
24 funds for any fiscal year, any anticipated unobli-
25 gated funds may, subject to appropriations, be obli-

1 gated to projects identified under subsection
2 (h)(1).”;

3 (2) in subsection (c)—

4 (A) by amending paragraph (1) to read as
5 follows:

6 “(1) LEVELS OF PERFORMANCE AND INDICA-
7 TORS.—

8 “(A) IN GENERAL.—At the start of each
9 contract period, and at least every two program
10 years in the case of Civilian Conservation Cen-
11 ters, the Secretary shall establish expected lev-
12 els of performance for each Job Corps campus
13 relating to each of the primary indicators of
14 performance for eligible youth described in sec-
15 tion 116(b)(2)(A)(ii) using the model described
16 in subparagraph (B).

17 “(B) PERFORMANCE MODEL.—At least
18 every four years and no more than every two
19 years, the Secretary shall develop a model for
20 establishing the expected levels of performance
21 for each Job Corps campus, in accordance with
22 the following:

23 “(i) EQUITY.—The model shall ac-
24 count for significant correlations between

1 various factors and student outcomes, in-
2 cluding:

3 “(I) Student demographics, in-
4 cluding age, gender, race, ethnicity,
5 documented disabilities, and education
6 level on entry.

7 “(II) Employment conditions in
8 students’ home communities.

9 “(ii) DEVELOPMENT.—The model
10 shall be developed by subject matter ex-
11 perts in the fields of Job Corps operations,
12 program evaluation, statistical analysis,
13 and related fields using available Job
14 Corps data as well as regional economic
15 data.

16 “(iii) TRANSPARENCY.—The perform-
17 ance model and the past effectiveness met-
18 ric identified in section 147(a)(2)(B)(i), in-
19 cluding the procedures outlined in section
20 147(a)(2)(B)(iv), shall be published for
21 comment in the Federal Register.”;

22 (B) in paragraph (2)—

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

1 (ii) by striking subparagraph (B) and
2 inserting the following:

3 “(B) the number of enrollees recruited that
4 meet the requirements of section 144(a); and

5 “(C) the measurement described in sub-
6 paragraph (K) of subsection (d)(1).”; and

7 (C) in paragraph (4)—

8 (i) in subparagraph (A), by striking
9 “and” at the end;

10 (ii) in subparagraph (B), by striking
11 the period at the end and inserting “;
12 and”; and

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

15 “(C) information on the performance of
16 the Job Corps selection process in section
17 147(a)(2) with respect to increasing perform-
18 ance as measured pursuant to subparagraph
19 (A), specifically including information on the
20 performance of each Job Corps campus as com-
21 pared to its annual performance immediately
22 prior to its current operating agreement.”;

23 (3) in subsection (d)(1)—

24 (A) by striking subparagraph (I); and

1 (B) by redesignating subparagraphs (J)
2 through (O) as subparagraphs (I) through (N),
3 respectively;

4 (4) in subsection (f)—

5 (A) in paragraph (2)—

6 (i) in subparagraph (E), by adding
7 “or” at the end;

8 (ii) in subparagraph (F), by striking
9 “; or” and inserting a period; and

10 (iii) by striking subparagraph (G);

11 and

12 (B) by amending paragraph (4) to read as
13 follows:

14 “(4) CIVILIAN CONSERVATION CENTERS.—In
15 addition to the primary indicators of performance
16 specified in subsection (c)(1), Civilian Conservation
17 Centers shall be evaluated on their contribution to
18 the nation’s conservation goals by the Secretaries of
19 Agriculture and Labor. If the Secretaries jointly
20 conclude that a Civilian Conservation Center is not
21 meeting these dual performance goals, they may
22 take performance improvement actions described in
23 subparagraph (A), (B), or (C) of paragraph (2) of
24 this subsection.”; and

25 (5) in subsection (g)(2)—

1 (A) by striking “has entered” and insert-
2 ing “enters”; and

3 (B) by striking “comply” and inserting
4 “attest to compliance”.

5 (n) TECHNICAL AMENDMENT.—Subtitle C of title I
6 (29 U.S.C. 3191 et seq.) is amended by striking “Com-
7 mittee on Education and the Workforce” each place it ap-
8 pears and inserting “Committee on Education and
9 Labor”.

10 (o) AUTHORIZATION OF APPROPRIATIONS.—Section
11 162 (29 U.S.C. 3212) is amended to read as follows:

12 **“SEC. 162. AUTHORIZATION OF APPROPRIATIONS.**

13 “(a) IN GENERAL.—There are authorized to be ap-
14 propriated to carry out this subtitle—

15 “(1) \$1,809,857,925 for fiscal year 2023;

16 “(2) \$1,873,202,952 for fiscal year 2024;

17 “(3) \$1,938,765,056 for fiscal year 2025;

18 “(4) \$2,006,621,833 for fiscal year 2026;

19 “(5) \$2,076,853,597 for fiscal year 2027; and

20 “(6) \$2,149,543,473 for fiscal year 2028.

21 “(b) CONSTRUCTION COSTS.—Of the amount author-
22 ized in subsection (a) for each of fiscal years 2023 through
23 2028, \$107,800,000 shall be for construction, rehabilita-
24 tion, and acquisition of Job Corps Campuses.”.

1 **Subtitle D—National Programs**

2 **SEC. 271. NATIVE AMERICAN PROGRAMS.**

3 Section 166 (29 U.S.C. 3221) is amended—

4 (1) in subsection (c), by striking “, on a com-
5 petitive basis,”;

6 (2) in subsection (d)—

7 (A) in paragraph (1)—

8 (i) in subparagraph (A), by striking
9 “and” at the end;

10 (ii) in subparagraph (B), by striking
11 the period at the end and inserting “;
12 and”;

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

15 “(C) are evidence-based, to the extent
16 practicable.”; and

17 (B) by amending paragraph (2) to read as
18 follows:

19 “(2) **WORKFORCE DEVELOPMENT ACTIVITIES**
20 **AND SUPPLEMENTAL SERVICES.**—Funds made avail-
21 able under subsection (c) shall be used for—

22 “(A) comprehensive workforce development
23 activities for Indians, Alaska Natives, or Native
24 Hawaiians, including training on entrepre-
25 neurial skills; or

1 “(B) supplemental services for Indian,
2 Alaska Native, or Native Hawaiian youth on or
3 near Indian reservations and in Oklahoma,
4 Alaska, or Hawaii.”; and

5 (3) in subsection (i)—

6 (A) in paragraph (1)—

7 (i) in the heading, by striking “UNIT”
8 and inserting “DIVISION”; and

9 (ii) by striking “unit” and inserting
10 “division”;

11 (B) in paragraph (4)—

12 (i) by amending subparagraph (B) to
13 read as follows:

14 “(B) COMPOSITION.—

15 “(i) IN GENERAL.—The Council shall
16 be composed of individuals, appointed by
17 the Secretary, who are representatives of
18 the entities described in subsection (c).

19 “(ii) VACANCIES.—Any member ap-
20 pointed to fill a vacancy occurring before
21 the expiration of the term for which the
22 member’s predecessor was appointed shall
23 be appointed only for the remainder of that
24 term. A member may serve after the expi-

1 ration of that member’s term until a suc-
2 cessor has taken office.”; and

3 (ii) in subparagraph (C), by striking
4 “unit” and inserting “division”; and

5 (C) in paragraph (5), by striking “unit”
6 and inserting “division”.

7 **SEC. 272. MIGRANT AND SEASONAL FARMWORKER PRO-**
8 **GRAMS.**

9 Section 167 (29 U.S.C. 3222) is amended—

10 (1) in subsection (d), by inserting “be used for
11 the 4-year period for which funds are provided under
12 this section, and which may” after “which may;”;

13 (2) in subsection (h)—

14 (A) in the heading, by inserting “; FUND-
15 ING OBLIGATION” after “FUNDING ALLOCA-
16 TION”;

17 (B) by striking “From the” and inserting
18 the following:

19 “(1) FUNDING ALLOCATION.—From the”; and

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

21 “(2) FUNDING OBLIGATION.—

22 “(A) IN GENERAL.—Funds appropriated
23 and made available to carry out this section for
24 any fiscal year may be obligated to any entity
25 described in subsection (b) during the period

1 beginning on April 1 of the calendar year that
2 begins during such fiscal year, and ending on
3 June 30 of the following calendar year.

4 “(B) OBLIGATED AMOUNT.—Funds made
5 available under this section for a fiscal year to
6 any entity described in subsection (b) shall be
7 obligated and available for expenditure by such
8 entity for the period beginning on July 1 of the
9 calendar year that begins during such fiscal
10 year, and ending on June 30 of the following
11 calendar year, except that the Secretary may
12 extend such period if the Secretary determines
13 that such extension is necessary to ensure the
14 effective use of such funds by such entity.”; and
15 (3) in subsection (i)(3)(A)(i), by striking “12”
16 and inserting “8”.

17 **SEC. 273. TECHNICAL ASSISTANCE.**

18 Section 168(a)(1) (29 U.S.C. 3223(a)(1)) is amend-
19 ed—

20 (1) in the matter preceding subparagraph (A),
21 by striking “staff development” and inserting “pro-
22 fessional development for staff”;

23 (2) in subparagraph (C), by inserting “profes-
24 sional development and” after “the”;

1 (3) in subparagraph (D), by inserting “profes-
2 sional development and” after “the”;

3 (4) in subparagraph (G), by striking “and” at
4 the end;

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

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

8 “(I) the training of staff at one-stop cen-
9 ters on trauma-informed approaches, gender
10 and racial biases, and the unique safety chal-
11 lenges faced by survivors of gender-based vio-
12 lence.”.

13 **SEC. 274. EVALUATIONS AND RESEARCH.**

14 Section 169 (29 U.S.C. 3224) is amended—

15 (1) in subsection (a)—

16 (A) in paragraph (4), by striking “2019”
17 and inserting “2027”; and

18 (B) in paragraph (6), by striking “the
19 Workforce” and inserting “Labor”;

20 (2) in subsection (b)—

21 (A) in paragraph (1), by striking “the
22 Workforce” and inserting “Labor”; and

23 (B) in paragraph (4)—

24 (i) by striking subparagraphs (B)
25 through (J);

1 (ii) by redesignating subparagraph
2 (K) as subparagraph (C);

3 (iii) by inserting after subparagraph,
4 the following:

5 “(B) STUDY ON CORRECTIONAL EDU-
6 CATION AND TRAINING.—The Secretary of
7 Labor, in coordination with the Secretary of
8 Education, may conduct a study to determine
9 the feasibility of, and potential means to rep-
10 licate the measurement of recidivism for former
11 criminal offenders who participated in adult
12 employment and training activities under this
13 title or correctional institution education pro-
14 grams under title II to improve the quality and
15 performance of such services or activities.”; and

16 (iv) in subparagraph (C), as so redesi-
17 gnated, by striking “the Workforce” and
18 inserting “Labor”;

19 (3) by redesignating subsection (c) as sub-
20 section (d); and

21 (4) by inserting after subsection (b) the fol-
22 lowing:

23 “(c) WORKFORCE DEVELOPMENT INNOVATION
24 FUND.—

25 “(1) PROGRAM AUTHORIZED.—

1 “(A) IN GENERAL.—The Secretary may
2 award workforce development innovation
3 grants, on a competitive basis, to eligible enti-
4 ties to enable such entities to—

5 “(i) create, implement, replicate, or
6 take to scale entrepreneurial, evidence-
7 based, field-initiated innovation programs
8 and services for improving the design and
9 delivery of employment and training serv-
10 ices that generate long-term improvements
11 in the performance of the workforce devel-
12 opment system, in outcomes for job-seekers
13 (including individuals with barriers to em-
14 ployment), and in the cost-effectiveness of
15 programs and services; and

16 “(ii) rigorously evaluate such pro-
17 grams and services in accordance with this
18 subsection.

19 “(B) DESCRIPTION OF GRANTS.—The
20 grants described in subparagraph (A) shall in-
21 clude—

22 “(i) early-phase grants to fund the de-
23 velopment, implementation, and feasibility
24 testing of an innovation program or serv-
25 ices, which prior research suggests has

1 promise, for the purpose of determining
2 whether such program or service can suc-
3 cessfully improve the design and delivery of
4 employment and training services that gen-
5 erate long-term improvements in the per-
6 formance of the workforce development
7 system, in outcomes for job-seekers (in-
8 cluding individuals with barriers to employ-
9 ment), and in the cost-effectiveness of such
10 programs and services;

11 “(ii) mid-phase grants to fund imple-
12 mentation and a well-designed and well-im-
13 plemented evaluation of such a program or
14 service that has been successfully imple-
15 mented under an early-phase grant de-
16 scribed in clause (i) or other effort meeting
17 similar criteria, for the purpose of meas-
18 uring the impact and cost effectiveness of
19 such programs or services, using data col-
20 lected pursuant to the implementation of
21 such program or service, if possible; and

22 “(iii) expansion grants to fund imple-
23 mentation and a well-designed and well-im-
24 plemented replication evaluation of such a
25 program or service that has been found to

1 produce sizable, important impacts under a
2 mid-phase grant described in clause (ii) or
3 other effort meeting similar criteria, for
4 the purposes of—

5 “(I) determining whether such
6 impacts may be successfully repro-
7 duced and sustained over time; and

8 “(II) identifying the conditions in
9 which such a program or service is
10 most effective.

11 “(2) TECHNICAL ASSISTANCE.—Of the funds
12 made available to carry out this subsection for a fis-
13 cal year, the Secretary shall reserve not more than
14 5 percent of the funds to—

15 “(A) provide technical assistance to eligible
16 entities, which may include preapplication work-
17 shops, web-based seminars, and evaluation sup-
18 port; and

19 “(B) disseminate evidence-based best prac-
20 tices.

21 “(3) DEFINITIONS.—In this subsection:

22 “(A) ELIGIBLE ENTITY.—The term ‘eligi-
23 ble entity’ means any of the following:

24 “(i) A State board.

25 “(ii) A local board.

1 “(iii) An Indian tribe, tribal organiza-
2 tion, Alaska Native entity, Indian-con-
3 trolled organization serving Indians, or Na-
4 tive Hawaiian organization that is eligible
5 to receive an award under section 166.

6 “(iv) A community-based, nonprofit,
7 or nongovernmental organization serving
8 an underserved population.

9 “(v) A consortium of such entities de-
10 scribed under clause (i) through clause
11 (iv).

12 “(B) WELL-DESIGNED AND WELL-IMPLE-
13 MENTED.—The term ‘well-designed and well-
14 implemented’, as applied to an evaluation study,
15 means a study that is replicable, uses pro-
16 grammatic and control groups that are rep-
17 resentative of the type of population served by
18 the program, uses controls for aggregate shifts
19 that might affect baseline numbers, does not
20 have problems with attrition from the program,
21 and takes measures to avoid creaming.

22 “(4) AUTHORIZATION OF APPROPRIATIONS.—
23 There are authorized to be appropriated to carry out
24 this subsection, such sums as may be necessary for
25 each of the fiscal years 2023 through 2028.”.

1 **SEC. 275. NATIONAL DISLOCATED WORKER GRANTS.**

2 Section 170(c)(1)(B) (29 U.S.C. 3225(c)(1)(B)) is
3 amended by striking “and any other” and all that follows
4 through “dislocations.” and inserting “which may include
5 a national or regional intermediary that provides employ-
6 ment and training activities to dislocated workers.”.

7 **SEC. 276. YOUTHBUILD PROGRAM.**

8 Section 171 (29 U.S.C. 3226) is amended—

9 (1) in subsection (c)—

10 (A) by amending paragraph (1) to read as
11 follows:

12 “(1) RESERVATION, AMOUNT OF GRANTS.—

13 “(A) RESERVATION.—In any fiscal year in
14 which the amount appropriated to carry out
15 this section is greater than \$125,000,000, the
16 Secretary shall reserve 20 percent of such
17 amount that is greater than \$125,000,000
18 for—

19 “(i) grants to applicants that are lo-
20 cated in rural areas (as defined by the Sec-
21 retary); and

22 “(ii) programs operated by an Indian
23 tribe or for the benefit of the members of
24 an Indian Tribe for the purpose of car-
25 rying out YouthBuild programs approved
26 under this section.

1 “(B) AMOUNT OF GRANTS.—After making
2 the reservation described under subparagraph
3 (A), the Secretary may use the remaining
4 amount appropriated to carry out this section
5 to make grants to applicants for the purpose of
6 carrying out YouthBuild programs approved
7 under this section.”;

8 (B) in paragraph (2)—

9 (i) in subparagraph (A)—

10 (I) in clause (iv)(I), by striking

11 “language”;

12 (II) in clause (vii), by striking

13 “12” and inserting “24”; and

14 (ii) by adding at the end the fol-

15 lowing:

16 “(I) Provision of meals and other food as-
17 sistance that is offered to participants in con-
18 junction with another activity described in this
19 paragraph.

20 “(J) Informing participants of their eligi-
21 bility, and assisting participants in applying, for
22 Federal and State means tested benefit pro-
23 grams, such as the supplemental nutrition as-
24 sistance program, and assistance provided by

1 the State through the Child Care Development
2 Block Grant Act.

3 “(K) Supportive services for individuals
4 with disabilities to ensure such individuals may
5 fully participate in a YouthBuild program.”;
6 and

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

8 “(6) USE OF FUNDS FOR MATCH.—Consistent
9 with the requirements described under subsection
10 (e)(3), an entity which receives a grant under this
11 section may use a portion of such grant to meet all
12 or a portion of the requirement to provide matching
13 funds under section 121(e) of the National and
14 Community Service Act of 1990 (42 U.S.C.
15 12571(e)) or any other such requirements under
16 such Act.”;

17 (2) in subsection (e)(1)—

18 (A) in subparagraph (A)(ii), by striking
19 “youth offender” and inserting “youth justice-
20 involved individual”; and

21 (B) in subparagraph (B)(i), by striking
22 “basic skills deficient” and inserting
23 “foundational skill needs”;

24 (3) in subsection (f), by adding at the end the
25 following:

1 “(3) CONSULTATION.—In establishing expected
2 levels of performance under paragraph (1), the Sec-
3 retary shall consult, on not less than an annual
4 basis, with YouthBuild programs to ensure such lev-
5 els of performance account for the workforce and
6 postsecondary experiences of youth served by such
7 programs.”;

8 (4) in subsection (g), by adding at the end the
9 following:

10 “(4) ANNUAL RELEASE OF FUNDING OPPOR-
11 TUNITY ANNOUNCEMENT.—The Secretary shall, to
12 the greatest extent practicable, announce new fund-
13 ing opportunities for grants under this section dur-
14 ing the same time period each year that such grants
15 are announced.

16 “(5) STATE WAGE DATA.—States receiving
17 grants under this Act shall facilitate access to wage
18 data of participants in YouthBuild programs for the
19 purpose of meeting the requirements of this section.
20 Such facilitation shall not reduce any protections af-
21 forded by the State that protect the privacy of par-
22 ticipant information.”; and

23 (5) by amending subsection (i) to read as fol-
24 lows:

1 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this sec-
3 tion—

4 “(1) \$159,500,000 for fiscal year 2023;

5 “(2) \$167,500,000 for fiscal year 2024;

6 “(3) \$175,900,000 for fiscal year 2025;

7 “(4) \$184,700,000 for fiscal year 2026;

8 “(5) \$193,000,000 for fiscal year 2027; and

9 “(6) \$203,600,000 for fiscal year 2028.”.

10 **SEC. 277. STRENGTHENING COMMUNITY COLLEGES TRAIN-**
11 **ING GRANTS PROGRAM.**

12 Subtitle D of title I (29 U.S.C. 3221 et seq.), as
13 amended by this Act is further amended—

14 (1) by redesignating section 172 as section 176;

15 and

16 (2) by inserting after section 171 the following:

17 **“SEC. 172. STRENGTHENING COMMUNITY COLLEGES**
18 **TRAINING GRANTS PROGRAM.**

19 “(a) PURPOSES.—The purposes of this section are—

20 “(1) to establish, improve, or expand high-quality
21 educational or career training programs at com-
22 munity colleges; and

23 “(2) to expand opportunities for individuals to
24 obtain recognized postsecondary credentials that are
25 nationally or regionally portable and stackable for

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

3 “(b) STRENGTHENING COMMUNITY COLLEGES
4 TRAINING GRANTS PROGRAM.—

5 “(1) IN GENERAL.—From the amounts appro-
6 priated to carry out this section under subsection (k)
7 and not reserved under paragraph (2), the Secretary
8 shall, on a competitive basis, make grants to eligible
9 institutions to carry out the activities described in
10 subsection (e).

11 “(2) RESERVATION.—Of the amounts appro-
12 priated to carry out this section under subsection
13 (k), the Secretary may reserve not more than two
14 percent for the administration of grants awarded
15 under this section, including—

16 “(A) providing technical assistance and
17 targeted outreach to support eligible institu-
18 tions serving a high number or high percentage
19 of low-income individuals or individuals with
20 barriers to employment, and rural-serving eligi-
21 ble institutions, to provide guidance and assist-
22 ance in the process of applying for grants under
23 this section; and

24 “(B) evaluating and reporting on the per-
25 formance and impact of programs funded under

1 this section in accordance with subsections (f)
2 through (h).

3 “(c) AWARD PERIOD.—

4 “(1) INITIAL GRANT PERIOD.—Each grant
5 under this section shall be awarded for an initial pe-
6 riod of not more than 4 years.

7 “(2) SUBSEQUENT GRANTS.—An eligible insti-
8 tution that receives an initial grant under this sec-
9 tion may receive one or more additional grants
10 under this section for additional periods of not more
11 than 4 years each if the eligible institution dem-
12 onstrates that the community college and industry
13 partnership supported with the initial grant was suc-
14 cessful (as determined by the Secretary on the basis
15 of the levels of performance achieved with respect to
16 the performance indicators specified in subsection
17 (f)).

18 “(d) APPLICATION.—

19 “(1) IN GENERAL.—To be eligible to receive a
20 grant under this section, an eligible institution shall
21 submit an application to the Secretary at such time,
22 in such manner, and containing such information as
23 the Secretary may require.

24 “(2) CONTENTS.—At a minimum, an applica-
25 tion submitted by an eligible institution under para-

1 graph (1) shall include a description of each the fol-
2 lowing:

3 “(A) The extent to which the eligible insti-
4 tution included in the partnership has prior ex-
5 perience in leading similar capacity building
6 projects that demonstrates the institution’s abil-
7 ity to accomplish multi-pronged, complex
8 projects and an explanation of the results of
9 any such projects.

10 “(B) The extent to which the eligible insti-
11 tution can—

12 “(i) leverage additional resources to
13 support the programs funded with the
14 grant; and

15 “(ii) demonstrate the future sustain-
16 ability of each such program.

17 “(C) The steps the institution will take to
18 ensure the quality of each program supported
19 by the grant, including the career pathways
20 within such programs.

21 “(D) The needs that will be addressed by
22 the community college and industry partnership
23 supported by the grant.

24 “(E) The population and geographic area
25 to be served by the partnership.

1 “(F) One or more industries that the part-
2 nership will target and data demonstrating that
3 those industries are aligned with employer de-
4 mand in the geographic area to be served by
5 the partnership.

6 “(G) The educational or career training
7 programs to be supported by the grant.

8 “(H) The recognized postsecondary creden-
9 tials that are expected to be earned by partici-
10 pants in such programs and the related in-de-
11 mand industry sectors or occupations for which
12 such programs will prepare participants.

13 “(I) The evidence upon which the edu-
14 cation and training strategies to be used in the
15 programs are based and an explanation of how
16 such evidence influenced the design of the pro-
17 grams to improve education and employment
18 outcomes.

19 “(J) The methods and strategies the part-
20 nership will use to engage with employers in in-
21 demand industry sectors or occupations.

22 “(K) The roles and responsibilities of each
23 employer, organization, agency, or institution of
24 higher education with which the eligible institu-

1 tion will partner to carry out activities under
2 this section.

3 “(L) Whether, and to what extent, the ac-
4 tivities of the partnership are expected to align
5 with the workforce strategies identified in—

6 “(i) any State plan or local plan sub-
7 mitted under this Act by the State, out-
8 lying area, or locality in which the partner-
9 ship is expected to operate;

10 “(ii) any State plan submitted under
11 section 122 of the Carl D. Perkins Career
12 and Technical Education Act of 2006 (20
13 U.S.C. 2342) by such State or outlying
14 area; and

15 “(iii) any economic development plan
16 of the chief executive of such State or out-
17 lying area.

18 “(M) The goals of the partnership with re-
19 spect to—

20 “(i) capacity building (as described in
21 subsection (f)(1)(B)); and

22 “(ii) the expected performance of indi-
23 viduals participating in the programs to be
24 offered by the partnership, including with
25 respect to any performance indicators ap-

1 plicable under section 116 or subsection (f)
2 of this section.

3 “(3) CONSIDERATION OF PREVIOUS EXPERI-
4 ENCE.—The Secretary may not disqualify an other-
5 wise eligible institution from receiving a grant under
6 this section solely because such institution lacks pre-
7 vious experience in capacity building projects, as de-
8 scribed in subparagraph (2)(A).

9 “(4) PRIORITY.—In awarding grants under this
10 section, the Secretary shall give priority to eligible
11 entities that will use the grant to serve—

12 “(A) individuals with barriers to employ-
13 ment; or

14 “(B) incumbent workers who need to gain
15 or improve foundational skills to enhance their
16 employability.

17 “(e) USES OF FUNDS.—

18 “(1) COMMUNITY COLLEGE AND INDUSTRY
19 PARTNERSHIP.—For the purpose of carrying out the
20 activities specified in paragraphs (2) and (3), an eli-
21 gible institution that receives a grant under this sec-
22 tion shall establish a partnership or continue an ex-
23 isting partnership with one or more employers in an
24 in-demand industry sector or occupation and shall
25 maintain such partnership for the duration of the

1 grant period. The eligible institution shall ensure
2 that the partnership—

3 “(A) targets one or more specific high-
4 skill, high-wage, or in-demand industries;

5 “(B) includes collaboration with the work-
6 force development system;

7 “(C) serves adult and dislocated workers,
8 incumbent workers, and new entrants to the
9 workforce;

10 “(D) uses an evidence-based program de-
11 sign that is appropriate for the activities carried
12 out by the partnership; and

13 “(E) incorporates, to the extent appro-
14 priate, virtual service delivery to facilitate tech-
15 nology-enabled learning.

16 “(2) REQUIRED ACTIVITIES.—An eligible insti-
17 tution that receives a grant under this section, in
18 consultation with the partnership established under
19 paragraph (1), shall—

20 “(A) establish, improve, or expand high
21 quality, evidence-based education or career
22 training programs, career pathway programs, or
23 work-based learning programs (including ap-
24 prenticeship programs or pre-apprenticeships

1 that qualify an individual for participation in an
2 apprenticeship program); and

3 “(B) use not less than 15 percent of the
4 grant to provide supportive services to individ-
5 uals participating in the programs funded with
6 the grant to facilitate retention and program
7 completion, which may include—

8 “(i) childcare, transportation, mental
9 health services, and assistance in obtaining
10 health insurance coverage and housing;

11 “(ii) assistance in accessing State and
12 Federal means-tested benefits programs;

13 “(iii) career navigation, coaching,
14 mentorship, and case management serv-
15 ices, including providing information and
16 outreach to individuals with barriers to
17 employment to encourage such individuals
18 to participate in programs funded with the
19 grant; and

20 “(iv) providing access to course mate-
21 rials, technological devices, required equip-
22 ment, and other supports necessary for
23 participation in and successful completion
24 of such programs.

1 “(3) ADDITIONAL ACTIVITIES.—In addition to
2 the activities required under paragraph (2), an eligi-
3 ble institution that receives a grant under this sec-
4 tion, in consultation with the partnership established
5 under paragraph (1), shall carry out one or more of
6 the following activities:

7 “(A) Establish, improve, or expand—

8 “(i) articulation agreements (as de-
9 fined in section 486A(a) of the Higher
10 Education Act of 1965 (20 U.S.C.
11 1093a(a));

12 “(ii) credit transfer agreements;

13 “(iii) corequisite remediation pro-
14 grams that enable a student to receive re-
15 medial education services while enrolled in
16 a postsecondary course rather than requir-
17 ing the student to receive remedial edu-
18 cation before enrolling in a such a course;

19 “(iv) dual or concurrent enrollment
20 programs;

21 “(v) competency-based education and
22 assessment; or

23 “(vi) policies and processes to award
24 academic credit for prior learning or for
25 the programs described in paragraph (2).

1 “(B) Make available, in a format that is
2 open, searchable, and easily comparable, infor-
3 mation on—

4 “(i) curricula and recognized postsec-
5 ondary credentials offered through pro-
6 grams funded with the grant, including
7 any curricula or credentials created or fur-
8 ther developed using such grant;

9 “(ii) the skills or competencies devel-
10 oped by individuals who participate in such
11 programs; and

12 “(iii) related employment and earn-
13 ings outcomes.

14 “(C) Establish or implement plans for pro-
15 viders of the programs described in paragraph
16 (2) to meet the criteria and carry out the proce-
17 dures necessary to be included on the eligible
18 training services provider list described in sec-
19 tion 122(d).

20 “(D) Purchase, lease, or refurbish special-
21 ized equipment as necessary to carry out such
22 programs.

23 “(E) Reduce or eliminate unmet financial
24 need relating to participants’ cost of attendance
25 (as defined under section 472 of the Higher

1 Education Act of 1965 (20 U.S.C. 10871l)) in
2 such programs.

3 “(4) ADMINISTRATIVE COST LIMIT.—An eligible
4 institution may use not more than 10 percent of the
5 funds received under this section for administrative
6 costs, including costs related to collecting informa-
7 tion, analysis, and coordination for purposes of sub-
8 section (f).

9 “(f) PERFORMANCE LEVELS AND PERFORMANCE
10 REVIEWS.—

11 “(1) IN GENERAL.—The Secretary shall develop
12 and implement guidance that establishes the levels
13 of performance that are expected to be achieved by
14 each community college and industry partnership
15 funded with a grant under this section. Such per-
16 formance levels shall be based on the following indi-
17 cators:

18 “(A) Each of the primary indicators of
19 performance for adults described in section
20 116(b).

21 “(B) The extent to which the partnership
22 built capacity by—

23 “(i) increasing the breadth and depth
24 of employer engagement and investment in
25 educational and training programs in the

1 in-demand industry sectors and occupa-
2 tions targeted by the partnership;

3 “(ii) designing or implementing new
4 and accelerated instructional techniques or
5 technologies, including the use of advanced
6 online and technology-enabled learning;
7 and

8 “(iii) increasing program and policy
9 alignment across systems and decreasing
10 duplicative services or service gaps.

11 “(C) With respect to individuals who par-
12 ticipated in an education or training program
13 funded with the grant—

14 “(i) the percentage of participants
15 who successfully completed a program;

16 “(ii) of the participants who were in-
17 cumbent workers at the time of enrollment
18 in the program, the percentage who ad-
19 vanced into higher-level positions during or
20 after completing the program.

21 “(D) Such other indicators of performance
22 as the Secretary determines appropriate.

23 “(2) CONSULTATION AND DETERMINATION OF
24 PERFORMANCE LEVELS.—

1 “(A) CONSULTATION.—In developing the
2 performance levels under paragraph (1), the
3 Secretary shall consult with each partnership
4 funded with a grant under this section.

5 “(B) DETERMINATION.—After completing
6 the consultation required under subparagraph
7 (A), the Secretary shall separately determine
8 the performance levels that will apply to each
9 partnership taking into account—

10 “(i) the expected performance levels of
11 each eligible entity with respect to the
12 goals described in subsection (d)(2)(M);
13 and

14 “(ii) local economic conditions in the
15 geographic area to be served by the part-
16 nership, including differences in unemploy-
17 ment rates and job losses or gains in par-
18 ticular industries.

19 “(C) NOTICE AND ACKNOWLEDGMENT.—

20 “(i) NOTICE.—The Secretary shall
21 provide each partnership with a written no-
22 tification that sets forth the performance
23 levels that will apply to the partnership, as
24 determined under subparagraph (B).

1 “(ii) ACKNOWLEDGMENT.—After re-
2 ceiving the notification described in clause
3 (i), each partnership shall submit to the
4 Secretary written confirmation that the
5 partnership—

6 “(I) received the notification; and

7 “(II) agrees to be evaluated in
8 accordance with the performance lev-
9 els set by the Secretary.

10 “(3) PERFORMANCE REVIEWS.—On an annual
11 basis during each year of the grant period, the Sec-
12 retary shall evaluate the performance of each part-
13 nership funded with a grant under this section in a
14 manner consistent with paragraph (2).

15 “(4) FAILURE TO MEET PERFORMANCE LEV-
16 ELS.—After conducting an evaluation under para-
17 graph (3), if the Secretary determines that a part-
18 nership did not achieve the performance levels appli-
19 cable to the partnership under paragraph (2) the
20 Secretary shall—

21 “(A) provide technical assistance to the
22 partnership and

23 “(B) develop a performance improvement
24 plan for the partnership.

25 “(g) EVALUATIONS AND REPORTS.—

1 “(1) IN GENERAL.—Not later than 5 years
2 after the date on which the first grant is made
3 under this section, the Secretary shall design and
4 conduct an evaluation to determine the overall effec-
5 tiveness of the community college and industry part-
6 nerships funded under this section.

7 “(2) ELEMENTS.—The evaluation conducted
8 under paragraph (1) shall include an assessment of
9 the general effectiveness of programs and activities
10 supported by grants awarded under this section, in-
11 cluding the extent to which the programs and activi-
12 ties—

13 “(A) developed new or expanded existing
14 successful industry sector strategies, including
15 the extent to which such partnerships deepened
16 employer engagement and developed education
17 and training programs that met industry skill
18 needs;

19 “(B) created, expanded, or enhanced ca-
20 reer pathways, including the extent to which the
21 partnerships developed or improved com-
22 petency-based education and assessment, credit
23 for prior learning, modularized and self-paced
24 curricula, integrated education and career
25 training, dual enrollment in secondary and post-

1 secondary career pathways, stacked and latticed
2 credentials, and online and distance learning;

3 “(C) created alignment between commu-
4 nity colleges and the workforce development
5 system;

6 “(D) assisted individuals with finding, re-
7 taining, or advancing in employment;

8 “(E) assisted individuals with earning rec-
9 ognized postsecondary credentials; and

10 “(F) served various demographic groups,
11 including people of different geographic loca-
12 tions, ages, races, national origins, and sex.

13 “(3) DESIGN REQUIREMENTS.—The evaluation
14 under this subsection shall—

15 “(A) be designed by the Secretary (acting
16 through the Chief Evaluation Officer) in con-
17 junction with the partnerships being evaluated;

18 “(B) include analysis of participant feed-
19 back and outcome and process measures; and

20 “(C) use designs that employ the most rig-
21 orous analytical and statistical methods that
22 are reasonably feasible, such as the use of con-
23 trol groups.

24 “(4) DATA ACCESSIBILITY.—The Secretary
25 shall make available on a publicly accessible website

1 of the Department of Labor any data collected as
2 part of the evaluation under this subsection. Such
3 data shall be made available in an aggregated for-
4 mat that does not reveal personally identifiable in-
5 formation.

6 “(5) PUBLICATION AND REPORTING OF EVAL-
7 UATION FINDINGS.—The Secretary (acting through
8 the Chief Evaluation Officer) shall—

9 “(A) in accordance with the timeline deter-
10 mined to be appropriate by the Chief Evalua-
11 tion Officer, publish an interim report on the
12 preliminary results of the evaluation conducted
13 under this subsection;

14 “(B) not later than 60 days after the date
15 on which the evaluation is completed under this
16 subsection, submit to the Committee on Edu-
17 cation and Labor of the House of Representa-
18 tives and the Committee on Health, Education,
19 Labor, and Pensions of the Senate a report on
20 such evaluation; and

21 “(C) not later than 90 days after such
22 completion date, publish and make the results
23 of the evaluation available on a publicly acces-
24 sible website of the Department of Labor.

1 “(h) ANNUAL REPORTS.—The Secretary shall make
2 available on a publicly accessible website of the Depart-
3 ment of Labor, in transparent, linked, open, and inter-
4 operable data formats, the following information:

5 “(1) The performance of partnerships on the
6 capacity-building performance indicator set forth
7 under subsection (f)(1)(B).

8 “(2) The performance of partnerships on the
9 participant outcome performance indicators set forth
10 under subsection (f)(1)(C)).

11 “(3) The number of individuals enrolled in em-
12 ployment and training activities funded with a grant
13 under this section.

14 “(i) DEFINITIONS.—In this section:

15 “(1) COMMUNITY COLLEGE.—The term ‘com-
16 munity college’ means—

17 “(A) a public institution of higher edu-
18 cation (as defined in section 101(a) of the
19 Higher Education Act (20 U.S.C. 1001(a)), at
20 which—

21 “(i) the highest degree awarded is an
22 associate degree; or

23 “(ii) an associate degree is the most
24 frequently awarded degree;

1 “(B) a branch campus of a 4-year public
2 institution of higher education (as defined in
3 section 101 of the Higher Education Act of
4 1965 (20 U.S.C. 1001)), if, at such branch
5 campus—

6 “(i) the highest degree awarded is an
7 associate degree; or

8 “(ii) an associate degree is the most
9 frequently awarded degree;

10 “(C) a 2-year Tribal College or University
11 (as defined in section 316(b)(3) of the Higher
12 Education Act of 1965 (20 U.S.C.
13 1059c(b)(3))); or

14 “(D) a degree-granting Tribal College or
15 University (as defined in section 316(b)(3) of
16 the Higher Education Act of 1965 (20 U.S.C.
17 1059c(b)(3))) at which—

18 “(i) the highest degree awarded is an
19 associate degree; or

20 “(ii) an associate degree is the most
21 frequently awarded degree.

22 “(2) ELIGIBLE INSTITUTION.—The term ‘eligi-
23 ble institution’ means—

24 “(A) a community college;

1 “(B) a postsecondary vocational institution
2 (as defined in section 102(c) of the Higher
3 Education Act of 1965 (20 U.S.C. 1002(c))); or

4 “(C) a consortium of such colleges or insti-
5 tutions.

6 “(j) SUPPLEMENT NOT SUPPLANT.—Funds made
7 available under this section shall be used to supplement,
8 and not supplant other Federal, State, and local public
9 funds made available for carrying out the activities de-
10 scribed in this section.

11 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated to carry out this sec-
13 tion—

14 “(1) \$100,000,000 for fiscal year 2023;

15 “(2) \$110,000,000 for fiscal year 2024;

16 “(3) \$121,000,000 for fiscal year 2025;

17 “(4) \$133,000,000 for fiscal year 2026;

18 “(5) \$146,000,000 for fiscal year 2027; and

19 “(6) \$161,000,000 for fiscal year 2028.”.

20 **SEC. 278. REENTRY EMPLOYMENT OPPORTUNITIES.**

21 Subtitle D of title I (29 U.S.C. 3221 et seq.), as
22 amended by this Act, is further amended by inserting after
23 section 172, as added by the preceding section, the fol-
24 lowing:

1 **“SEC. 173. REENTRY EMPLOYMENT OPPORTUNITIES.**

2 “(a) PURPOSES.—The purposes of this section are—

3 “(1) to improve the employment, earnings, and
4 skill attainment, and reduce recidivism, of adults
5 and youth who have been involved with the justice
6 system;

7 “(2) to prompt innovation and improvement in
8 the reentry of justice-involved individuals into the
9 workforce so that successful initiatives can be estab-
10 lished or continued and replicated; and

11 “(3) to further develop the evidence on how to
12 improve employment, earnings, and skill attainment,
13 and reduce recidivism of justice-involved individuals,
14 through rigorous evaluations of specific services pro-
15 vided, including how they affect different popu-
16 lations and how they are best combined and
17 sequenced.

18 “(b) REENTRY EMPLOYMENT COMPETITIVE GRANTS,
19 CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHOR-
20 IZED.—

21 “(1) IN GENERAL.—From the amounts appro-
22 priated under subsection (h)(1) and not reserved
23 under subsection (h)(2), the Secretary—

24 “(A) shall, on a competitive basis, make
25 grants to, or enter into contracts or cooperative
26 agreements with, eligible entities to implement

1 reentry projects that serve eligible adults or eli-
2 gible youth; and

3 “(B) may use not more than 30 percent of
4 such amounts to award funds under subpara-
5 graph (A) to eligible entities that are national
6 or regional intermediaries to—

7 “(i) implement the reentry projects
8 described in subparagraph (A); or

9 “(ii) provide such funds to other eligi-
10 ble entities—

11 “(I) to implement such reentry
12 projects; and

13 “(II) to monitor and support
14 such entities.

15 “(2) AWARD PERIODS.—The Secretary shall
16 award funds under this section for an initial period
17 of not more than 4 years, and may renew such
18 awards for additional 4-year periods.

19 “(3) PRIORITY.—In awarding funds under this
20 section, the Secretary shall give priority to eligible
21 entities whose applications submitted under sub-
22 section (c) demonstrate a commitment to use such
23 funds to implement reentry projects—

24 “(A) that will serve high-crime or high-
25 poverty areas;

1 “(B) that will enroll in such reentry
2 projects eligible youth or eligible adults—

3 “(i) prior to the release of such indi-
4 viduals from incarceration in a correctional
5 institution; or

6 “(ii) not later than 90 days after such
7 release;

8 “(C) whose strategy and design are evi-
9 dence-based;

10 “(D) that establish partnerships with—

11 “(i) businesses; or

12 “(ii) institutions of higher education
13 to provide project participants with pro-
14 grams of study leading to recognized post-
15 secondary credentials in in-demand occupa-
16 tions;

17 “(E) that provide training services that are
18 designed to meet the basic requirements of an
19 employer (including a group of employers) and
20 are conducted with a commitment by the em-
21 ployer to employ individuals upon successful
22 completion of the training; or

23 “(F) that demonstrate a track record and
24 ongoing commitment of developing, imple-
25 menting, and refining reentry programs that in-

1 clude employment, education, training, and sup-
2 port services for adults and youth with current
3 or prior justice system involvement.

4 “(c) APPLICATION.—

5 “(1) FORM AND PROCEDURE.—To be qualified
6 to receive funds under this section, an eligible entity
7 shall submit an application at such time, and in
8 such manner, as determined by the Secretary, and
9 containing the information described in paragraph
10 (2).

11 “(2) CONTENTS.—An application submitted by
12 an eligible entity under paragraph (1) shall contain
13 the following:

14 “(A) A description of the eligible entity, in-
15 cluding the experience of the eligible entity in
16 providing employment and training services for
17 justice-involved individuals.

18 “(B) A description of the needs that will
19 be addressed by the reentry project supported
20 by the funds received under this section, and
21 the target participant population and the geo-
22 graphic area to be served.

23 “(C) A description of the proposed employ-
24 ment and training activities and supportive
25 services, if applicable, to be provided under

1 such reentry project, and how such activities
2 and services will prepare participants for em-
3 ployment in in-demand industry sectors and oc-
4 cupations within the geographic area to be
5 served by such reentry project.

6 “(D) The anticipated schedule for carrying
7 out the activities proposed under the reentry
8 project.

9 “(E) A description of—

10 “(i) the partnerships the eligible enti-
11 ty will establish with agencies and entities
12 within the criminal justice system, local
13 boards and one-stops, community-based or-
14 ganizations, and employers (including local
15 businesses) to provide participants of the
16 reentry project with work-based learning,
17 job placement, and recruitment (if applica-
18 ble); and

19 “(ii) how the eligible entity will co-
20 ordinate its activities with other services
21 and benefits available to justice-involved
22 individuals in the geographic area to be
23 served by the reentry project.

1 “(F) A description of the manner in which
2 individuals will be recruited and selected for
3 participation for the reentry project.

4 “(G) A detailed budget and a description
5 of the system of fiscal controls, and auditing
6 and accountability procedures, that will be used
7 to ensure fiscal soundness for the reentry
8 project.

9 “(H) A description of the expected levels of
10 performance to be achieved with respect to the
11 performance measures described in subsection
12 (e).

13 “(I) A description of the evidence-based
14 practices the eligible entity will use in adminis-
15 tration of the reentry project.

16 “(J) An assurance that the eligible entity
17 will collect, disaggregate by race, ethnicity, gen-
18 der, and other participant characteristics, and
19 report to the Secretary the data required with
20 respect to the reentry project carried out by the
21 eligible entity for purposes of the evaluation
22 under this section.

23 “(K) Any other information required by
24 the Secretary.

25 “(d) USES OF FUNDS.—

1 “(1) IN GENERAL.—An eligible entity that re-
2 ceives funds under this section shall use such funds
3 to implement a reentry project for eligible adults, eli-
4 gible youth, or both that provides one or more of the
5 following services:

6 “(A) Supportive services.

7 “(B) For participants who are eligible
8 youth, one or more of the program elements
9 listed in subparagraphs (A) through (N) of sec-
10 tion 129(c)(2).

11 “(C) One or more of the individualized ca-
12 reer services listed in subclause (I) through
13 (IX) of section 134(c)(2)(A)(xii).

14 “(D) Follow-up services after placement in
15 unsubsidized employment as described in sec-
16 tion 134(c)(2)(A)(xiii).

17 “(E) One or more of the training services
18 listed in clauses (i) through (x)(i) in section
19 134(c)(3)(D), including subsidized employment
20 opportunities through transitional jobs.

21 “(F) Apprenticeship programs.

22 “(G) Education in digital literacy skills.

23 “(H) Mentoring.

1 “(I) Provision of or referral to evidence-
2 based mental health treatment by licensed prac-
3 tioners.

4 “(J) Assistance in obtaining employment
5 as a result of the establishment and develop-
6 ment by the eligible entity of relationships and
7 networks with large and small employers.

8 “(K) Assistance with driver’s license rein-
9 statement and fees for driver’s licenses and
10 other necessary documents for employment.

11 “(L) Provision of or referral to substance
12 abuse treatment services, provided that funds
13 awarded under this section are only used to
14 provide such services to participants who are
15 unable to obtain such services through other
16 programs providing such services.

17 “(M) Assistance in obtaining employment
18 as a result of the coordination by the eligible
19 entity with employers to develop customized
20 training programs and on-the-job training.

21 “(2) ADMINISTRATIVE COST LIMIT.—An eligible
22 entity may not use more than 10 percent of the
23 funds received under this section for administrative
24 costs, including for costs related to collecting infor-

1 mation, analysis, and coordination for purposes of
2 subsection (e) or (f).

3 “(e) LEVELS OF PERFORMANCE.—

4 “(1) ESTABLISHMENT OF LEVELS.—

5 “(A) IN GENERAL.—The Secretary shall
6 establish expected levels of performance for re-
7 entry projects funded this section for—

8 “(i) each of the primary indicators of
9 performance for adults and youth de-
10 scribed in section 116(b); and

11 “(ii) the additional performance indi-
12 cators described in paragraph (2).

13 “(B) UPDATES.—The levels established
14 under subparagraph (A) shall be updated for
15 each 4-year award period.

16 “(2) ADDITIONAL INDICATORS OF PERFORM-
17 ANCE.—In addition to the indicators described in
18 paragraph (1)(A)(i), the Secretary—

19 “(A) shall establish an indicator of per-
20 formance for projects funded under this section
21 with respect participant recidivism; and

22 “(B) may establish other performance indi-
23 cators for such projects as the Secretary deter-
24 mines appropriate.

1 “(3) AGREEMENT ON PERFORMANCE LEVELS.—

2 In establishing and updating performance levels
3 under paragraph (1), the Secretary shall reach
4 agreement on such levels with the eligible entities re-
5 ceiving awards under this section that will be subject
6 to such levels, based on factors including—

7 “(A) the expected performance levels of
8 each such eligible entity described in the appli-
9 cation submitted under subsection (c)(2)(H);

10 “(B) local economic conditions of the geo-
11 graphic area to be served by each such eligible
12 entity, including differences in unemployment
13 rates and job losses or gains in particular in-
14 dustries; and

15 “(C) the characteristics of the participants
16 of the projects when the participants enter the
17 project involved, including—

18 “(i) criminal records and indicators of
19 poor work history;

20 “(ii) lack of work experience;

21 “(iii) lack of educational or occupa-
22 tional skills attainment;

23 “(iv) low levels of literacy or English
24 proficiency;

25 “(v) disability status;

1 “(vi) homelessness; and

2 “(vii) receipt of public assistance.

3 “(4) FAILURE TO MEET PERFORMANCE LEV-
4 ELS.—In the case of an eligible entity that fails to
5 meet the performance levels established under para-
6 graph (1) for the reentry project involved for any
7 award year, the Secretary shall provide technical as-
8 sistance to the eligible entity, including the develop-
9 ment of a performance improvement plan.

10 “(f) EVALUATION OF REENTRY PROJECTS.—

11 “(1) IN GENERAL.—Not later than 5 years
12 after the first award of funds under this section is
13 made, the Secretary (acting through the Chief Eval-
14 uation Officer) shall meet the following require-
15 ments:

16 “(A) DESIGN AND CONDUCT OF EVALUA-
17 TION.—Design and conduct an evaluation to
18 evaluate the effectiveness of the reentry projects
19 funded under this section, which meets the re-
20 quirements of paragraph (2), and includes an
21 evaluation of each of the following:

22 “(i) The effectiveness of such projects
23 in assisting individuals with finding em-
24 ployment and maintaining employment at

1 the second quarter and fourth quarter
2 after unsubsidized employment is obtained.

3 “(ii) The effectiveness of such projects
4 in assisting individuals with earning recog-
5 nized postsecondary credentials.

6 “(iii) The effectiveness of such
7 projects in relation to their cost, including
8 the extent to which the projects improve
9 reentry outcomes, including in wages
10 earned, benefits provided by employers, ca-
11 reer advancement, measurable skills gains,
12 credentials earned, housing, health, and re-
13 cidivism of participants in comparison to
14 comparably situated individuals who did
15 not participate in such projects.

16 “(iv) The effectiveness of specific
17 services and interventions provided and of
18 the overall project design.

19 “(v) If applicable, the extent to which
20 such projects meet the needs of various de-
21 mographic groups, including people of dif-
22 ferent geographic locations, ages, races,
23 national origins, sex, and criminal records,
24 and individuals with disabilities.

1 “(vi) If applicable, the appropriate se-
2 quencing, combination, or concurrent
3 structure, of services for each subpopula-
4 tion of individuals who are participants of
5 such projects, such as the order, combina-
6 tion, or concurrent structure and services
7 in which transitional jobs and occupational
8 skills training are provided, to ensure that
9 such participants are prepared to fully
10 benefit from employment and training
11 services provided under the project.

12 “(vii) Limitations or barriers to edu-
13 cation and employment as a result of occu-
14 pational or educational licensing restric-
15 tions, access to financial aid, and access to
16 housing.

17 “(viii) The quality and effectiveness of
18 technical assistance provided by the Sec-
19 retary for implementing such projects.

20 “(ix) Other elements that the Chief
21 Evaluation Officer may determine to be
22 appropriate.

23 “(B) DATA ACCESSIBILITY.—Make avail-
24 able, on the publicly accessible website of the
25 Department of Labor, data collected during the

1 course of evaluation under this subsection, in
2 an aggregated format that does not provide per-
3 sonally identifiable information.

4 “(2) DESIGN REQUIREMENTS.—An evaluation
5 under this subsection—

6 “(A) shall—

7 “(i) be designed by the Secretary (act-
8 ing through the Chief Evaluation Officer)
9 in conjunction with the eligible entities car-
10 rying out the reentry projects being evalu-
11 ated;

12 “(ii) include analysis of participant
13 feedback and outcome and process meas-
14 ures;

15 “(iii) use designs that employ the
16 most rigorous analytical and statistical
17 methods that are reasonably feasible, such
18 as the use of control groups; and

19 “(B) may not—

20 “(i) collect personally identifiable in-
21 formation, except to the extent such infor-
22 mation is necessary to conduct the evalua-
23 tion; or

24 “(ii) reveal or share personally identi-
25 fiable information.

1 “(3) PUBLICATION AND REPORTING OF EVAL-
2 UATION FINDINGS.—The Secretary (acting through
3 the Chief Evaluation Officer) shall—

4 “(A) in accordance with the timeline deter-
5 mined to be appropriate by the Chief Evalua-
6 tion Officer, publish an interim report on such
7 evaluation;

8 “(B) not later than 90 days after the date
9 on which any evaluation is completed under this
10 subsection, publish and make publicly available
11 such evaluation; and

12 “(C) not later than 60 days after the com-
13 pletion date described in subparagraph (B),
14 submit to the Committee on Education and
15 Labor of the House of Representatives and the
16 Committee on Health, Education, Labor, and
17 Pensions of the Senate a report on such evalua-
18 tion.

19 “(g) ANNUAL REPORT.—

20 “(1) CONTENTS.—Subject to paragraph (2),
21 the Secretary shall post, using transparent, linked,
22 open, and interoperable data formats, on its publicly
23 accessible website an annual report on—

1 “(A) the number of individuals who par-
2 ticipated in projects assisted under this section
3 for the preceding year;

4 “(B) the percentage of such individuals
5 who successfully completed the requirements of
6 such projects; and

7 “(C) the performance of eligible entities on
8 such projects as measured by the performance
9 indicators set forth in subsection (e).

10 “(2) DISAGGREGATION.—The information pro-
11 vided under subparagraphs (A) through (C) of para-
12 graph (1) with respect to a year shall be
13 disaggregated by each project assisted under this
14 section for such year.

15 “(h) AUTHORIZATION OF APPROPRIATIONS; RES-
16 ERVATIONS.—

17 “(1) AUTHORIZATION OF APPROPRIATIONS.—
18 There are authorized to be appropriated to carry out
19 this section—

20 “(A) \$250,000,000 for fiscal year 2023;

21 “(B) \$300,000,000 for fiscal year 2024;

22 “(C) \$350,000,000 for fiscal year 2025;

23 “(D) \$400,000,000 for fiscal year 2026;

24 “(E) \$450,000,000 for fiscal year 2027;

25 and

1 “(F) \$500,000,000 for fiscal year 2028.

2 “(2) RESERVATION OF FUNDS.—Of the funds
3 appropriated under paragraph (1) for a fiscal year,
4 the Secretary—

5 “(A) may reserve not more than 5 percent
6 for the administration of grants, contracts, and
7 cooperative agreements awarded under this sec-
8 tion, of which not more than 2 percent may be
9 reserved for the provision of—

10 “(i) technical assistance to eligible en-
11 tities that receive funds under this section;
12 and

13 “(ii) outreach and technical assistance
14 to eligible entities desiring to receive such
15 funds, including assistance with application
16 development and submission; and

17 “(B) shall reserve not less than 1 percent
18 and not more than 2.5 percent for the evalua-
19 tion activities under subsection (f) or to support
20 eligible entities with any required data collec-
21 tion, analysis, and coordination related to such
22 evaluation activities.

23 “(i) DEFINITIONS.—In this section:

24 “(1) CHIEF EVALUATION OFFICER.—The term
25 ‘Chief Evaluation Officer’ means the head of the

1 independent evaluation office located organization-
2 ally in the Office of the Assistant Secretary for Pol-
3 icy of the Department of Labor.

4 “(2) COMMUNITY SUPERVISION.—The term
5 ‘community supervision’ means mandatory oversight
6 (including probation and parole) of a formerly incar-
7 cerated person—

8 “(A) who was convicted of a crime by a
9 judge or parole board; and

10 “(B) who is living outside a secure facility.

11 “(3) CORRECTIONAL INSTITUTION.—The term
12 ‘correctional institution’ has the meaning given the
13 term in section 225(e).

14 “(4) ELIGIBLE ENTITY.—The term ‘eligible en-
15 tity’ means—

16 “(A) a private nonprofit organization
17 under section 501(c)(3) of the Internal Revenue
18 Code of 1986, including a community-based or
19 faith-based organization;

20 “(B) a local board;

21 “(C) a State or local government;

22 “(D) an Indian or Native American entity
23 eligible for grants under section 166;

24 “(E) a labor organization or joint labor-
25 management organization; or

1 “(F) a consortium of the entities described
2 in subparagraphs (A) through (E).

3 “(5) ELIGIBLE ADULT.—The term ‘eligible
4 adult’ means a justice-involved individual who—

5 “(A) is age 25 or older; and

6 “(B) in the case of an individual that was
7 previously incarcerated, was released from in-
8 carceration not more than 3 years prior to en-
9 rollment in a project funded under this section.

10 “(6) ELIGIBLE YOUTH.—The term ‘eligible
11 youth’ means a justice-involved individual who is not
12 younger than age 14 or older than age 24.

13 “(7) HIGH-CRIME.—The term ‘high-crime’,
14 when used with respect to a geographic area, means
15 an area with crime rates that are higher than the
16 rate for the overall city (for urban areas) or of non-
17 metropolitan area in the State (for rural areas), as
18 such terms are used by the Bureau of Labor Statis-
19 tics.

20 “(8) HIGH-POVERTY.—The term ‘high-poverty’,
21 when used with respect to a geographic area, means
22 an area with a poverty rate of at least 25 percent
23 as determined based on the most recently available
24 data from the American Community Survey con-
25 ducted by the Bureau of the Census.”.

1 **SEC. 279. SECTORAL EMPLOYMENT THROUGH CAREER**
2 **TRAINING FOR OCCUPATIONAL READINESS**
3 **(SECTOR) PROGRAM.**

4 Subtitle D of title I (29 U.S.C. 3221 et seq.), as
5 amended by this Act, is further amended by inserting after
6 section 173, as added by the preceding section, the fol-
7 lowing:

8 **“SEC. 174. SECTORAL EMPLOYMENT THROUGH CAREER**
9 **TRAINING FOR OCCUPATIONAL READINESS**
10 **(SECTOR) PROGRAM.**

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

14 “(1) use not less than 80 percent of such
15 amounts to award grants under subsection (b) to
16 each State to develop, convene, or expand industry
17 or sector partnerships; and

18 “(2) use not less than 20 percent of such
19 amounts to award grants under subsection (e), on a
20 competitive basis, to eligible industry or sector part-
21 nerships for the purposes of expanding workforce de-
22 velopment and employment opportunities for high-
23 skill, high-wage, or in-demand industry sectors or
24 occupations, as determined by the Secretary.

25 “(b) FORMULA GRANTS.—

26 “(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 Secretary shall use the amounts allotted under
11 subparagraph (A) to distribute funds in the
12 State to carry out the activities described in
13 paragraph (2) by—

14 “(i) allocating funds to each local area
15 of the State on the basis of the relative al-
16 location the local area received under sec-
17 tion 133(b) for such fiscal year, compared
18 to the total amount allocated to all local
19 areas in the State under section 133(b) for
20 such fiscal year; or

21 “(ii) allocating funds to local areas of
22 the State that have the highest rates of
23 unemployment or poverty, or the highest
24 numbers of individuals with barriers to em-
25 ployment in the State.

1 “(C) TRANSFER AUTHORITY.—A local
2 board may transfer, if such a transfer is ap-
3 proved by the Governor, up to and including
4 100 percent of the funds allocated to the local
5 area under section 133(b), and up to and in-
6 cluding 100 percent of the funds allocated to
7 the local area under this subsection for a fiscal
8 year between—

9 “(i) adult employment and training
10 activities; and

11 “(ii) activities under this section.

12 “(2) USE OF FUNDS.—The funds awarded
13 under paragraph (1) may be used to—

14 “(A) regularly convene stakeholders in a
15 collaborative structure to identify, develop, im-
16 prove, or expand training, employment, and
17 growth opportunities for high-skill, high-wage,
18 or in-demand industry sectors or occupations;

19 “(B) form, expand, and improve training
20 programs, to be managed by eligible industry
21 and sector partnerships that include attainment
22 of industry-recognized credentials, the integra-
23 tion of work-based learning activities with train-
24 ing curricula and occupational certification pro-
25 grams, and that address specific workforce

1 issues and needs of groups of workers, with a
2 priority on individuals with a barrier to employ-
3 ment, within regional labor markets in the
4 State;

5 “(C) strengthen the coordination of eligible
6 industry and sector partnerships and programs
7 with the programs administered under subtitle
8 B of this title and with the one-stop partners
9 described in section 121; and

10 “(D) to directly provide, or arrange for the
11 provision of, services to help individuals with
12 barriers to employment and other participants
13 complete and successfully transition out of
14 training described in subparagraph (B), which
15 services shall include career services, supportive
16 services, or the provision of needs-related pay-
17 ments.

18 “(c) COMPETITIVE GRANTS.—

19 “(1) GRANTS AUTHORIZED.—From the amount
20 determined by the Secretary under subsection (a)(2),
21 the Secretary shall award grants, on a competitive
22 basis, to eligible industry or sector partnerships for
23 the purposes described in subsection (a)(2).

24 “(2) APPLICATION.—

1 “(A) FORM AND PROCEDURE.—To receive
2 a grant under this subsection, the lead appli-
3 cant on behalf of an eligible industry or sector
4 partnership shall submit to the Secretary an
5 application at such time, in such manner, and
6 containing such information as specified by the
7 Secretary.

8 “(B) CONTENTS.—An application sub-
9 mitted under paragraph (1) shall contain at a
10 minimum the following:

11 “(i) Identification of the high-skill,
12 high-wage, or in-demand industry sector or
13 occupation on which such partnership is
14 focused.

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

17 “(iii) A description of the workers
18 that will be targeted for recruitment as
19 program participants, how a priority of
20 service under the grant will be provided to
21 individuals with barriers to employment,
22 and how the activities will be designed to
23 maximize access and eliminate barriers to
24 entry to training and other activities for
25 such individuals.

1 “(iv) A description of other Federal or
2 non-Federal resources that will be lever-
3 aged in support of the eligible industry or
4 sector partnership (including cash or in-
5 kind contributions from private-sector
6 partners).

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

10 “(A) to engage and regularly convene
11 stakeholders in a collaborative structure to
12 identify, develop, improve, or expand training,
13 employment, and growth opportunities for the
14 high-skill, high-wage, or in-demand industry
15 sector or occupation on which such partnership
16 is focused;

17 “(B) to directly provide, or arrange for the
18 provision of, high-quality, evidence-based train-
19 ing for high-skill, high-wage, or in-demand in-
20 dustry sectors or occupations on which such
21 partnership is focused, which shall include
22 training that leads to the attainment of nation-
23 ally or regionally portable and stackable recog-
24 nized postsecondary credentials for the industry

1 sector or occupations described in paragraph
2 (A), including—

3 “(i) training provided through appren-
4 ticeship programs, or pre-apprenticeship
5 programs that articulate to apprenticeship
6 programs, labor organizations, or joint
7 labor-management partnerships;

8 “(ii) on-the job training, customized
9 training, and paid internships and work
10 experience;

11 “(iii) incumbent worker training to
12 support lower wage workers in upgrading
13 skills and advancing along a career path-
14 way; and

15 “(iv) training services, in addition to
16 those described in clauses (i) through (iii),
17 that are authorized under section
18 134(e)(3)(D), including occupational skills
19 training; and

20 “(C) to directly provide, or arrange for the
21 provision of, services to help individuals with
22 barriers to employment and other participants
23 complete and successfully transition out of
24 training described in subparagraph (B), which
25 services shall include career services, supportive

1 services, or the provision of needs-related pay-
2 ments authorized under subsections (c)(2),
3 (c)(4), and (d)(3) of section 134.

4 “(4) PRIORITY IN SELECTION OF GRANTS.—

5 The Secretary shall give priority consideration in ap-
6 plications that demonstrate the ability to serve eligi-
7 ble individuals in targeted economic regions that are
8 experiencing high-poverty, have traditionally been
9 underserved by regional economic development and
10 sector partnership activities (including rural areas),
11 or is facing or at risk of facing significant worker
12 dislocation due to a disruption or change in the re-
13 gional or State economy or labor market.

14 “(d) PROGRAM ACCOUNTABILITY AND EVALUA-
15 TION.—

16 “(1) IN GENERAL.—The grants awarded under
17 this section are subject to—

18 “(A) the primary indicators of performance
19 under section 116(b)(2)(A) and expected levels
20 of performance relating to such indicators; and

21 “(B) such additional measures as the Sec-
22 retary deems appropriate, which may include
23 skills attainment, wage or career progression,
24 training-related employment, and additional job
25 quality measures.

1 “(2) EVALUATION.—Not later than 5 years
2 after the first award of funds under this section is
3 made the Secretary (acting through the chief evalua-
4 tion officer) shall design and conduct an evaluation
5 to evaluate the effectiveness of the program carried
6 out this section.

7 “(3) PUBLICATION.—The Secretary shall pub-
8 lish the outcomes of grantees under the indicators
9 and measures described in paragraph (1) and the
10 evaluation described in paragraph (2) on a publicly
11 accessible website, and submit the evaluation find-
12 ings to the Committee on Education and Labor of
13 the House of Representatives and the Committee on
14 Health, Education, Labor and Pensions of the Sen-
15 ate.

16 “(e) AUTHORIZATION OF APPROPRIATIONS; RES-
17 ERVATIONS.—

18 “(1) AUTHORIZATION OF APPROPRIATIONS.—
19 There are authorized to be appropriated to carry out
20 this section—

21 “(A) \$1,000,000,000 for fiscal year 2023;

22 “(B) \$1,100,000,000 for fiscal year 2024;

23 “(C) \$1,210,000,000 for fiscal year 2025;

24 “(D) \$1,331,000,000 for fiscal year 2026;

1 “(E) \$1,464,100,000 for fiscal year 2027;

2 and

3 “(F) \$1,610,510,000 for fiscal year 2028.

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

8 “(A) may be used for administration of the
9 program described in this section, in addition to
10 any other funds available for these activities, in-
11 cluding providing comprehensive technical as-
12 sistance, targeted outreach to eligible partner-
13 ships serving local areas with high unemploy-
14 ment rates or high percentages of low-income
15 individuals or individuals with barriers to em-
16 ployment; and oversight to support eligible part-
17 nerships; and

18 “(B) shall be used to conduct an evalua-
19 tion of the activities carried out under this sec-
20 tion and for reporting on the performance and
21 impact of programs funded under this section.

22 “(f) DEFINITIONS.—In this section:

23 “(1) ELIGIBLE INDUSTRY OR SECTOR PART-
24 NERSHIP.—The term ‘eligible industry or sector
25 partnership’ means—

1 “(A) an industry or sector partnership,
2 which shall include multiple representatives de-
3 scribed in each of clauses (i) through (iii) of
4 paragraph (26)(A) of section 3; or

5 “(B) a partnership of multiple entities de-
6 scribed in section 3(26) and a State board or
7 local board, that is in the process of estab-
8 lishing an industry or sector partnership.

9 “(2) LEAD APPLICANT.—The term ‘lead appli-
10 cant’ means an applicant for a grant under this sec-
11 tion that is a State board, local board, institution of
12 higher education, labor-management partnership,
13 labor organization, industry association, or other
14 State and regional nonprofit organizations with ex-
15 perience in designing, convening, and expanding in-
16 dustry or sector partnerships.”.

17 **SEC. 280. WORKFORCE DATA QUALITY INITIATIVE GRANTS.**

18 Subtitle D of title I (29 U.S.C. 3221 et seq.), as
19 amended by this Act, is further amended by inserting after
20 section 174, as added by the preceding section, the fol-
21 lowing:

22 **“SEC. 175. WORKFORCE DATA QUALITY INITIATIVE**
23 **GRANTS.**

24 “(a) AUTHORITY.—The Secretary is authorized to
25 award grants, on a competitive basis, to States to create

1 workforce longitudinal administrative databases and asso-
2 ciated resources for the purpose of strengthening work-
3 force development program quality, protecting privacy,
4 and improving transparency.

5 “(b) PRIORITY.—In awarding grants under this sec-
6 tion, the Secretary shall give priority to States that—

7 “(1) have not previously received such a grant;

8 “(2) have the greatest need to improve their
9 data infrastructure;

10 “(3) will use non-Federal contributions to im-
11 prove State data infrastructure and related re-
12 sources;

13 “(4) support co-enrollment in workforce related
14 programs;

15 “(5) participate and contribute data to the
16 State’s linked longitudinal data system, including
17 submitting data that when linked with elementary
18 and secondary school and postsecondary data, pro-
19 vides the State the ability to create more data tools
20 and analytics; and

21 “(6) enable research and program improvement
22 activities.

23 “(c) SUPPLEMENT, NOT SUPPLANT.—Funds made
24 available under this section shall be used to supplement,

1 and not supplant, other Federal, State, or local funds used
2 for developing State data systems.

3 “(d) ADMINISTRATIVE COSTS.—The Secretary shall
4 reserve not more than 10 percent of funds made available
5 to carry out this section for each fiscal year for the provi-
6 sion of technical assistance to support the implementation
7 of grants awarded under this section.

8 “(e) PRIVACY.—Nothing in this section shall require
9 the disaggregation of data when the number of individuals
10 in a category is insufficient to yield statistically reliable
11 information or when the results would reveal personally
12 identifiable information about an individual, or would re-
13 veal such information when combined with other released
14 information.

15 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to carry out this sec-
17 tion—

18 “(1) \$40,000,000 for fiscal year 2023;

19 “(2) \$35,000,000 for fiscal year 2024;

20 “(3) \$30,000,000 for fiscal year 2025;

21 “(4) \$25,000,000 for fiscal year 2026;

22 “(5) \$20,000,000 for fiscal year 2027; and

23 “(6) \$15,000,000 for fiscal year 2028.

24 “(g) DEFINITION.—In this section, the term ‘State’
25 has the meaning given the term in section 3, except such

1 term also includes each of the outlying areas (as defined
2 in section 3).”.

3 **SEC. 281. AUTHORIZATION OF APPROPRIATIONS.**

4 Section 176 (as redesignated by section 277), is
5 amended to read as follows:

6 **“SEC. 176. AUTHORIZATION OF APPROPRIATIONS.**

7 “(a) NATIVE AMERICAN PROGRAMS.—There are au-
8 thorized to be appropriated to carry out section 166 (not
9 including subsection (k) of such section)—

10 “(1) \$66,400,000 for fiscal year 2023;

11 “(2) \$73,000,000 for fiscal year 2024;

12 “(3) \$80,300,000 for fiscal year 2025;

13 “(4) \$88,300,000 for fiscal year 2026;

14 “(5) \$97,100,000 for fiscal year 2027; and

15 “(6) \$106,800,000 for fiscal year 2028.

16 “(b) MIGRANT AND SEASONAL FARMWORKER PRO-
17 GRAMS.—There are authorized to be appropriated to carry
18 out section 167—

19 “(1) \$109,100,000 for fiscal year 2023;

20 “(2) \$114,600,000 for fiscal year 2024;

21 “(3) \$120,300,000 for fiscal year 2025;

22 “(4) \$126,300,000 for fiscal year 2026;

23 “(5) \$132,600,000 for fiscal year 2027; and

24 “(6) \$139,200,000 for fiscal year 2028.

1 “(c) TECHNICAL ASSISTANCE.—There are authorized
2 to be appropriated to carry out section 168—

3 “(1) \$3,600,000 for fiscal year 2023;

4 “(2) \$3,800,000 for fiscal year 2024;

5 “(3) \$4,000,000 for fiscal year 2025;

6 “(4) \$4,200,000 for fiscal year 2026;

7 “(5) \$4,400,000 for fiscal year 2027; and

8 “(6) \$4,600,000 for fiscal year 2028.

9 “(d) EVALUATIONS AND RESEARCH.—There are au-
10 thorized to be appropriated to carry out section 169—

11 “(1) \$116,700,000 for fiscal year 2023;

12 “(2) \$122,500,000 for fiscal year 2024;

13 “(3) \$128,600,000 for fiscal year 2025;

14 “(4) \$135,000,000 for fiscal year 2026;

15 “(5) \$141,800,000 for fiscal year 2027; and

16 “(6) \$148,900,000 for fiscal year 2028.”.

17 **Subtitle E—Administration**

18 **SEC. 285. NONDISCRIMINATION.**

19 Section 188 of the Workforce Innovation and Oppor-
20 tunity Act (29 U.S.C. 3248) is amended—

21 (1) in subsection (a)(5), by adding at the end
22 the following: “Provided that it shall not be a viola-
23 tion of this paragraph to exclude any individual from
24 participation or employment in programs or activi-
25 ties receiving Federal financial assistance where

1 such participation or employment, or access to the
2 premises upon which any part of such program, ac-
3 tivity, or employment is performed, is subject to any
4 requirements imposed in the interest of the national
5 security of the United States under any security pro-
6 gram in effect pursuant to or administered under
7 any statute or regulation of the United States, Exec-
8 utive Order of the President, or other Federal con-
9 tractual requirement, and such individual does not
10 meet such requirements.”; and

11 (4) in subsection (e) is amended by striking
12 “Workforce Innovation and Opportunity Act” and
13 inserting “Workforce Innovation and Opportunity
14 Act of 2022”.

15 **SEC. 286. SECRETARIAL ADMINISTRATIVE AUTHORITIES**
16 **AND RESPONSIBILITIES.**

17 Section 189 of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3249) is amended—

19 (1) in subsection (d), by striking “the Work-
20 force” and inserting “Labor”;

21 (2) in subsection (g)(2)(B)(ii), by striking “sub-
22 section (a) or (b) of section 169 (relating to evalua-
23 tions, research projects, studies and reports, and
24 multistate projects)” and inserting “subsection (a),
25 (b), or (c) of section 169 relating to evaluations, re-

1 search projects, studies and reports, multistate
2 projects, and the workforce development innovation
3 fund)”;

4 (3) by striking subsection (h);

5 (4) by redesignating subsection (i) as subsection
6 (h); and

7 (5) by amending paragraph (3)(A)(ii) of sub-
8 section (h) (as so redesignated) to read as follows:

9 “(ii) any of the statutory or regulatory require-
10 ments of the Wagner-Peyser Act (29 U.S.C. 49 et
11 seq.) (excluding requirements relating to the provi-
12 sion of services to unemployment insurance claim-
13 ants and veterans, the colocation of employment
14 service offices with one-stop centers, the designation
15 of a cooperating State agency, and requirements re-
16 lating to universal access to basic labor exchange
17 services without cost to jobseekers).”.

18 **Subtitle F—Privacy**

19 **SEC. 291. PROHIBITION OF NATIONAL DATABASE MANAGE-** 20 **MENT.**

21 Section 501(b) (29 U.S.C. 3341) is amended to read
22 as follows:

23 “(b) PROHIBITION OF NATIONAL DATABASE MAN-
24 AGEMENT.—Nothing in this Act (or the amendments to
25 other laws made by the Workforce Innovation and Oppor-

1 tunity Act of 2022) shall be construed to permit the devel-
2 opment, management, analysis, or maintenance by a pri-
3 vate entity (whether for-profit or non-profit) of a national
4 database of personally identifiable information of individ-
5 uals receiving services under title I, or the amendments
6 to other laws made by the Workforce Innovation and Op-
7 portunity Act of 2022.”.

8 **TITLE III—ADULT EDUCATION**
9 **AND FAMILY LITERACY**

10 **SEC. 301. FAMILY LITERACY.**

11 The heading of title II of the Workforce Innovation
12 and Opportunity Act (29 U.S.C. 3271 et seq.) is amended
13 by inserting “**FAMILY**” before “**LITERACY**”.

14 **SEC. 302. PURPOSE.**

15 Section 202 (29 U.S.C. 3271) is amended—

16 (1) in the matter preceding paragraph (1), by
17 inserting “family” before “literacy activities”;

18 (2) by amending paragraph (1) to read as fol-
19 lows:

20 “(1) assist adults to become literate and obtain
21 the knowledge and skills (including digital skills)
22 necessary for employment, economic self-sufficiency,
23 and full participation in all aspects of adult life;”;

24 (3) in paragraph (4)(A)—

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

3 (B) by inserting after clause (ii) the fol-
4 lowing:

5 “(iii) digital skills; and”.

6 **SEC. 303. DEFINITIONS.**

7 Section 203 (29 U.S.C. 3272) is amended—

8 (1) in paragraph (1)—

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

11 (B) by redesignating subparagraph (C) as
12 subparagraph (D); and

13 (C) by inserting after subparagraph (B)
14 the following:

15 “(C) develop and use digital technology
16 skills; and”;

17 (2) in paragraph (2), by inserting “, digital
18 skills activities offered in conjunction with other
19 adult education and literacy activities” after “family
20 literacy activities”;

21 (3) in paragraph (3), by inserting “family” be-
22 fore “literacy activities”;

23 (4) in paragraph (4)(C)(i), by striking “is basic
24 skills deficient” and inserting “has foundational
25 skills needs”;

1 (5) in paragraph (9)—

2 (A) in the matter preceding subparagraph
3 (A), by striking “economic prospects” and in-
4 serting “economic and educational prospects”;
5 and

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

7 “(E) Digital literacy activities to enable
8 parents or family members to develop and use
9 digital literacy skills to support their children’s
10 learning.”;

11 (6) by amending paragraph (11) to read as fol-
12 lows:

13 “(11) INTEGRATED EDUCATION AND TRAIN-
14 ING.—The term ‘integrated education and training’
15 means a service approach that provides adult edu-
16 cation and family literacy activities concurrently and
17 contextually with workforce preparation activities
18 and workforce training (and which may be provided
19 concurrently with other adult education activities
20 and services, such as adult basic education) for a
21 specific high-wage, high demand occupation or occu-
22 pational cluster (including, as appropriate, for ap-
23 prenticeship and pre-apprenticeship programs) for
24 the purpose of educational and career advance-
25 ment.”;

1 (7) by amending paragraph (12) to read as fol-
2 lows:

3 “(12) INTEGRATED ENGLISH LITERACY AND
4 CIVICS EDUCATION.—The term ‘integrated English
5 literacy and civics education’ means instruction in
6 literacy and English and other education services
7 provided to English language learners who are
8 adults, including professionals with degrees and cre-
9 dentials in their native countries—

10 “(A) that enables such adults—

11 “(i) to achieve competency in the
12 English language;

13 “(iii) to build knowledge of United
14 States history and civics;

15 “(iv) to prepare for United States citi-
16 zenship and the naturalization process;

17 “(v) to use digital technology at levels
18 of proficiency necessary to function effec-
19 tively as a worker, a parent or a family
20 member, and a member of society;

21 “(vi) to apply for Federal and other
22 student financial aid and enroll in postsec-
23 ondary education or other further learning;
24 and

1 “(vii) to locate and apply for reg-
2 istered apprenticeship or pre-apprentice-
3 ship programs;

4 “(B) which may include—

5 “(i) preparation for a high school
6 equivalency diploma or postsecondary
7 training or education;

8 “(ii) preparation for employment;

9 “(iii) preparation for apprenticeship
10 or pre-apprenticeship programs, or the
11 provision of information regarding where
12 to acquire that preparation; or

13 “(iv) instruction in—

14 “(I) navigating the early child-
15 hood, elementary and secondary, and
16 postsecondary education systems;

17 “(II) financial literacy;

18 “(III) the housing market in the
19 United States; or

20 “(IV) accessing Federal, State,
21 and local health care systems.”;

22 (8) in paragraph (13) by striking “and solve
23 problems,” and all that follows through the period at
24 the end and inserting “solve problems, and use dig-
25 ital technology at levels of proficiency necessary to

1 function effectively as an employee, a parent or a
2 family member, and a member of society.”;

3 (9) by redesignating paragraphs (16) and (17)
4 as paragraphs (17) and (18), respectively; and

5 (10) by inserting after paragraph (15), the fol-
6 lowing:

7 “(16) UNIVERSAL DESIGN FOR LEARNING.—
8 The term ‘universal design for learning’ has the
9 meaning given the term in section 103 of the Higher
10 Education Act of 1965 (20 U.S.C. 1003).”.

11 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS.**

12 Section 206 (29 U.S.C. 3275) is amended by striking
13 “\$577,667,000 for fiscal year 2015” and all that follows
14 through the period at the end and inserting
15 “\$785,100,000 for fiscal year 2023, \$824,400,000 for fis-
16 cal year 2024, \$865,600,000 for fiscal year 2025,
17 \$908,900,000 for fiscal year 2026, \$954,300,000 for fis-
18 cal year 2027, and \$1,002,000,000 for fiscal year 2028.”.

19 **SEC. 305. PERFORMANCE ACCOUNTABILITY SYSTEM.**

20 Section 212 (29 U.S.C. 3292) is amended to read as
21 follows:

22 **“SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.**

23 “(a) IN GENERAL.—Programs and activities author-
24 ized in this title are subject to the performance account-
25 ability provisions described in section 116.

1 “(b) INNOVATIVE PERFORMANCE ACCOUNTABILITY
2 SYSTEM DEMONSTRATION PROGRAM.—

3 “(1) IN GENERAL.—The Secretary may author-
4 ize one or more eligible entities to implement an in-
5 novative performance accountability system that
6 uses alternative primary indicators of performance
7 that reflect the objectives and activities of the enti-
8 ty’s adult education and family literacy programs
9 and measure the attainment of the education and
10 employment goals of the participants in such pro-
11 grams. The innovative performance accountability
12 system may include—

13 “(A) performance indicators attained while
14 an individual is enrolled in an adult education
15 and family literacy program; and

16 “(B) performance indicators attained after
17 an individual exits such a program.

18 “(2) DEMONSTRATION PERIOD.—

19 “(A) IN GENERAL.—Except as provided in
20 subparagraph (B), the period during which an
21 eligible entity may carry out an innovative ac-
22 countability system authorized under this sub-
23 section shall be a period determined by the Sec-
24 retary that does not exceed five years.

1 “(B) EXTENSION.—The Secretary may ex-
2 tend, by up to one year, the demonstration pe-
3 riod determined under subparagraph (A) for an
4 eligible entity if—

5 “(i) the Secretary determines that the
6 innovative accountability system imple-
7 mented by the entity is successfully meet-
8 ing the objectives of this subsection; and

9 “(ii) the total period during which the
10 entity implements such system under the
11 demonstration program, inclusive of such
12 extension, does not exceed six years.

13 “(3) APPLICATION.—

14 “(A) IN GENERAL.—Subject to subpara-
15 graph (C), an eligible entity that seeks author-
16 ization to implement an innovative performance
17 accountability system under this subsection
18 shall submit to the Secretary an application at
19 such time, in such manner, and containing such
20 information as the Secretary may require.

21 “(B) CONTENTS.—At a minimum, each
22 application under this paragraph shall in-
23 clude—

- 1 “(i) a description of the objectives of
2 the innovative performance accountability
3 system proposed by the eligible entity;
- 4 “(ii) a description of such account-
5 ability system, including a description of
6 the performance indicators to be used;
- 7 “(iii) the duration of the period over
8 which the entity intends to carry out the
9 proposed accountability system;
- 10 “(iv) an explanation of why the entity
11 believes the alternative indicators of per-
12 formance proposed by the entity would
13 more accurately measure the attainment of
14 the objectives of the entity’s adult edu-
15 cation and family literacy programs com-
16 pared to the indicators of performance de-
17 scribed in section 116(b)(2)(A)(i);
- 18 “(v) an explanation of how the pro-
19 posed performance indicators are expected
20 to provide a valid and reliable measure-
21 ment of the effectiveness of the entity’s
22 adult education and family literacy pro-
23 grams with respect to the individuals
24 served by such programs;

1 “(vi) a description of how the entity
2 will report to the Secretary and make pub-
3 licly available the proposed indicators of
4 performance on a timely basis;

5 “(vii) an assurance that the entity will
6 prepare and submit the final report re-
7 quired under paragraph (4); and

8 “(viii) a description of how the inno-
9 vative accountability system may be rel-
10 evant to and replicated by States and out-
11 lying areas.

12 “(C) REVIEW OF CERTAIN APPLICA-
13 TIONS.—In a case in which an eligible entity
14 that is a consortium of eligible providers seeks
15 authorization to implement an innovative per-
16 formance accountability system under this sub-
17 section—

18 “(i) the consortium shall submit the
19 application described in subparagraph (A)
20 to the eligible agency of the State or out-
21 lying area in which the consortium intends
22 to implement the system;

23 “(ii) the eligible agency shall review
24 the application; and

1 “(iii) if the eligible agency approves
2 the application, the agency shall forward
3 the application to the Secretary together
4 with any comments of the agency regard-
5 ing the content of the application.

6 “(4) PROGRESS REPORT.—

7 “(A) IN GENERAL.—Not later than 180
8 days before the end of the initial demonstration
9 period applicable to an eligible entity under
10 paragraph (2)(A), and before the Secretary au-
11 thorizes any extension of the demonstration pe-
12 riod under paragraph (2)(B) for such entity,
13 the eligible entity shall submit to the Secretary
14 a report on the initial progress (in this para-
15 graph referred to as the ‘progress report’) of
16 the innovative accountability system imple-
17 mented by the eligible entity under this section.

18 “(B) ELEMENTS.—The progress report
19 under subparagraph (A) shall be based on the
20 annual information submitted by participating
21 States and shall include an assessment of the
22 following:

23 “(i) The burden placed on the local
24 programs and the State to implement and

1 carry out the innovative accountability sys-
2 tem.

3 “(ii) Whether and to what extent—

4 “(I) the State has solicited feed-
5 back from local program directors and
6 instructors about their satisfaction
7 with the innovative accountability sys-
8 tem;

9 “(II) local program instructors
10 and directors have demonstrated a
11 commitment and capacity to imple-
12 ment or continue to implement the
13 system;

14 “(III) the system was used to
15 measure the performance indicators
16 for all students participating in the
17 system; and

18 “(IV) the innovative account-
19 ability system can be used across
20 States.

21 “(C) PEER REVIEW.—

22 “(i) IN GENERAL.—The eligible entity
23 shall conduct a peer review of the innova-
24 tive performance accountability system im-

1 plemented by the eligible entity under this
2 section.

3 “(ii) PEER REVIEW TEAM.—For pur-
4 poses of conducting the peer review under
5 clause (i), the eligible entity shall assemble
6 a team of subject matter experts who—

7 “(I) are knowledgeable about in-
8 novative accountability systems; and

9 “(II) have demonstrated experi-
10 ence developing and implementing
11 such systems.

12 “(iii) METHODOLOGY.—The method-
13 ology of the peer review shall meet require-
14 ments to be jointly established by the Sec-
15 retary of Labor and Secretary of Edu-
16 cation.

17 “(iv) ELEMENTS.—The peer review
18 shall determine the extent to which the in-
19 novative accountability system includes pri-
20 mary indicators that reflect the objectives
21 and activities of the State’s adult edu-
22 cation and family literacy programs.

23 “(D) COMMENTS.—The eligible entity shall
24 provide a response to the findings of the
25 progress report.

1 “(E) PUBLIC AVAILABILITY.—The
2 progress report under this paragraph, including
3 any comments provided under subparagraph
4 (D), shall be made available on a publicly acces-
5 sible website of the eligible entity.

6 “(5) FINAL REPORT.—Not later than one year
7 after the conclusion of the demonstration period ap-
8 plicable to an eligible entity under paragraph (2),
9 the entity shall submit to the Secretary a report on
10 the results of the innovative performance account-
11 ability system implemented by the entity under this
12 subsection. Each such report shall include the enti-
13 ty’s assessment of whether, and to what extent, the
14 innovative performance accountability system
15 achieved its objectives.

16 “(6) CONTINUED REPORTING.—An eligible enti-
17 ty shall continue to report to the State, or the Sec-
18 retary, as applicable, on the indicators of perform-
19 ance described in section 116(b)(2)(A)(i) during the
20 demonstration period.

21 “(7) DEVELOPMENT AND DISSEMINATION OF
22 BEST PRACTICES.—The Secretary shall—

23 “(A) based on the results of the dem-
24 onstration programs authorized under this sub-
25 section and in consultation with the Director of

1 the Institute of Education Sciences and the
2 Secretary of Labor, identify best practices for
3 the development and implementation of innova-
4 tive performance accountability systems; and

5 “(B) disseminate information on those
6 practices, including by making such information
7 available on a publicly accessible website of the
8 Department of Education.

9 “(8) RELATIONSHIP TO OTHER REQUIRE-
10 MENTS.—Nothing in this subsection shall be con-
11 strued to supersede the requirements of section 116
12 or to authorize the Secretary to modify or replace
13 the performance accountability measures required
14 under section 116. An eligible entity participating in
15 a demonstration program under this subsection shall
16 be subject to the applicable requirements of section
17 116 while participating in such program.

18 “(9) ELIGIBLE ENTITY DEFINED.—In this sub-
19 section, the term ‘eligible entity’ means—

20 “(A) an eligible agency;

21 “(B) a consortium of eligible agencies; or

22 “(C) a consortium of eligible providers
23 within a State or outlying area.”.

1 **SEC. 306. STATE DISTRIBUTION OF FUNDS; MATCHING RE-**
2 **QUIREMENT.**

3 Section 222(b) (29 U.S.C. 3302(b)) is amended by
4 adding at the end the following:

5 “(3) PUBLIC AVAILABILITY OF INFORMATION
6 ON MATCHING FUNDS.—Each eligible agency shall
7 maintain, on a publicly accessible website of such
8 agency and in an easily accessible format, informa-
9 tion documenting the non-Federal contributions
10 made available to adult education and family literacy
11 programs pursuant to this subsection, including—

12 “(A) the sources of such contributions; and

13 “(B) in the case of funds made available
14 by a State or outlying area, an explanation of
15 how such funds are distributed to eligible pro-
16 viders.”.

17 **SEC. 307. STATE LEADERSHIP ACTIVITIES.**

18 Section 223(a) (29 U.S.C. 3303(a)) is amended—

19 (1) by amending paragraph (1)(C)(ii) to read
20 as follows:

21 “(ii) the role of eligible providers as a
22 one-stop partner to provide access to em-
23 ployment, education (including pre-appren-
24 ticeship and apprenticeship programs), and
25 training services;”; and

26 (2) in paragraph (2)—

1 (A) in subparagraph (J), by striking the
2 period at the end and inserting “, such as the
3 development and maintenance of policies for the
4 credentialing of adult educators who dem-
5 onstrate effectiveness.”;

6 (B) by redesignating subparagraph (M) as
7 subparagraph (N); and

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

10 “(M) Strengthening the quality of adult
11 education and family literacy programs in the
12 State through support for improved credentials,
13 program quality standards, and certification
14 and accreditation requirements.”.

15 **SEC. 308. GRANTS AND CONTRACTS FOR ELIGIBLE PRO-**
16 **VIDERS.**

17 Section 231(e)(1)(6) (29 U.S.C. 3321(e)(1)(6)) is
18 amended by striking “including scientifically valid re-
19 search and effective educational practice” and inserting
20 “including the application of the principles of universal de-
21 sign for learning, scientifically valid research, and effective
22 educational practice”.

23 **SEC. 309. LOCAL ADMINISTRATIVE COST LIMITS.**

24 Section 233(a) (29 U.S.C. 3323(a)) is amended—

1 (1) in paragraph (1), by striking “95 percent”
2 and inserting “85 percent”; and

3 (2) by amending paragraph (2) to read as fol-
4 lows:

5 “(2) of the remaining amount—

6 “(A) not more than 10 percent may be
7 used for professional development for adult edu-
8 cators; and

9 “(B) not more than 5 percent may be used
10 for planning, administration (including carrying
11 out the requirements of section 116), and the
12 activities described in paragraphs (3) and (5) of
13 section 232.”.

14 **SEC. 310. NATIONAL LEADERSHIP ACTIVITIES.**

15 Section 242 (29 U.S.C. 3332) is amended—

16 (1) by amending paragraph (1) of subsection
17 (b) to read as follows:

18 “(1) assistance to help States meet the require-
19 ments of section 116, including assistance to ensure
20 that—

21 “(A) the outcomes and other data required
22 pursuant to that section are collected and re-
23 ported in a timely and accessible manner; and

24 “(B) such data are reported consistently
25 across States and eligible providers and are re-

1 viewed for quality and consistency by the De-
2 partment of Education;”;

3 (2) in subsection (c)—

4 (A) in paragraph (1)—

5 (i) by striking “and” at the end of
6 subparagraph (C);

7 (ii) in subparagraph (D), by striking
8 the period at the end and inserting “;
9 and”; and

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

12 “(E) assistance in the dissemination or
13 provision of information for apprenticeship or
14 pre-apprenticeship programs.”; and

15 (B) in paragraph (2)—

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

18 (ii) by redesignating subparagraph
19 (G) as paragraph (L); and

20 (iii) by inserting after subparagraph
21 (F) the following:

22 “(G) developing and rigorously evaluating
23 model programs for the preparation of effective
24 adult educators;

1 “(H) carrying out initiatives to support the
2 professionalization of adult education through—

3 “(i) the creation and implementation
4 of full-time staffing models; and

5 “(ii) improved credentials, program
6 quality standards, and certification and ac-
7 creditation requirements that States may
8 adopt on a voluntary basis;

9 “(I) carrying out initiatives to support the
10 professionalization of adult education through
11 the creation and implementation of full-time
12 staffing models;

13 “(J) providing professional development
14 and technical assistance to adult educators;

15 “(K) incorporating the principles of uni-
16 versal design for learning for any activity car-
17 ried out under subsection (b); and”.

18 **SEC. 311. INTEGRATED ENGLISH LITERACY AND CIVICS**

19 **EDUCATION.**

20 Section 243 (29 U.S.C. 3333) is amended—

21 (1) by amending subsection (a) to read as fol-
22 lows:

23 “(a) **IN GENERAL.**—From funds made available
24 under section 211(a)(2) for each fiscal year, the Secretary
25 shall award grants to States, from allotments under sub-

1 section (b), for English literacy and civics education, in
2 combination with workforce preparation activities, work-
3 place adult education and family literacy activities, ap-
4 prenticeship and pre-apprenticeship programs, integrated
5 education and training activities, or work-based learn-
6 ing.”;

7 (2) in subsection (c)—

8 (A) in paragraph (1), by striking “, and
9 place such adults in,”; and

10 (B) in paragraph (2), by inserting before
11 the period the following: “, including the identi-
12 fication of in-demand industries and the place-
13 ment of adult English language learners in un-
14 subsidized employment within these industries”;
15 and

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

17 “(e) STATE DEFINED.—In this section, the term
18 ‘State’ has the meaning given the term in section 3, except
19 that such term also includes each of the outlying areas
20 (as defined in section 3).”.

21 **SEC. 312. TECHNICAL CORRECTIONS TO OTHER LAWS.**

22 Section 9215(e) of the Every Student Succeeds Act
23 (Public Law 114–95) is amended by striking “the Adult
24 Education and Literacy Act” and inserting “the Adult
25 Education and Family Literacy Act”.

1 **TITLE IV—AMENDMENTS TO THE**
2 **WAGNER-PEYSER ACT**

3 **SEC. 401. INCLUSION OF COMMONWEALTH OF THE NORTH-**
4 **ERN MARIANA ISLANDS AND AMERICAN**
5 **SAMOA.**

6 The Wagner-Peyser Act (29 U.S.C. 49 et seq.) is
7 amended—

8 (1) in section 2(5) (29 U.S.C. 49a(5))—

9 (A) by striking “the Commonwealth of
10 Puerto Rico” and inserting “Puerto Rico”; and

11 (B) by inserting “the Commonwealth of
12 the Northern Mariana Islands, American
13 Samoa,” after “Guam,”;

14 (2) in section 5(b)(1) (29 U.S.C. 49d(b)(1)), by
15 inserting “the Commonwealth of the Northern Mar-
16 iana Islands, and American Samoa,” after “Guam,”;

17 (3) in section 6(a) (29 U.S.C. 49e(a))—

18 (A) by inserting “, the Commonwealth of
19 the Northern Mariana Islands, and American
20 Samoa” after “except for Guam”;

21 (B) by striking “allot to Guam” and in-
22 serting the following: “allot to—
23 “(1) Guam”;

24 (C) by striking the period at the end and
25 inserting “; and”; and

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

2 “(2) the Commonwealth of the Northern Mar-
3 iana Islands and American Samoa an amount which,
4 in relation to the total amount available for the fis-
5 cal year, is equal to the allotment percentage that
6 Guam received of amounts available under this Act
7 in fiscal year 1983.”; and

8 (4) in section 6(b)(1) (29 U.S.C. 49e(b)(1)), in
9 the matter following subparagraph (B), by inserting
10 “, the Commonwealth of the Northern Mariana Is-
11 lands, American Samoa,” after “does not include
12 Guam”.

13 **SEC. 402. WORKFORCE AND LABOR MARKET INFORMATION**
14 **SYSTEM.**

15 Section 15(g) of the Wagner-Peyser Act (29 U.S.C.
16 491–2(g)) is amended to read as follows:

17 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this section
19 \$74,400,000 for fiscal year 2023, \$78,100,000 for fiscal
20 year 2024, \$82,000,000 for fiscal year 2025, \$86,100,000
21 for fiscal year 2026, \$90,400,000 for fiscal year 2027, and
22 \$94,900,000 for fiscal year 2028.”.

1 **TITLE V—AMENDMENTS TO THE**
2 **REHABILITATION ACT OF 1973**

3 **SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) STATE PLANS.—Paragraph (1) of section 100(b)
5 of the Rehabilitation Act of 1973 (29 U.S.C. 720(b)) is
6 amended to read as follows:

7 “(1) IN GENERAL.—For the purpose of making
8 grants to States under part B to assist States in
9 meeting the costs of vocational rehabilitation services
10 provided in accordance with State plans under sec-
11 tion 101, there are authorized to be appropriated
12 such sums as may be necessary for each of the fiscal
13 years 2023 through 2028, except that—

14 “(A) for fiscal year 2023 the amount to be
15 appropriated shall be not less than
16 \$4,052,400,000; and

17 “(B) for fiscal year 2024 and each of the
18 succeeding fiscal years, the amount to be appro-
19 priated for such a fiscal year shall not be less
20 than the amount of the appropriation under
21 this paragraph for the immediately preceding
22 fiscal year, increased by the percentage change
23 in the Consumer Price Index determined under
24 subsection (c) for the immediately preceding fis-
25 cal year.”.

1 (b) RESEARCH AND TRAINING.—Section 201 of the
2 Rehabilitation Act of 1973 (29 U.S.C. 761) is amended
3 to read as follows:

4 **“SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

5 “There are authorized to be appropriated to carry out
6 this title \$134,357,300 for fiscal year 2023, \$141,075,165
7 for fiscal year 2024, \$148,128,923 for fiscal year 2025,
8 \$155,535,369 for fiscal year 2026, \$163,312,138 for fis-
9 cal year 2027, and \$171,477,745 for fiscal year 2028.”.

10 (c) TRAINING.—Section 302(i) of the Rehabilitation
11 Act of 1973 (29 U.S.C. 772(i)) is amended to read as
12 follows:

13 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to carry out this section
15 \$43,494,001 for fiscal year 2023, \$45,668,701 for fiscal
16 year 2024, \$47,952,136 for fiscal year 2025, \$50,349,743
17 for fiscal year 2026, \$52,867,230 for fiscal year 2027, and
18 \$55,510,592 for fiscal year 2028.”.

19 (d) DEMONSTRATION AND TRAINING PROGRAMS.—
20 Section 303(e) of the Rehabilitation Act of 1973 (29
21 U.S.C. 773(e)) is amended to read as follows:

22 “(e) AUTHORIZATION OF APPROPRIATIONS.—For the
23 purpose of carrying out this section there are authorized
24 to be appropriated \$7,489,900 for fiscal year 2023,
25 \$7,864,395 for fiscal year 2024, \$8,257,615 for fiscal year

1 2025, \$8,670,495 for fiscal year 2026, \$9,104,020 for fis-
2 cal year 2027, and \$9,559,221 for fiscal year 2028.”.

3 (e) NATIONAL COUNCIL ON DISABILITY.—Section
4 405 of the Rehabilitation Act of 1973 (29 U.S.C. 785)
5 is amended to read as follows:

6 **“SEC. 405. AUTHORIZATION OF APPROPRIATIONS.**

7 “There are authorized to be appropriated to carry out
8 this title \$4,117,300 for fiscal year 2023, \$4,323,165 for
9 fiscal year 2024, \$4,539,323 for fiscal year 2025,
10 \$4,766,289 for fiscal year 2026, \$5,004,604 for fiscal year
11 2027, and \$5,254,834 for fiscal year 2028.”.

12 (f) ARCHITECTURAL AND TRANSPORTATION BAR-
13 RIERS COMPLIANCE BOARD.—Section 502(j) of the Reha-
14 bilitation Act of 1973 (29 U.S.C. 792(j)) is amended to
15 read as follows:

16 “(j) There are authorized to be appropriated for the
17 purpose of carrying out the duties and functions of the
18 Access Board under this section \$962,500 for fiscal year
19 2023, \$1,010,625 for fiscal year 2024, \$1,061,156 for fis-
20 cal year 2025, \$1,114,214 for fiscal year 2026,
21 \$1,169,925 for fiscal year 2027, and \$1,228,421 for fiscal
22 year 2028.”.

23 (g) PROTECTION AND ADVOCACY OF INDIVIDUAL
24 RIGHTS.—Section 509(l) of the Rehabilitation Act of 1973
25 (29 U.S.C. 794e(l)) is amended to read as follows:

1 “(l) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 \$22,808,500 for fiscal year 2023, \$23,948,925 for fiscal
4 year 2024, \$25,146,371 for fiscal year 2025, \$26,403,690
5 for fiscal year 2026, \$27,723,874 for fiscal year 2027, and
6 \$29,110,068 for fiscal year 2028.”.

7 (h) INDEPENDENT LIVING SERVICES .—Section 714
8 of the Rehabilitation Act of 1973 (29 U.S.C. 796e–3) is
9 amended to read as follows:

10 **“SEC. 714. AUTHORIZATION OF APPROPRIATIONS.**

11 “‘There are authorized to be appropriated to carry out
12 this part \$29,564,700 for fiscal year 2023, \$31,042,935
13 for fiscal year 2024, \$32,595,082 for fiscal year 2025,
14 \$34,224,836 for fiscal year 2026, \$35,936,078 for fiscal
15 year 2027, and \$37,732,882 for fiscal year 2028.’”.

16 (i) CENTERS FOR INDEPENDENT LIVING.—Section
17 727 of the Rehabilitation Act of 1973 (29 U.S.C. 796f–
18 6) is amended to read as follows:

19 **“SEC. 727. AUTHORIZATION OF APPROPRIATIONS.**

20 “‘There are authorized to be appropriated to carry out
21 this part \$101,191,200 for fiscal year 2023, \$106,250,760
22 for fiscal year 2024, \$111,563,298 for fiscal year 2025,
23 \$117,141,463 for fiscal year 2026, \$122,998,536 for fis-
24 cal year 2027, and \$129,148,463 for fiscal year 2028.’”.

1 (j) INDEPENDENT LIVING SERVICES FOR OLDER IN-
2 DIVIDUALS WHO ARE BLIND.—Section 753 of the Reha-
3 bilitation Act of 1973 (29 U.S.C. 7961) is amended to read
4 as follows:

5 **“SEC. 753. AUTHORIZATION OF APPROPRIATIONS.**

6 “There are authorized to be appropriated to carry out
7 this chapter \$43,055,100 for fiscal year 2023,
8 \$45,207,855 for fiscal year 2024, \$47,468,248 for fiscal
9 year 2025, \$49,841,660 for fiscal year 2026, \$52,333,743
10 for fiscal year 2027, and \$54,950,430 for fiscal year
11 2028.”.

○