

117TH CONGRESS
2D SESSION

H. R. 7392

To reauthorize the Job Corps program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2022

Ms. WILSON of Florida introduced the following bill; which was referred to
the Committee on Education and Labor

A BILL

To reauthorize the Job Corps program, and for other
purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthening Job
5 Corps Act of 2022”.

6 **SEC. 2. AMENDMENTS RELATING TO JOB CORPS.**

7 (a) DEFINITIONS.—

8 (1) IN GENERAL.—Section 142 (29 U.S.C.
9 3192) is amended—

10 (A) by amending paragraph (7) to read as
11 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”; and

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 systems of sup-
22 ports.

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 policy of dismissing
11 enrollees for an act of violence that seriously
12 endangers the safety of students, staff, or the
13 local community, and for illegal activity on the
14 campus.

15 “(B) DEFINITIONS.—In this paragraph:

16 “(i) CONTROLLED SUBSTANCE.—The
17 term ‘controlled substance’ has the mean-
18 ing given the term in section 102 of the
19 Controlled Substances Act (21 U.S.C.
20 802).

21 “(ii) ZERO TOLERANCE POLICY.—The
22 term ‘zero tolerance policy’ means a policy
23 under which an enrollee shall be automati-
24 cally dismissed from the Job Corps after a
25 determination by the director that the en-

1 rollee has carried out an act of violence
2 that seriously endangers the safety of stu-
3 dents, staff, or the local community or en-
4 gaged in an illegal activity on the campus.

5 “(3) ADVISORY GROUP.—The Secretary shall
6 periodically convene an advisory group of Job Corps
7 operators and service providers and subject matter
8 experts to review the reporting data collected under
9 paragraph (5) and provide recommendations for Job
10 Corps behavioral management plans based on evi-
11 dence-based research regarding effective and equi-
12 table behavioral policies.

13 “(4) LAW ENFORCEMENT AGREEMENTS.—The
14 directors of each Job Corps campus shall enter into
15 an agreement with the relevant local law enforce-
16 ment agency of jurisdiction regarding the procedures
17 for reporting and investigating potentially illegal ac-
18 tivity on Job Corps campuses.

19 “(5) INCIDENT REPORTING.—The Secretary
20 shall establish procedures for—

21 “(A) reporting significant health incidents,
22 including substance abuse, self-harm, and acci-
23 dents resulting in bodily harm; and

1 “(B) reporting significant behavioral inci-
2 dents, defined as acts of violence or illegal ac-
3 tivity.

4 “(6) ACCOUNTABILITY.—The Secretary shall
5 establish standards under which a Job Corps cam-
6 pus shall be required to take performance improve-
7 ment actions described in section 159(f), based on
8 an evaluation of such Job Corps campus, which shall
9 take into account reporting data collected under
10 paragraph (5) and recommendations of the advisory
11 group pursuant to paragraph (3).”.

12 (i) EXPERIMENTAL PROJECTS AND TECHNICAL AS-
13 SISTANCE.—Section 156(a) (29 U.S.C. 3206(a)) is
14 amended to read as follows:

15 “(a) PROJECTS.—The Secretary may carry out ex-
16 perimental, research, or demonstration projects relating to
17 evidence-based strategies for improving the operations of
18 a Job Corps campus that was ranked among the bottom
19 10 percent of Job Corps campuses. The Secretary may
20 waive any provisions of this subtitle that the Secretary
21 finds would prevent the Secretary from carrying out the
22 projects (other than sections 145, 147, and 159(c)) pro-
23 vided that—

24 “(1) the project will not result in a reduction in
25 the number of students served; and

1 “(2) if the Secretary informs the Committee on
2 Education and Labor of the House of Representa-
3 tives and the Committee on Health, Education,
4 Labor, and Pensions of the Senate, in writing, not
5 less than 90 days in advance of issuing such waiv-
6 er.”.

7 (j) APPLICATION OF PROVISIONS OF FEDERAL
8 LAW.—

9 (1) IN GENERAL.—Section 157 (29 U.S.C.
10 3207) is amended by adding at the end the fol-
11 lowing:

12 “(d) SERVICE CONTRACT ACT.—

13 “(1) IN GENERAL.—Operators and service pro-
14 viders, including subcontractors thereto, are subject
15 to and shall be required to abide by chapter 67 of
16 title 41, United States Code (commonly known as
17 the ‘McNamara-O’Hara Service Contract Act of
18 1965’).

19 “(2) ACADEMIC AND CAREER TECHNICAL IN-
20 STRUCTIONAL EMPLOYEES.—Notwithstanding sec-
21 tion 6701(3)(C) of such chapter, an academic or ca-
22 reer technical instructional employee at a Job Corps
23 campus shall be considered a ‘service employee’ for
24 purposes of applying such chapter under paragraph
25 (1).

1 “(3) RULE OF CONSTRUCTION.—To the extent
2 compensation levels being paid or scheduled to be
3 paid by an employer are, in the aggregate, greater
4 than those determined by the Secretary of Labor to
5 be required under this subsection, or as set forth in
6 a collective bargaining agreement, nothing herein
7 shall be construed to require a reduction of such
8 compensation.”.

9 (2) EFFECTIVE DATE.—

10 (A) AGREEMENTS IN EFFECT ON DATE OF
11 ENACTMENT.—Not later than 60 days after the
12 date of enactment of this Act, the Secretary
13 shall, subject to appropriations, modify all
14 agreements with operators and service providers
15 in effect as of such date of enactment to include
16 the requirements imposed by the amendment
17 made by paragraph (1).

18 (B) PENDING SOLICITATIONS.—Upon the
19 date of enactment of this Act, the Secretary
20 shall include the requirements imposed by the
21 amendment made by paragraph (1) in any
22 pending solicitation for an operator or service
23 provider.

24 (k) STAFFING.—

1 (1) IN GENERAL.—To ensure compliance with
2 chapter 67 of title 41, United States Code (com-
3 monly known as the ‘McNamara-O’Hara Service
4 Contract Act of 1965’), as such chapter is applied
5 by section 157(d) of the Workforce Innovation and
6 Opportunity Act, the staffing plan and the associ-
7 ated budget of an entity proposing to be an operator
8 or service provider for a Job Corps campus shall in-
9 corporate hourly wages (or salaries as appropriate)
10 and fringe benefit costs for occupational classifica-
11 tions at least equal to the wage determination deter-
12 mined by the Secretary of Labor for the locality of
13 the Job Corps campus. In preparing such wage de-
14 termination, the Secretary shall compare the specific
15 job classifications at the Job Corps campus with
16 those occupations most closely correlated with those
17 employed by public education providers in the local-
18 ity with the goal of ensuring equivalency to the max-
19 imum extent feasible.

20 (2) ADJUSTMENTS PERMITTED.—The Secretary
21 may further adjust compensation levels in a contract
22 with an operator or service provider to ensure suffi-
23 cient availability and retention of qualified personnel
24 in the locality.

1 (3) ANNUAL UPDATES.—The Secretary shall
2 update hourly wages (or salaries as appropriate) and
3 fringe benefit levels for such occupations covered in
4 this paragraph on an annual basis.

5 (l) SPECIAL PROVISIONS.—Section 158(f) (29 U.S.C.
6 3208(f)) is amended—

7 (1) by striking “Secretary” and inserting “di-
8 rectors of Job Corps campuses”;

9 (2) by striking “the Job Corps or individual”
10 and inserting “such”; and

11 (3) by adding at the end the following: “Any
12 real property acquired shall be directly transferred
13 to the Secretary in accordance with chapter 5 of title
14 40 and on a nonreimbursable basis.”

15 (m) MANAGEMENT INFORMATION.—Section 159 (29
16 U.S.C. 3209) is amended—

17 (1) in subsection (a), by adding at the end the
18 following:

19 “(4) ANNUAL RECONCILIATION.—Prior to the
20 expiration of any appropriated Job Corps operations
21 funds for any fiscal year, any anticipated unobli-
22 gated funds may, subject to appropriations, be obli-
23 gated to projects identified under subsection
24 (h)(1).”;

25 (2) in subsection (c)—

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

3 “(1) LEVELS OF PERFORMANCE AND INDICA-
4 TORS.—

5 “(A) IN GENERAL.—At the start of each
6 contract period, and at least every two program
7 years in the case of Civilian Conservation Cen-
8 ters, the Secretary shall establish expected lev-
9 els of performance for each Job Corps campus
10 relating to each of the primary indicators of
11 performance for eligible youth described in sec-
12 tion 116(b)(2)(A)(ii) using the model described
13 in subparagraph (B).

14 “(B) PERFORMANCE MODEL.—At least
15 every four years and no more than every two
16 years, the Secretary shall develop a model for
17 establishing the expected levels of performance
18 for each Job Corps campus, in accordance with
19 the following:

20 “(i) EQUITY.—The model shall ac-
21 count for significant correlations between
22 various factors and student outcomes, in-
23 cluding:

24 “(I) Student demographics, in-
25 cluding age, gender, race, ethnicity,

1 documented disabilities, and education
2 level on entry.

3 “(II) Employment conditions in
4 students’ home communities.

5 “(ii) DEVELOPMENT.—The model
6 shall be developed by subject matter ex-
7 perts in the fields of Job Corps operations,
8 program evaluation, statistical analysis,
9 and related fields using available Job
10 Corps data as well as regional economic
11 data.

12 “(iii) TRANSPARENCY.—The perform-
13 ance model and the past effectiveness met-
14 ric identified in section 147(a)(2)(B)(i), in-
15 cluding the procedures outlined in section
16 147(a)(2)(B)(iv), shall be published for
17 comment in the Federal Register.”;

18 (B) in paragraph (2)—

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

21 (ii) by striking subparagraph (B) and
22 inserting the following:

23 “(B) the number of enrollees recruited that
24 meet the requirements of section 144(a); and

- 1 “(C) the measurement described in sub-
2 paragraph (K) of subsection (d)(1).”; and
3 (C) in paragraph (4)—
4 (i) in subparagraph (A), by striking
5 “and” at the end;
6 (ii) in subparagraph (B), by striking
7 the period at the end and inserting “;
8 and”; and
9 (iii) by adding at the end the fol-
10 lowing:
11 “(C) information on the performance of
12 the Job Corps selection process in section
13 147(a)(2) with respect to increasing perform-
14 ance as measured pursuant to subparagraph
15 (A), specifically including information on the
16 performance of each Job Corps campus as com-
17 pared to its annual performance immediately
18 prior to its current operating agreement.”;
19 (3) in subsection (d)(1)—
20 (A) by striking subparagraph (I); and
21 (B) by redesignating subparagraphs (J)
22 through (O) as subparagraphs (I) through (N),
23 respectively;
24 (4) in subsection (f)—
25 (A) in paragraph (2)—

1 (i) in subparagraph (E), by adding
2 “or” at the end;

3 (ii) in subparagraph (F), by striking
4 “; or” and inserting a period; and

5 (iii) by striking subparagraph (G);
6 and

7 (B) by amending paragraph (4) to read as
8 follows:

9 “(4) CIVILIAN CONSERVATION CENTERS.—In
10 addition to the primary indicators of performance
11 specified in subsection (c)(1), Civilian Conservation
12 Centers shall be evaluated on their contribution to
13 the nation’s conservation goals by the Secretaries of
14 Agriculture and Labor. If the Secretaries jointly
15 conclude that a Civilian Conservation Center is not
16 meeting these dual performance goals, they may
17 take performance improvement actions described in
18 subparagraph (A), (B), or (C) of paragraph (2) of
19 this subsection.”; and

20 (5) in subsection (g)(2)—

21 (A) by striking “has entered” and insert-
22 ing “enters”; and

23 (B) by striking “comply” and inserting
24 “attest to compliance”.

1 (n) TECHNICAL AMENDMENT.—Subtitle C of title I
2 (29 U.S.C. 3191 et seq.) is amended by striking “Com-
3 mittee on Education and the Workforce” each place it ap-
4 pears and inserting “Committee on Education and
5 Labor”.

6 (o) AUTHORIZATION OF APPROPRIATIONS.—Section
7 162 (29 U.S.C. 3212) is amended to read as follows:

8 **“SEC. 162. AUTHORIZATION OF APPROPRIATIONS.**

9 “(a) IN GENERAL.—There are authorized to be ap-
10 propriated to carry out this subtitle—

11 “(1) \$1,809,857,925 for fiscal year 2023;

12 “(2) \$1,873,202,952 for fiscal year 2024;

13 “(3) \$1,938,765,056 for fiscal year 2025;

14 “(4) \$2,006,621,833 for fiscal year 2026;

15 “(5) \$2,076,853,597 for fiscal year 2027; and

16 “(6) \$2,149,543,473 for fiscal year 2028.

17 “(b) CONSTRUCTION COSTS.—Of the amount author-
18 ized in subsection (a) for each of fiscal years 2023 through
19 2028, \$107,800,000 shall be for construction, rehabilita-
20 tion, and acquisition of Job Corps Campuses.”.

○