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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R.

To amend and reauthorize the Workforce Innovation and Opportunity Act.

IN THE HOUSE OF REPRESENTATIVES

Ms. FOXX (for herself and Mr. SCOTT of Virginia) introduced the following bill; which was referred to the Committee on

A BILL

To amend and reauthorize the Workforce Innovation and Opportunity Act.

1 *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the “A
5 Stronger Workforce for America Act”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Effective date; transition authority.

TITLE I—WORKFORCE DEVELOPMENT ACTIVITIES

Subtitle A—General Provisions

- Sec. 101. Definitions.
- Sec. 102. Table of contents amendments.

Subtitle B—System Alignment

CHAPTER 1—STATE PROVISIONS

- Sec. 111. Unified State plan.

CHAPTER 2—LOCAL PROVISIONS

- Sec. 115. Workforce development areas.
- Sec. 116. Local workforce development boards.
- Sec. 117. Local plan.

CHAPTER 3—PERFORMANCE ACCOUNTABILITY

- Sec. 119. Performance accountability system.

Subtitle C—Workforce Investment Activities and Providers

CHAPTER 1—WORKFORCE INVESTMENT ACTIVITIES AND PROVIDERS

- Sec. 121. Establishment of one-stop delivery systems.
- Sec. 122. Identification of eligible providers and programs of training services.

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES

- Sec. 131. Reservations for statewide activities.
- Sec. 132. Use of funds for youth workforce investment activities.

CHAPTER 3—ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES

- Sec. 141. State allotments.
- Sec. 142. Reservations for State activities; within State allocations.
- Sec. 143. Use of funds for employment and training activities.

CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS

- Sec. 145. Authorization of appropriations.

Subtitle D—Job Corps

- Sec. 151. Purposes.
- Sec. 152. Definitions.
- Sec. 153. Individuals eligible for the Job Corps.
- Sec. 154. Recruitment, screening, selection, and assignment of enrollees.
- Sec. 155. Job Corps Campuses.
- Sec. 156. Program activities.
- Sec. 157. Support.
- Sec. 158. Operations.
- Sec. 159. Standards of conduct.
- Sec. 160. Community participation.
- Sec. 161. Workforce councils.
- Sec. 162. Advisory committees.
- Sec. 163. Experimental projects and technical assistance.
- Sec. 164. Special provisions.

- Sec. 165. Management information.
- Sec. 166. Job Corps oversight and reporting.
- Sec. 167. Authorization of appropriations.

Subtitle E—National Programs

- Sec. 171. Native American Programs.
- Sec. 172. Migrant and seasonal farmworker programs.
- Sec. 173. Technical Assistance.
- Sec. 174. Evaluations and research.
- Sec. 175. National dislocated worker grants.
- Sec. 176. YouthBuild Program.
- Sec. 178. Reentry employment opportunities.
- Sec. 179. Strengthening community colleges grant program.
- Sec. 180. Authorization of appropriations.

Subtitle F—Administration

- Sec. 191. Requirements and restrictions.
- Sec. 192. General waivers of statutory or regulatory requirements.
- Sec. 193. State innovation demonstration authority.

TITLE II—ADULT EDUCATION AND LITERACY

- Sec. 201. Purpose.
- Sec. 202. Definitions.
- Sec. 203. Authorization of appropriations.
- Sec. 204. Performance accountability system.
- Sec. 205. Matching requirement.
- Sec. 206. State leadership activities.
- Sec. 207. Programs for corrections education and other institutionalized individuals.
- Sec. 208. Grants and contracts for eligible providers.
- Sec. 209. Local application.
- Sec. 210. Local administrative cost limits.
- Sec. 211. National leadership activities.
- Sec. 212. Integrated English literacy and civics education.

TITLE III—AMENDMENTS TO OTHER LAWS

- Sec. 301. Amendments to the Wagner-Peyser Act.
- Sec. 302. Job training grants.
- Sec. 303. Access to National Directory of New Hires.

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

2 (a) **EFFECTIVE DATE.**—This Act, and the amend-
3 ments made by this Act, shall take effect on the first date
4 of the first program year that begins after the date of en-
5 actment of this Act.

6 (b) **TRANSITION AUTHORITY.**—

1 (1) IN GENERAL.—The Secretary of Labor and
2 the Secretary of Education shall have the authority
3 to take such steps as are necessary before the effective
4 date to provide for the orderly implementation
5 on such date of the amendments to the Workforce
6 Innovation and Opportunity Act (29 U.S.C. 3101 et
7 seq.) made by this Act.

8 (2) CONFORMING AMENDMENT.—Section 503
9 of the Workforce Innovation and Opportunity Act
10 (29 U.S.C. 3343) is repealed.

11 **TITLE I—WORKFORCE**
12 **DEVELOPMENT ACTIVITIES**
13 **Subtitle A—General Provisions**

14 **SEC. 101. DEFINITIONS.**

15 (a) FOUNDATIONAL SKILL NEEDS.—Section 3 of the
16 Workforce Innovation and Opportunity Act (29 U.S.C.
17 3102) is amended by amending paragraph (5) to read as
18 follows:

19 “(5) FOUNDATIONAL SKILL NEEDS.—The term
20 ‘foundational skill needs’ means, with respect to an
21 individual who is a youth or adult, that the indi-
22 vidual—

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

1 “(B) is unable to compute or solve prob-
2 lems, or read, write, or speak English, or does
3 not possess digital literacy skills, at a level nec-
4 essary to function on the job, in the individual’s
5 family, or in society.”.

6 (b) EMPLOYER-DIRECTED SKILLS DEVELOPMENT.—
7 Section 3 of the Workforce Innovation and Opportunity
8 Act (29 U.S.C. 3102) is further amended by amending
9 paragraph (14) to read as follows:

10 “(14) EMPLOYER-DIRECTED SKILLS DEVELOP-
11 MENT.—The term ‘employer-directed skills develop-
12 ment’ means a program—

13 “(A) that is selected or designed to meet
14 the specific skill demands of an employer (in-
15 cluding a group of employers);

16 “(B) that is conducted pursuant to the
17 terms and conditions established under an em-
18 ployer-directed skills agreement described in
19 section 134(c)(3)(I), including a commitment
20 by the employer to employ an individual upon
21 successful completion of the program; and

22 “(C) for which the employer pays a portion
23 of the cost of the program, as determined by
24 the local board involved, which shall not be less
25 than—

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

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

6 “(iii) 50 percent of the cost, in the
7 case of an employer with 100 or more em-
8 ployees.”.

9 (c) **DISPLACED HOMEMAKER.**—Section 3 of the
10 Workforce Innovation and Opportunity Act (29 U.S.C.
11 3102) is further amended by amending paragraph (16),
12 in the matter preceding subparagraph (A), by striking
13 “family members” and inserting “a family member”.

14 (d) **ELIGIBLE YOUTH.**—Section 3 of the Workforce
15 Innovation and Opportunity Act (29 U.S.C. 3102) is fur-
16 ther amended by amending paragraph (18), by striking
17 “out-of-school” and inserting “opportunity”.

18 (e) **ENGLISH LEARNER.**—Section 3 of the Workforce
19 Innovation and Opportunity Act (29 U.S.C. 3102) is fur-
20 ther amended by amending paragraph (21)—

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

22 and

23 (2) by striking “language”.

1 (f) JUSTICE-INVOLVED INDIVIDUAL.—Section 3 of
2 the Workforce Innovation and Opportunity Act (29 U.S.C.
3 3102) is further amended by amending paragraph (38)—

4 (1) in the heading, by striking “OFFENDER”
5 and inserting “JUSTICE-INVOLVED INDIVIDUAL”;
6 and

7 (2) in the matter preceding subparagraph (A),
8 by striking “offender” and inserting “justice-in-
9 volved individual”.

10 (g) OPPORTUNITY YOUTH.—Section 3 of the Work-
11 force Innovation and Opportunity Act (29 U.S.C. 3102)
12 is further amended by amending paragraph (46)—

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

15 (2) by striking “out-of-school” and inserting
16 “opportunity”.

17 (h) PAY-FOR-PERFORMANCE CONTRACT STRAT-
18 EGY.—Section 3 of the Workforce Innovation and Oppor-
19 tunity Act (29 U.S.C. 3102) is further amended by
20 amending paragraph (47) to read as follows:

21 “(47) PAY-FOR-PERFORMANCE CONTRACT
22 STRATEGY.—The term ‘pay-for-performance contract
23 strategy’ means a specific type of performance-based
24 acquisition that uses pay-for-performance contracts
25 in the provision of services described in paragraphs

1 (2) or (3) of section 134(c) or activities described in
2 section 129(c)(2), and includes—

3 “(A) contracts, each of which—

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

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

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

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

1 “(C) a description of how the State or
2 local area will reallocate funds not paid to a
3 provider because the achievement of the per-
4 formance described in subparagraph (A) did not
5 occur, for further activities related to such a
6 procurement strategy, subject to section
7 189(g)(4).”.

8 (i) **RAPID RESPONSE ACTIVITY.**—Section 3 of the
9 Workforce Innovation and Opportunity Act (29 U.S.C.
10 3102) is further amended by amending paragraph (51)—

11 (1) in the matter preceding subparagraph (A),
12 by inserting “, through a rapid response unit” after
13 “designated by a State”;

14 (2) in subparagraph (B), by inserting before
15 the semicolon at the end the following: “, including
16 individual training accounts for eligible dislocated
17 workers under section 414(c) of the American Com-
18 petitiveness and Workforce Improvement Act of
19 1998 (29 U.S.C. 3224a)”;

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

22 (4) by redesignating subparagraph (E) as sub-
23 paragraph (F);

24 (5) by inserting after subparagraph (D) the fol-
25 lowing new paragraph:

1 “(E) assistance in identifying employees el-
2 igible for assistance, including workers who
3 work a majority of their time off-site or re-
4 motely;”;

5 (6) in paragraph (F), as so redesignated, by
6 striking the period at the end and inserting “; and”
7 (7) by adding at the end the following:

8 “(G) business engagement or layoff aver-
9 sion strategies and other activities designed to
10 prevent or minimize the duration of unemploy-
11 ment, such as—

12 “(i) connecting employers to short-
13 term compensation or other programs de-
14 signed to prevent layoffs;

15 “(ii) conducting employee skill assess-
16 ment and matching programs to different
17 occupations;

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

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

1 “(v) partnering or contracting with
2 business-focused organizations to assess
3 risks to companies, and to propose, imple-
4 ment, and measure the impact of strategies
5 and services to address such risks.”.

6 (j) NEW DEFINITIONS.—Section 3 of the Workforce
7 Innovation and Opportunity Act (29 U.S.C. 3102) is fur-
8 ther amended by adding at the end the following:

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

13 “(73) DIGITAL LITERACY SKILLS.—The term
14 ‘digital literacy skills’ has the meaning given the
15 term in section 203.

16 “(74) EVIDENCE-BASED.—The term ‘evidence-
17 based’, when used with respect to an activity, serv-
18 ice, strategy, or intervention, means an activity,
19 service, strategy, or intervention that—

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

23 “(i) strong evidence from at least 1
24 well-designed and well-implemented experi-
25 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, service, strategy, or
15 intervention.

16 “(75) 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)).

20 “(76) 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.
24 2302).”.

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

2 The table of contents in section 1(b) of the Workforce
3 Innovation and Opportunity Act is amended—

4 (1) by redesignating the item relating to section
5 172 as section 174;

6 (2) by inserting after the item relating to sec-
7 tion 171, the following:

“Sec. 172. Reentry employment opportunities.

“Sec. 173. Strengthening community colleges workforce Development grants
program.”; and

8 (3) by striking the item relating to section 190
9 and inserting the following:

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

10 **Subtitle B—System Alignment**

11 **CHAPTER 1—STATE PROVISIONS**

12 **SEC. 111. UNIFIED STATE PLAN.**

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

15 (1) in subsection (b)—

16 (A) in paragraph (1)—

17 (i) by redesignating subparagraphs

18 (C) through (E) as subparagraphs (D)
19 through (F), respectively;

20 (ii) by inserting the following after
21 subparagraph (B):

22 “(C) a description of—

1 “(i) how the State will use real-time
2 labor market information to continually as-
3 sess the economic conditions and workforce
4 trends described in subparagraphs (A) and
5 (B); and

6 “(ii) how the State will communicate
7 changes in such conditions or trends to the
8 workforce system in the State;”;

9 (iii) in subparagraph (D), as so reded-
10 signed, by inserting “the extent to which
11 such activities are evidence-based,” after
12 “of such activities;”;

13 (iv) in subparagraph (E), as so reded-
14 signed, by striking “and” at the end;

15 (v) in subparagraph (F), as so reded-
16 signed, by striking the period at the end
17 and inserting a semicolon; and

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

20 “(F) a description of any activities the
21 State is conducting to expand economic oppor-
22 tunity for individuals and reduce barriers to
23 labor market entry by—

24 “(i) developing, in cooperation with
25 employers, education and training pro-

1 viders, and other stakeholders, statewide
2 skills-based initiatives that promote the use
3 of demonstrated skills and competencies as
4 an alternative to the exclusive use of de-
5 gree attainment as a requirement for em-
6 ployment or advancement in a career; and
7 “ (ii) evaluating the existing occupa-
8 tional licensing policies in the State and
9 identifying potential changes to recommend
10 to the appropriate State entity to—
11 “(I) remove or streamline licens-
12 ing requirements, as appropriate; and
13 “(II) improve the reciprocity of
14 licensing, including through partici-
15 pating in interstate licensing com-
16 pacts; and
17 “(G) an analysis of the opportunity youth
18 population in the State, including the estimated
19 number of opportunity youth and any gaps in
20 services provided to such population by other
21 existing workforce development activities, as
22 identified under subparagraph (D).”; and
23 (B) in paragraph (2)—

1 (i) in subparagraph (B), by striking
2 “including a description” and inserting
3 “which may include a description”;

4 (ii) in subparagraph (C)—

5 (I) in clause (ii)(I), by inserting
6 “utilizing a continuous quality im-
7 provement approach,” after “year,”

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

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

12 (IV) by striking clause (viii);

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

15 (iv) in subparagraph (E)—

16 (I) in clause (viii)(II), by insert-
17 ing “and” at the end;

18 (II) in clause (ix), by striking “;
19 and” at the end and inserting a pe-
20 riod; and

21 (III) by striking clause (x); and

22 (2) in subsection (c)(3)—

23 (A) in subparagraph (A), by striking
24 “shall” and inserting “may”; and

25 (B) in subparagraph (B)—

- 1 (i) by striking “required”; and
- 2 (ii) by inserting “, except that com-
- 3 municating changes in economic conditions
- 4 and workforce trends to the workforce sys-
- 5 tem in the State as described in subsection
- 6 (b)(1)(C) shall not be considered modifica-
- 7 tions subject to approval under this para-
- 8 graph” before the period at the end.

9 **CHAPTER 2—LOCAL PROVISIONS**

10 **SEC. 115. WORKFORCE DEVELOPMENT AREAS.**

11 (a) REGIONS.—Section 106(a) of the Workforce In-

12 novation and Opportunity Act (29 U.S.C. 3121(a)) is

13 amended by adding at the end the following:

14 “(3) REVIEW.—Before the second full program

15 year after the date of enactment of the A Stronger

16 Workforce for America Act, in order for a State to

17 receive an allotment under section 127(b) or 132(b)

18 and as part of the process for developing the State

19 plan, a State shall—

20 “(A) review each region in the State iden-

21 tified under this subsection (as such subsection

22 was in effect on the day before the date of en-

23 actment of the A Stronger Workforce for Amer-

24 ica Act); and

1 “(B) after consultation with the local
2 boards and chief elected officials in the local
3 areas and consistent with the considerations de-
4 scribed in subsection (b)(1)(B)—

5 “(i) revise such region and any other
6 region impacted by such revision; or

7 “(ii) make a determination to main-
8 tain such region with no revision.”.

9 (b) LOCAL AREAS.—Section 106(b) of the Workforce
10 Innovation and Opportunity Act (29 U.S.C. 3121(b)) is
11 amended—

12 (1) in paragraph (1)—

13 (A) in subparagraph (A), by striking “and
14 consistent with paragraphs (2) and (3),”; and

15 (B) in subparagraph (B), by striking “(ex-
16 cept for those local areas described in para-
17 graphs (2) and (3))”; and

18 (2) by striking paragraphs (2) through (7), and
19 inserting the following:

20 “(2) CONTINUATION PERIOD.—Subject to para-
21 graph (5), in order to receive an allotment under
22 section 127(b) or 132(b), the Governor shall main-
23 tain the designations of local areas in the State
24 under this subsection (as in effect on the day before
25 the date of enactment of the A Stronger Workforce

1 for America Act) until the end of the third full pro-
2 gram year after the date of enactment of the A
3 Stronger Workforce for America Act.

4 “(3) INITIAL ALIGNMENT REVIEW.—

5 “(A) IN GENERAL.—Prior to the third full
6 program year after the date of enactment of the
7 A Stronger Workforce for America Act, the
8 Governor shall—

9 “(i) review the designations of local
10 areas in the State (as in effect on the day
11 before the date of enactment of the A
12 Stronger Workforce for America Act); and

13 “(ii) based on the considerations de-
14 scribed in paragraph (1)(B), issue pro-
15 posed redesignations of local areas in the
16 State through the process described in
17 paragraph (1)(A), which shall—

18 “(I) include an explanation of the
19 strategic goals and objectives that the
20 State intends to achieve through such
21 redesignations; and

22 “(II) be subject to the approval
23 of the local boards in the State in ac-
24 cordance with the process described in
25 subparagraph (C).

1 “(B) DESIGNATION OF LOCAL AREAS.—A
2 redesignation of local areas in a State that is
3 approved by a majority of the local boards in
4 the State through the process described in sub-
5 paragraph (C) shall take effect on the first day
6 of the 4th full program year after the date of
7 enactment of the A Stronger Workforce for
8 America Act.

9 “(C) PROCESS TO REACH MAJORITY AP-
10 PROVAL.—To approve a designation of local
11 areas in the State, the local boards in the State
12 shall comply with the following:

13 “(i) INITIAL VOTE.—Not later than
14 60 days after the Governor issues proposed
15 redesignations under subparagraph (A),
16 the chairperson of each local board shall
17 review the proposed redesignations and
18 submit a vote on behalf of such local board
19 to the Governor either approving or reject-
20 ing the proposed redesignations.

21 “(ii) RESULTS OF INITIAL VOTE.—If
22 a majority of the local boards in the State
23 vote under clause (i)—

24 “(I) to approve such proposed re-
25 designations, such redesignations shall

1 take effect in accordance with sub-
2 paragraph (B); or

3 “(II) to disapprove such proposed
4 redesignations, the chairpersons of the
5 local boards in the State shall comply
6 with the requirements of clause (iii).

7 “(iii) ALTERNATE REDESIGNA-
8 TIONS.—In the case of the disapproval de-
9 scribed in clause (ii)(II), not later than 60
10 days after initial votes were submitted
11 under clause (i), the chairpersons of the
12 local boards in the State shall—

13 “(I) select 2 alternate redesigna-
14 tions of local areas—

15 “(aa) one of which aligns
16 with the regional economic devel-
17 opment areas in the State; and

18 “(bb) one of which aligns
19 with the regions described in sub-
20 paragraph (A) or (B) of sub-
21 section (a)(2); and

22 “(II) conduct a vote to approve,
23 by majority vote, 1 of the 2 alternate
24 redesignations described in subclause
25 (I).

1 “(iv) EFFECTIVE DATE OF ALTER-
2 NATE DESIGNATIONS.—The alternate re-
3 designations approved pursuant to clause
4 (iii)(II) shall take effect in accordance with
5 subparagraph (B).

6 “(4) SUBSEQUENT ALIGNMENT REVIEWS.—On
7 the date that is the first day of the 12th full pro-
8 gram year after the date of enactment of the A
9 Stronger Workforce for America Act, and every 8
10 years thereafter, the Governor shall review the des-
11 ignation of local areas based on the considerations
12 described in paragraph (1)(B) and conduct a process
13 in accordance with paragraph (3).

14 “(5) INTERIM REVISIONS.—

15 “(A) AUTOMATIC APPROVAL OF CERTAIN
16 REDESIGNATION REQUESTS.—

17 “(i) IN GENERAL.—At any time, and
18 notwithstanding the requirements of para-
19 graphs (2), (3), and (4), the Governor,
20 upon receipt of a request for a redesigna-
21 tion of a local area described in clause (ii),
22 shall approve such request.

23 “(ii) REQUESTS.—The following re-
24 quests shall be approved pursuant to
25 clause (i) upon request:

1 “(I) A request from multiple
2 local areas to be redesignated as a
3 single local area.

4 “(II) A request from multiple
5 local areas for a revision to the des-
6 ignations of such local areas, which
7 would not impact the designations of
8 local areas that have not made such
9 request.

10 “(III) A request for designation
11 as a local area from an area described
12 in section 107(c)(1)(C).

13 “(B) OTHER REDESIGNATIONS.—Other
14 than the redesignations described in subpara-
15 graph (A), the Governor may only redesignate
16 a local area outside of the process described in
17 paragraphs (3) and (4), if the local area that
18 will be subject to such redesignation has not—

19 “(i) performed successfully;

20 “(ii) sustained fiscal integrity; or

21 “(iii) in the case of a local area in a
22 planning region, met the requirements de-
23 scribed in subsection (c)(1).

24 “(C) EFFECTIVE DATE.—Any redesigna-
25 tion of a local area approved by the Governor

1 under paragraph (A) or (B) shall take effect on
2 the first date of the first full program year
3 after such date of approval.

4 “(6) APPEALS.—

5 “(A) IN GENERAL.—A local area that is
6 subject to a redesignation of such local area
7 under paragraph (3), (4), or (5) may submit an
8 appeal to maintain its existing designation to
9 the State board under an appeal process estab-
10 lished in the State plan as specified in section
11 102(b)(2)(D)(i)(III).

12 “(B) STATE BOARD REQUIREMENTS.—The
13 State board shall only grant an appeal to main-
14 tain an existing designation of a local area de-
15 scribed in subparagraph (A) if the local area
16 can demonstrate that the process for redesigna-
17 tion of such local area under paragraph (3),
18 (4), or (5), as applicable, has not been followed.

19 “(C) SECRETARIAL REQUIREMENTS.—If a
20 request to maintain an existing designation as
21 a local area is not granted as a result of such
22 appeal, the Secretary, after receiving a request
23 for review from such local area and determining
24 that the local area was not accorded procedural

1 rights under the appeals process referred to in
2 subparagraph (A), shall—

3 “(i) review the process for the redesi-
4 nation of the local area under paragraph
5 (3), (4), or (5), as applicable; and

6 “(ii) upon determining that the appli-
7 cable process has not been followed, re-
8 quire that the local area’s existing designa-
9 tion be maintained.

10 “(7) REDESIGNATION INCENTIVE.—The State
11 may provide funding from funds made available
12 under sections 128(a)(1) and 133(a)(1) to provide
13 payments to incentivize—

14 “(A) groups of local areas to request to be
15 redesignated as a single local area under para-
16 graph (5)(A); or

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

20 (c) REGIONAL COORDINATION.—Section 106(c) of
21 the Workforce Innovation and Opportunity Act (29 U.S.C.
22 3121(c)) is amended—

23 (1) in paragraph (1)—

1 (A) by redesignating subparagraphs (F)
2 through (H) as subparagraphs (G) through (I),
3 respectively; and

4 (B) by inserting the following after sub-
5 paragraph (E):

6 “(F) the establishment of cost arrange-
7 ments for services described in subsections (c)
8 and (d) of section 134, including the pooling of
9 funds for such services, as appropriate, for the
10 region;”;

11 (2) in paragraph (2), by inserting “, including
12 to assist with establishing administrative costs ar-
13 rangements or cost arrangements for services under
14 subparagraphs (F) and (G) of such paragraph”
15 after “delivery efforts”;

16 (3) by redesignating paragraph (3) as para-
17 graph (4); and

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

20 “(3) REGIONAL CONSORTIUMS.—

21 “(A) IN GENERAL.—The local boards and
22 chief elected officials in any planning region de-
23 scribed in subparagraph (B) or (C) of sub-
24 section (a)(2) may develop an agreement to re-
25 ceive funding under section 128(b) and section

1 133(b) as a single consortium for the planning
2 region.

3 “(B) FISCAL AGENT.—If the local boards
4 and chief elected officials develop such an
5 agreement—

6 “(i) one of the chief elected officials in
7 the planning region shall be designated as
8 the fiscal agent for the consortium;

9 “(ii) the local boards shall develop a
10 memorandum of understanding to jointly
11 administer the activities for the consor-
12 tium; and

13 “(iii) the required activities for local
14 areas under this Act, (including the re-
15 quired functions of the local boards de-
16 scribed in section 107(d)) shall apply to
17 such a consortium as a whole and may not
18 be applied separately or differently to the
19 local areas or local boards within such con-
20 sortium.”.

21 (d) SINGLE STATE LOCAL AREAS.—Section 106(d)
22 of the Workforce Innovation and Opportunity Act (29
23 U.S.C. 3121(d)) is amended—

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

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

3 “(2) NEW DESIGNATION.—

4 “(A) IN GENERAL.—Consistent with the
5 process described in subsection (b)(1)(A) and
6 during a review of designations described in
7 paragraph (3) or (4) of subsection (b), the Gov-
8 ernor may propose to designate a State as a
9 single State local area for the purposes of this
10 title.

11 “(B) PROCESS FOR APPROVAL.—If the
12 Governor proposes a single State local area, the
13 chairpersons of the existing local boards shall
14 vote to approve or reject such designation
15 through the process described in subsection
16 (b)(3)(C).

17 “(C) DESIGNATION AS A SINGLE STATE
18 LOCAL AREA.—If the majority of the chair-
19 persons of the local boards in the State vote to
20 approve such proposed designation, the State
21 shall be designated as a single State local area
22 and the Governor shall identify the State as a
23 local area in the State plan.”.

24 (e) DEFINITION OF “PERFORMED SUCCESS-
25 FULLY”.—Section 106(e)(1) of the Workforce Innovation

1 and Opportunity Act (29 U.S.C. 3121(e)) is amended by
2 striking “adjusted levels of performance” and inserting
3 “adjusted levels of performance described in section
4 116(g)(1)”.

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

6 Section 107(d) of the Workforce Innovation and Op-
7 portunity Act (29 U.S.C. 3122(d)) is amended—

8 (1) in paragraph (3), by inserting “, including,
9 to the extent practicable, local representatives of the
10 core programs and the programs described in section
11 102(a)(2),” after “system stakeholders”;

12 (2) in paragraph (4)(D)—

13 (A) by striking “proven” and inserting
14 “evidence-based”;

15 (B) by inserting “individual” after “needs
16 of”; and

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

19 (3) in paragraph (5), by inserting “and which,
20 to the extent practicable, shall be aligned with career
21 and technical education programs of study (as de-
22 fined in section 3 of the Carl. D Perkins Career and
23 Technical Education Act of 2006 (20 U.S.C.
24 2302(3)) offered within the local area” before the
25 period at the end;

1 (5) in paragraph (6)—

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

4 (B) in subparagraph (A)—

5 (i) by striking “proven” and inserting
6 “evidence-based”;

7 (ii) by inserting “and covered veterans
8 (as defined in section 4212(a)(3)(A) of
9 title 38, United States Code)” after “em-
10 ployment”;

11 (iii) by inserting “, and prioritize cov-
12 ered veterans as described in section
13 4212(a)(2) of title 38, United States
14 Code” after “delivery system”; and

15 (C) in subparagraph (B), by striking
16 “proven” and inserting “evidence-based”;

17 (7) in paragraph (10)(C)—

18 (A) by inserting “, on the State eligible
19 training provider list,” after “identify”; and

20 (B) by inserting “that operate in or are ac-
21 cessible to individuals” after “training serv-
22 ices”; and

23 (8) in paragraph (12)(A), by striking “activi-
24 ties” and inserting “funds allocated to the local area
25 under section 128(b) and section 133(b) for the

1 youth workforce development activities described in
2 section 129 and local employment and training ac-
3 tivities described in section 134(b), and the activi-
4 ties”.

5 **SEC. 117. LOCAL PLAN.**

6 Section 108 of the Workforce Innovation and Oppor-
7 tunity Act (29 U.S.C. 3123) is amended—

8 (1) in subsection (a), by striking “shall pre-
9 pare” and inserting “may prepare”; and

10 (2) in subsection (b)—

11 (A) in paragraph (1)—

12 (i) by redesignating subparagraphs
13 (D), (E), and (F) as subparagraphs (E),
14 (F), and (H), respectively;

15 (ii) by inserting the following after
16 subparagraph (C):

17 “(D) a description of—

18 “(i) how the local area will use real-
19 time labor market information to contin-
20 ually assess the economic conditions and
21 workforce trends described in subpara-
22 graphs (A), (B), and (C); and

23 “(ii) how changes in such conditions
24 or trends will be communicated to job-

1 seekers, education and training providers,
2 and employers in the local area;”;

3 (iii) in subparagraph (F), as so reded-
4 igned, by striking “and” at the end; and

5 (iv) by inserting after subparagraph
6 (F), as so redesignated, the following:

7 “(G) an analysis of the opportunity youth
8 population in the local area, including the esti-
9 mated number of such youth and any gaps in
10 services for such population from other existing
11 workforce development activities, as identified
12 under paragraph (9); and”;

13 (B) in paragraph (4)—

14 (i) in subparagraph (A)—

15 (I) by striking “and” at the end
16 of clause (iii); and

17 (II) by adding at the end the fol-
18 lowing:

19 “(v) carry out any statewide skills-
20 based initiatives identified in the State
21 plan that promote the use of demonstrated
22 skills and competencies as an alternative to
23 the exclusive use of degree attainment as a
24 requirement for employment or advance-
25 ment in a career; and”;

1 (ii) in subparagraph (B), by striking
2 “customized training” and inserting “em-
3 ployer-directed skills development”;

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

7 (D) in paragraph (9)—

8 (i) by striking “including activities”
9 and inserting the following: “including—
10 “(i) the availability of community based organi-
11 zations that serve youth primarily during non-school
12 time hours to carry out activities under section 129;
13 and

14 “(ii) activities”; and

15 (ii) by inserting “or evidence-based”
16 after “successful”; and

17 (E) in paragraph (12), by inserting “in-
18 cluding as described in section 134(c)(2),” after
19 “system,”.

20 **CHAPTER 3—PERFORMANCE**

21 **ACCOUNTABILITY**

22 **SEC. 119. PERFORMANCE ACCOUNTABILITY SYSTEM.**

23 (a) STATE PERFORMANCE ACCOUNTABILITY MEAS-
24 URES.—

1 (1) PRIMARY INDICATORS OF PERFORMANCE.—
2 Section 116(b)(2)(A) of the Workforce Innovation
3 and Opportunity Act (29 U.S.C. 3141(b)(2)(A)) is
4 amended—

5 (A) in clause (i)—

6 (i) in subclause (II)—

7 (I) by striking “fourth” and in-
8 serting “second”; and

9 (II) by inserting “and remain in
10 unsubsidized employment during the
11 fourth quarter after exit from the pro-
12 gram” after “the program”;

13 (ii) in subclause (V)—

14 (I) by striking “, during a pro-
15 gram year,”;

16 (II) by striking “are in” and in-
17 serting “enter into”; and

18 (III) by inserting before the
19 semicolon at the end the following:

20 “within 6 months after the quarter in
21 which the participant enters into the
22 education and training program”; and

23 (iii) by amending subclause (VI) to
24 read as follows:

1 “(VI) of the program partici-
2 pants who received training services
3 and who exited the program during a
4 program year, the percentage of such
5 program participants who completed,
6 prior to such exit, on-the-job training,
7 employer-directed skills development,
8 incumbent worker training, or an ap-
9 prenticeship.”;

10 (B) in clause (ii)—

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

13 (ii) in subclause (III), by striking the
14 period at the end and inserting “; and”;
15 and

16 (iii) by adding at the end the fol-
17 lowing:

18 “(IV) the percentage of program
19 participants who, during a program
20 year, participate in paid or unpaid
21 work experiences as described in sec-
22 tion 129(c)(2)(C).”; and

23 (C) by striking clause (iv).

24 (2) LEVELS OF PERFORMANCE.—Section
25 116(b)(3)(A) of the Workforce Innovation and Op-

1 opportunity Act (29 U.S.C. 3141(b)(3)(A)) is amend-
2 ed—

3 (A) by amending clause (iii) to read as fol-
4 lows:

5 “(iii) IDENTIFICATION IN STATE
6 PLAN.—

7 “(I) SECRETARIES.—For each
8 State submitting a State plan, the
9 Secretaries of Labor and Education
10 shall—

11 “(aa) not later than Decem-
12 ber 1 of the year prior to the
13 year in which such State plan is
14 submitted, for the first 2 pro-
15 gram years covered by the State
16 plan, and not later than Decem-
17 ber 1 of the year prior to the
18 third program year covered by
19 the State plan, for the third and
20 fourth program years covered by
21 the State plan, propose expected
22 levels of performance for each of
23 the corresponding primary indi-
24 cators of performance for each of

1 the programs described in clause
2 (ii) for such State, which shall—
3 “(AA) be consistent
4 with the factors listed in
5 clause (v); and
6 “(BB) be proposed in a
7 manner that ensures suffi-
8 cient time is provided for
9 the State to evaluate and re-
10 spond to such proposals; and
11 “(bb) publish, on a public
12 website of the Department of
13 Labor, the statistical model de-
14 veloped under clause (viii) and
15 the methodology used to develop
16 each such proposed level of per-
17 formance.
18 “(II) STATES.—Each State
19 shall—
20 “(aa) evaluate each of the
21 expected levels of performance
22 proposed under subclause (I)
23 with respect to such State;

1 “(bb) based on such evalua-
2 tion of each such proposed level
3 of performance—
4 “(AA) accept the ex-
5 pected level of performance
6 as so proposed; or
7 “(BB) provide a coun-
8 terproposal for such pro-
9 posed expected level of per-
10 formance, including an anal-
11 ysis of how the counter-
12 proposal addresses factors or
13 circumstances unique to the
14 State that may not have
15 been accounted for in the
16 proposed expected level of
17 performance; and
18 “(cc) include in the State
19 plan, with respect to each of the
20 corresponding primary indicators
21 of performance for each of the
22 programs described in clause (ii)
23 for such State—

1 “(AA) the expected
2 level of performance pro-
3 posed under subclause (I);

4 “(BB) the counter-
5 proposal for such proposed
6 level, if any; and

7 “(CC) the expected
8 level of performance that is
9 agreed to under clause
10 (iv).”; and

11 (B) in clause (v)(II)—

12 (i) in the matter preceding item (aa),
13 by striking “based on” and inserting
14 “based on each of the following consider-
15 ations that are found to be predictive of
16 performance on an indicator for a pro-
17 gram”; and

18 (ii) in item (bb), by inserting “, foster
19 care status, school status, education level,
20 highest grade level completed, low-income
21 status” after “ex-offender status”.

22 (b) PERFORMANCE REPORTS.—Section 116(d) of the
23 Workforce Innovation and Opportunity Act (29 U.S.C.
24 3141(d)) is amended—

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

3 “(1) IN GENERAL.—

4 “(A) TEMPLATE FOR PERFORMANCE RE-
5 PORTS.—Not later than 12 months after the
6 date of enactment of the A Stronger Workforce
7 for America Act, the Secretary of Labor, in
8 conjunction with the Secretary of Education,
9 shall develop, or review and modify, as appro-
10 priate, to comply with the requirements of this
11 subsection, the template for performance re-
12 ports that shall be used by States (including by
13 States on behalf of eligible providers of training
14 services under section 122) and local boards to
15 produce a report on outcomes achieved by the
16 core programs. In developing, or reviewing and
17 modifying, such templates, the Secretary of
18 Labor, in conjunction with the Secretary of
19 Education, shall take into account the need to
20 maximize the value of the templates for work-
21 ers, jobseekers, employers, local elected officials,
22 State officials, Federal policymakers, and other
23 key stakeholders.

24 “(B) STANDARDIZED REPORTING.—In de-
25 veloping, or reviewing and modifying, the tem-

1 plate under subparagraph (A), the Secretary of
2 Labor, in conjunction with the Secretary of
3 Education, shall ensure that performance re-
4 ports produced by States and local areas for
5 core programs and eligible training providers
6 collect and report, in a comparable and uniform
7 format, common data elements, which use
8 terms that are assigned identical meanings
9 across all such reports.

10 “(C) ADDITIONAL REPORTING.—The Sec-
11 retary of Labor, in conjunction with the Sec-
12 retary of Education—

13 “(i) in addition to the common data
14 elements described under subparagraph
15 (B), may require a core program to pro-
16 vide additional information as necessary
17 for effective reporting; and

18 “(ii) shall periodically review any re-
19 quirement for additional information to en-
20 sure the requirement is necessary and does
21 not impose an undue reporting burden.”.

22 (2) in paragraph (2)—

23 (A) by redesignating subparagraphs (J)
24 through (L) as subparagraphs (K) through (M),

1 respectively and inserting after subparagraph
2 (I) the following:

3 “(J) the median earnings gain of partici-
4 pants who received training services, calculated
5 as the difference between—

6 “(i) median participant earnings in
7 unsubsidized employment during the sec-
8 ond quarter after program exit, and

9 “(ii) median participant earnings in
10 the second quarter prior to entering the
11 program;”.

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

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

18 (3) in paragraph (3)—

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

21 (B) by redesignating subparagraph (C) as
22 subparagraph (E); and

23 (C) by inserting after subparagraph (B)
24 the following:

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

7 “(D) the percentage of a local area’s allo-
8 cation under section 133(b) that the local area
9 spent on supportive services; and”;

10 (4) by amending paragraph (4) to read as fol-
11 lows:

12 “(4) CONTENTS OF ELIGIBLE TRAINING PRO-
13 VIDERS PERFORMANCE REPORT.—

14 “(A) IN GENERAL.—The State shall use
15 the information submitted by the eligible pro-
16 viders of training services under section 122
17 and administrative records, including quarterly
18 wage records, of the participants of the pro-
19 grams offered by the providers to produce a
20 performance report on the eligible providers of
21 training services in the State, which shall in-
22 clude, subject to paragraph (6)(C)—

23 “(i) with respect to each program of
24 study (or the equivalent) of such a pro-
25 vider—

1 “(I) information specifying the
2 levels of performance achieved with
3 respect to the primary indicators of
4 performance described in subclauses
5 (I) through (IV) of subsection
6 (b)(2)(A)(i) with respect to all individ-
7 uals engaging in the program of study
8 (or the equivalent); and

9 “(II) the total number of individ-
10 uals exiting from the program of
11 study (or the equivalent); and

12 “(ii) with respect to all such pro-
13 viders—

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

23 “(II) the total number of partici-
24 pants who exited from training serv-
25 ices, disaggregated by the type of en-

1 tity that provided the training, during
2 the most recent program year and the
3 3 preceding program years;

4 “(III) the average cost per par-
5 ticipant for the participants who re-
6 ceived training services, disaggregated
7 by the type of entity that provided the
8 training, during the most recent pro-
9 gram year and the 3 preceding pro-
10 gram years; and

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

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

22 “(I) information specifying the
23 levels of performance achieved with
24 respect to the primary indicators of
25 performance described in subclauses

1 (I) through (IV) of subsection
2 (b)(2)(A)(i) for all participants in the
3 State receiving such credential; and

4 “(II) information specifying the
5 levels of performance achieved with
6 respect to the primary indicators of
7 performance described in subclauses
8 (I) through (IV) of subsection
9 (b)(2)(A)(i) for participants in the
10 State receiving such credential with
11 respect to individuals with barriers to
12 employment, disaggregated by each
13 subpopulation of such individuals, and
14 by race, ethnicity, sex, and age.”; and

15 (5) in paragraph (6)—

16 (A) by amending subparagraph (A) to read
17 as follows:

18 “(A) STATE PERFORMANCE REPORTS.—
19 The Secretary of Labor and the Secretary of
20 Education shall annually make available the
21 performance reports for States containing the
22 information described in paragraph (2), which
23 shall include making such reports available—

24 “(i) digitally using transparent,
25 linked, open, and interoperable data for-

1 mats that are human readable and ma-
2 chine actionable such that the data from
3 these reports—

4 “(I) is easily understandable; and

5 “(II) can be easily included in
6 web-based tools and services sup-
7 porting search, discovery, comparison,
8 analysis, navigation, and guidance;
9 and

10 “(ii) in a printable format.”; and

11 (B) in subparagraph (B)—

12 (i) by striking “(including by elec-
13 tronic means), in an easily understandable
14 format,”; and

15 (ii) by adding at the end the fol-
16 lowing: “The Secretary of Labor and the
17 Secretary of Education shall include, on
18 the website where the State performance
19 reports required under subparagraph (A)
20 are made available, a link to local area per-
21 formance reports and the eligible training
22 provider report for each State. Such re-
23 ports shall be made available in each of the
24 formats described in subparagraph (A).”.

1 (c) EVALUATION OF STATE PROGRAMS.—Section
2 116(e) of the Workforce Innovation and Opportunity
3 Act(29 U.S.C. 3141(e)) is amended—

4 (1) in paragraph (1)—

5 (A) by striking “shall conduct ongoing”
6 and inserting “shall use data to conduct anal-
7 yses and ongoing”; and

8 (B) by striking “conduct the” and insert-
9 ing “conduct such analyses and”; and

10 (2) in paragraph (2), by adding “A State may
11 use other forms of analysis, such as machine learn-
12 ing or other advanced analytics, to improve program
13 operations and outcomes and to identify areas for
14 further evaluation.” at the end;

15 (d) SANCTIONS FOR STATE FAILURE TO MEET
16 STATE PERFORMANCE ACCOUNTABILITY MEASURES.—
17 Section 116(f) of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3141(f)) is amended to read as fol-
19 lows:

20 “(f) SANCTIONS FOR STATE FAILURE TO MEET
21 STATE PERFORMANCE ACCOUNTABILITY MEASURES.—

22 “(1) TARGETED SUPPORT AND ASSISTANCE.—

23 “(A) IN GENERAL.—If a State fails to
24 meet 80 percent of the State adjusted level of
25 performance for an indicator described in sub-

1 section (b)(2)(A) for a program for any pro-
2 gram year, the Secretary of Labor and the Sec-
3 retary of Education shall provide technical as-
4 sistance.

5 “(B) SANCTIONS.—

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

23 “(ii) FAILURES.—A State shall be
24 subject to clause (i)—

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

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

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

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

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

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

19 (e) SANCTIONS FOR LOCAL AREA FAILURE TO MEET
20 LOCAL PERFORMANCE ACCOUNTABILITY MEASURES.—
21 Section 116(g) of the Workforce Innovation and Oppor-
22 tunity Act (29 U.S.C. 3141(g)) is amended—

23 (1) in paragraph (1)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 “(3) DESIGNATED ENTITY.—The Governor
6 shall designate a State agency (or appropriate State
7 entity) to assist in carrying out the performance re-
8 porting requirements for core programs and eligible
9 training providers. The designated State agency (or
10 appropriate State entity) shall be responsible for—

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

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

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

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

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

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

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

10 (1) in paragraph (1)(B)—

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

13 (B) by striking clause (xii);

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

17 (3) in paragraph (2)(B)—

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

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

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

1 “(vii) workforce and economic devel-
2 opment programs carried out by the Eco-
3 nomic Development Administration; and”.

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

7 (1) in paragraph (2)(B)—

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

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

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

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

16 “(vi) a public library;

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

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

22 and

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

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

3 “(3) RESPONSIBILITIES.—

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

7 “(i) shall—

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

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

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

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

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

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

5 “(ii) which—

6 “(I) require compliance with—

7 “(aa) relevant Office of
8 Management and Budget circu-
9 lars relating to conflicts of inter-
10 est; and

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

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

18 “(4) LOCAL BOARDS AS ONE-STOP OPERA-
19 TORS.—Subject to approval from the chief elected
20 official and Governor and in accordance with any
21 other eligibility criteria established by the State, a
22 local board may serve as a one-stop operator, if the
23 local board—

24 “(A) enters into a written agreement with
25 the chief elected official that clarifies how the

1 local board will carry out the functions and re-
2 sponsibilities as a one-stop operator in a man-
3 ner that complies with the appropriate internal
4 controls to prevent any conflicts of interest,
5 which shall include how the local board, while
6 serving as a one-stop operator, will—

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

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

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

14 (c) ONE-STOP DELIVERY.—Section 121(e)(2) of the
15 Workforce Innovation and Opportunity Act (29 U.S.C.
16 3151(e)(2)) is amended—

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

18 “(A) shall make each of the programs,
19 services, and activities described in paragraph
20 (1) accessible—

21 “(i) to individuals through electronic
22 means, in a single, virtually accessible loca-
23 tion, and in a manner that improves effi-
24 ciency, coordination, and quality, as deter-

1 mined by the State, in the delivery of such
2 programs, services, and activities; or

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

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

8 (3) in subparagraph (C), by inserting after
9 “centers” the following: “(which may be virtual or
10 physical centers)”;

11 (4) in subparagraph (D), by striking “as appli-
12 cable and practicable, shall” and inserting “in the
13 case of a one-stop delivery system that is making
14 each of the programs, services, and activities de-
15 scribed in paragraph (1) accessible at not less than
16 1 physical center, as described in subparagraph
17 (A)(ii), the one-stop delivery system shall, as appli-
18 cable and practicable,”; and

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

21 “(E) in the case of a one-stop delivery sys-
22 tem that is making each of the programs, serv-
23 ices, and activities accessible through electronic
24 means, as described in subparagraph (A)(i), the
25 one-stop delivery system shall have not less

1 than two affiliated sites with a physical location
2 where individuals can access, virtually, each of
3 the programs, services, and activities described
4 in paragraph (1) that are virtually accessible.”.

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

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

13 (1) by striking paragraph (1);

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

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

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

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

1 (B) in subparagraph (C)—

2 (i) by striking “for funding pursuant
3 to clause (i)(II) or (ii) of paragraph (1)(A)
4 by each partner,”; and

5 (ii) by striking the fourth sentence;

6 (C) in subparagraph (D)—

7 (i) in clause (ii), by striking “For
8 local areas in a State that are not covered
9 by paragraph (1)(A)(i)(I), the” and insert-
10 ing “The”;

11 (ii) in clause (ii)—

12 (I) in subclause (I)—

13 (aa) by striking “WIA” in
14 the header and inserting
15 “WIOA”; and

16 (bb) by striking “3 percent”
17 and inserting “5 percent”; and

18 (II) by striking subclause (III);

19 and

20 (iii) in clause (iii), by striking “For
21 local areas in a State that are not covered
22 by paragraph (1)(A)(i)(I), an” and insert-
23 ing “An”;

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

1 (A) in subparagraph (A), by striking “pur-
2 poses of assisting in” and inserting “purpose
3 of”; and

4 (B) in subparagraph (B)—

5 (i) in the first sentence, by striking
6 “not funding costs of infrastructure under
7 the option described in paragraph
8 (1)(A)(i)(I)”;

9 (ii) in the second sentence, by insert-
10 ing after “local area,” the following: “the
11 intensity of services provided by such cen-
12 ters,”;

13 (5) by inserting after paragraph (2), as so re-
14 designated, the following:

15 “(3) SUPPLEMENTAL INFRASTRUCTURE FUND-
16 ING.—For any fiscal year in which the allocation re-
17 ceived by a local area under paragraph (2) is insuffi-
18 cient to cover the total costs of infrastructure of
19 one-stop centers in such local area, the local board,
20 the chief elected official, and the one-stop partners
21 that have entered into the local memorandum of un-
22 derstanding with the local board under subsection
23 (c) may agree to fund any such remaining costs
24 using a method described in such memorandum.”;
25 and

1 (6) in paragraph (4), by inserting after “oper-
2 ation of the one-stop center” the following: “(wheth-
3 er for in-person or virtual service delivery)”.

4 **SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS AND**
5 **PROGRAMS OF TRAINING SERVICES.**

6 (a) **ELIGIBILITY.**—Section 122(a) (29 U.S.C.
7 3152(a)) is amended—

8 (1) by amending paragraph (1) to read as fol-
9 lows:

10 “(1) **IN GENERAL.**—Except as provided in sub-
11 section (i), the Governor, after consultation with the
12 State board and considering the State’s adjusted lev-
13 els of performance described in section
14 116(b)(3)(A)(iv), shall establish—

15 “(A) procedures regarding the eligibility of
16 providers of training services to receive funds
17 provided under section 133(b) for the provision
18 of training services by programs with standard
19 eligibility or conditional eligibility under this
20 section (in this section referred to as ‘eligible
21 programs’) in local areas in the State; and

22 “(B) the minimum levels of performance
23 on the criteria for a program to receive such
24 standard or conditional eligibility.”;

25 (2) in paragraph (2)—

1 (A) in subparagraph (A), by inserting be-
2 fore the semicolon at the end the following:
3 “(other than an institution of higher education
4 described in subparagraph (C));”;

5 (B) in subparagraph (B), by striking “or”
6 at the end;

7 (C) by redesignating subparagraph (C) as
8 subparagraph (D);

9 (D) by inserting after subparagraph (B)
10 the following:

11 “(C) an institution of higher education
12 that offers a program that—

13 “(i) is of at least 150 clock hours of
14 instruction, but less than 600 clock hours
15 of instruction, or an equivalent number of
16 credit hours;

17 “(ii) is offered during a minimum of
18 8 weeks, but less than 15 weeks; and

19 “(iii) is an eligible program for pur-
20 poses of the Federal Pell Grant program;
21 or”; and

22 (E) in subparagraph (D), as so redesign-
23 nated—

24 (i) by inserting “(including providers
25 of such a program that is conducted (in

1 whole or in part) online)” before “, which
2 may”; and

3 (ii) by inserting “providers of entre-
4 preneurial skills development programs, in-
5 dustry or sector partnerships, groups of
6 employers, trade or professional associa-
7 tions,” after “organizations,”; and

8 (3) in paragraph (3)—

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

11 (B) in the second sentence, by striking
12 “paragraph (2)(B)” and inserting “subpara-
13 graph (B) or (C) of paragraph (2)”;

14 (C) by inserting before the period at the
15 end the following: “or remains eligible for the
16 Federal Pell Grant program as described in
17 paragraph (2)(C)”.

18 (b) CRITERIA AND INFORMATION REQUIREMENTS.—
19 Section 122(b) (29 U.S.C. 3152(b)) is amended to read
20 as follows:

21 “(b) CRITERIA AND INFORMATION REQUIRE-
22 MENTS.—

23 “(1) GENERAL REQUIREMENTS.—

24 “(A) GENERAL CRITERIA FOR PRO-
25 GRAMS.—Each provider shall demonstrate that

1 the program for which the provider is seeking
2 eligibility under this section—

3 “(i) prepares participants to meet the
4 hiring requirements of potential employers
5 in the State or a local area within the
6 State for employment that—

7 “(I) is high skill and high wage;
8 or

9 “(II) is in in-demand industry
10 sectors or occupations;

11 “(ii) leads to a recognized postsec-
12 ondary credential;

13 “(iii) has been offered by the provider
14 for not less than 1 year; and

15 “(iv)(I) meets the performance re-
16 quirements for standard eligibility de-
17 scribed in paragraph (2); or

18 “(II) has received conditional eligi-
19 bility described in paragraph (3).

20 “(B) PROVIDER ELIGIBILITY ELECTION.—

21 Any provider may elect to seek standard eligi-
22 bility under paragraph (2) or conditional eligi-
23 bility under paragraph (3).

24 “(2) PERFORMANCE CRITERIA FOR STANDARD
25 ELIGIBILITY.—

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

2 “(i) establish and publicize minimum
3 levels of performance for each of the cri-
4 teria listed in subparagraph (B) that a
5 program offered by a provider of training
6 services shall achieve to receive and main-
7 tain standard eligibility under this section;
8 and

9 “(ii) verify the performance achieved
10 by such a program with respect to each
11 such criteria to determine whether the pro-
12 gram meets the corresponding minimum
13 level of performance established under
14 clause (i)—

15 “(I) in the case of the criteria de-
16 scribed in (ii) through (iv) of subpara-
17 graph (B), using State administrative
18 data (such as quarterly wage records);
19 and

20 “(II) in the case of the criteria
21 described in subparagraph (B)(i),
22 using any applicable method for such
23 verification; and

24 “(iii) in verifying the performance
25 achievement of a program, verify that such

1 program included a sufficient number of
2 program participants to protect participant
3 personally identifiable information, and to
4 be a reliable indicator of performance
5 achievement.

6 “(B) PERFORMANCE CRITERIA.—The per-
7 formance criteria to receive and maintain stand-
8 ard eligibility for a program under this section
9 are as follows:

10 “(i) The credential attainment rate of
11 program participants calculated as the per-
12 centage of program participants who ob-
13 tain the recognized postsecondary creden-
14 tial for which the program prepares par-
15 ticipants to earn within 6 months of exit
16 from the program.

17 “(ii) The job placement rate of pro-
18 gram participants calculated as the per-
19 centage of program participants in unsub-
20 sidized employment during the second
21 quarter after exit from the program.

22 “(iii) The median earnings of program
23 participants who are in unsubsidized em-
24 ployment during the second quarter after
25 exit from the program.

1 “(iv) The ratio of median earnings in-
2 crease to the total cost of program, cal-
3 culated as follows:

4 “(I) The difference between—
5 “(aa) the median participant
6 wages from unsubsidized employ-
7 ment during the second quarter
8 after program exit; and

9 “(bb) the median earnings
10 of participants wages during the
11 quarter prior to entering the pro-
12 gram, to

13 “(II) The total cost of the pro-
14 gram (as described in paragraph
15 (5)(B)(iii)).

16 “(C) LOCAL CRITERIA.—With respect to
17 any program receiving standard eligibility under
18 this section from a Governor, a local board in
19 the State may require higher levels of perform-
20 ance than the minimum performance levels es-
21 tablished by the Governor under this para-
22 graph, but may not—

23 “(i) require any information or appli-
24 cation from the provider that is not re-
25 quired for such standard eligibility; or

1 “(ii) establish a performance require-
2 ment with respect to any criteria not listed
3 in subparagraph (B).

4 “(3) CONDITIONAL ELIGIBILITY.—

5 “(A) REQUIREMENTS.—

6 “(i) IN GENERAL.—The Governor
7 shall establish procedures and criteria for
8 conditional eligibility for a program of a
9 provider of training services that does not
10 meet the requirements under subparagraph
11 (2).

12 “(ii) PROCEDURES AND CRITERIA.—
13 In establishing the procedures and criteria
14 under this subparagraph for conditional
15 eligibility under this paragraph, the Gov-
16 ernor—

17 “(I) shall establish the maximum
18 period, not to exceed a 4-year period,
19 that a program may receive and main-
20 tain such conditional eligibility;

21 “(II) with respect to a program
22 that has received conditional eligibility
23 for the maximum period established
24 under subclause (I) and that is seek-
25 ing approval for an additional period

1 of conditional eligibility, may not con-
2 sider such program for such condi-
3 tional eligibility during the 3-year pe-
4 riod that begins on the day after the
5 end of most recent period for which
6 the program received conditional eligi-
7 bility; and

8 “(III) may establish other re-
9 quirements related to program per-
10 formance, including setting separate
11 minimum levels of performance on the
12 criteria described in paragraph (2) for
13 a program to maintain such condi-
14 tional eligibility.

15 “(B) PAYMENTS.—Payments under this
16 Act for the provision of training services by a
17 program with conditional eligibility shall be
18 made to the provider of such program, on the
19 basis of the achievement of successful outcomes
20 by a participant of such training services, in ac-
21 cordance with the following:

22 “(i) Upon participant enrollment, the
23 provider shall receive not less than 25 per-
24 cent of the total funds to be provided
25 under section 133(b) for the provision of

1 training services by such program to such
2 participant.

3 “(ii) Upon participant completion and
4 credential attainment, the provider shall
5 receive not less than 25 percent of such
6 total funds.

7 “(iii) Upon verification of the partici-
8 pant’s employment during the second quar-
9 ter after program completion, the provider
10 shall receive not less than 25 percent of
11 such total funds.

12 “(iv) The remainder of such total
13 funds may be awarded at any of the inter-
14 vals described in clauses (i) through (iii) as
15 determined by the Governor in accordance
16 with the procedures established under sub-
17 paragraph (A).

18 “(C) LIMITATION ON BILLING PARTICI-
19 PANTS.—With respect to a program participant
20 for whom a provider expects to be paid pursu-
21 ant to subparagraph (B), the provider may
22 not—

23 “(i) charge such participant tuition
24 and refund such charges after receiving
25 such payments; or

1 “(ii) if such program participant does
2 not achieve the outcomes necessary for the
3 provider to receive the provider’s full pay-
4 ment pursuant to subparagraph (B) for
5 such participant, bill a participant for any
6 of the amounts described in subparagraph
7 (B).

8 “(4) EMPLOYER-SPONSORED OR INDUSTRY OR
9 SECTORAL PARTNERSHIP DESIGNATION.—

10 “(A) IN GENERAL.—The Governor shall
11 establish procedures and criteria for providers
12 to apply for an employer-sponsored designation
13 for a program that has received standard or
14 conditional eligibility under this paragraph,
15 which shall include a commitment from an em-
16 ployer or an industry or sectoral partnership
17 to—

18 “(i) pay to the provider, on behalf of
19 each participant enrolled in such program
20 under this Act, not less than 25 percent of
21 the cost of the program (as described in
22 paragraph (5)(B)(iii)), which shall be pro-
23 vided in lieu of 25 percent of the amount
24 that the provider would have otherwise re-
25 ceived under section 133(b) for the provi-

1 sion of training services by such program
2 to such participant; and

3 “(ii) guarantee an interview and con-
4 sideration for a job with the employer, or
5 in the case of an industry or sectoral part-
6 nership, an employer within such partner-
7 ship, for each such participant that suc-
8 cessfully completes the program.

9 “(B) RESTRICTION ON FINANCIAL AR-
10 RANGEMENT.—A provider receiving an em-
11 ployer-sponsored designation under this para-
12 graph may not—

13 “(i) have an ownership stake in the
14 employer or industry or sectoral partner-
15 ship making a commitment described in
16 subparagraph (A); or

17 “(ii) enter into an arrangement to re-
18 imburse an employer or partnership for the
19 costs of a participant paid by such em-
20 ployer or partnership.

21 “(5) INFORMATION REQUIREMENTS.—An eligi-
22 ble provider shall submit appropriate, accurate, and
23 timely information to the Governor, to enable the
24 Governor to carry out subsection (d), with respect to
25 all participants of each eligible program (including

1 participants for whom the provider receives pay-
2 ments under this title) offered by the provider,
3 which shall—

4 “(A) be made available by the State in a
5 common, linked, open, and interoperable data
6 format;

7 “(B) include information on—

8 “(i) the performance of the program
9 with respect to the performance account-
10 ability measures described in section 116
11 for such participants;

12 “(ii) the recognized postsecondary cre-
13 dentials received by such participants, in-
14 cluding, in relation to each such credential,
15 the issuing entity, any third-party endorse-
16 ments, the occupations for which the cre-
17 dential prepares individuals, the com-
18 petencies achieved, the level of mastery of
19 such competencies (including how mastery
20 is assessed), and any transfer value or
21 stackability;

22 “(iii) the total cost of the program, in-
23 cluding the costs of the published tuition
24 and fees, supplies, books, and any other

1 costs required by the provider for partici-
2 pants in the program;

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

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

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

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

21 “(ii) the necessary information to de-
22 termine the percentage of such partici-
23 pants who entered unsubsidized employ-
24 ment in an occupation related to the pro-
25 gram, to the extent practicable;”.

1 (c) PROCEDURES.—Section 122(c) (29 U.S.C.
2 3152(c)) is amended—

3 (1) in the first sentence of paragraph (1), by
4 inserting “, which shall be implemented in a manner
5 that minimizes the financial and administrative bur-
6 den on the provider and shall not require the sub-
7 mission of information in excess of the information
8 required to determine a program’s eligibility under
9 subsection (b);” after “provision of training serv-
10 ices”;

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

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

21 (3) in paragraph (3), as so redesignated—

22 (A) by striking “biennial” and inserting
23 “annual”; and

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

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

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

14 “(4) MULTI-STATE PROVIDERS.—The proce-
15 dures established under subsection (a) shall specify
16 the process for any provider of training services of-
17 fering a program in multiple States to establish eli-
18 gibility in such States, which shall, to the extent
19 practicable, minimize financial and administrative
20 burdens on any such provider by authorizing the
21 provider to submit the same application materials
22 and information to the Governor of each State in
23 which such program will be providing services, as
24 long as the program meets the applicable State re-

1 requirements established under subsection (b) for each
2 such State.

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

13 (d) LIST AND INFORMATION TO ASSIST PARTICI-
14 PANTS IN CHOOSING PROVIDERS.—Section 122(d) of the
15 Workforce Innovation and Opportunity Act (29 U.S.C.
16 3152(d)) is amended—

17 (1) by redesignating paragraphs (2), (3), and
18 (4) as paragraphs (3), (4), and (6), respectively;

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

21 “(2) CREDENTIAL NAVIGATION FEATURE.—In
22 order to enhance the ability of participants and em-
23 ployers to understand and compare the value of the
24 recognized postsecondary credentials awarded by eli-
25 gible programs offered by providers of training serv-

1 ices in a State, the Governor shall establish (or de-
2 velop in partnership with other States), a credential
3 navigation feature that allows participants and the
4 public to search a list of such recognized postsec-
5 ondary credentials, and the providers and programs
6 awarding such a credential, which shall include, with
7 respect to each such credential (aggregated for all
8 participants in the State that have received such cre-
9 dential)—

10 “(A) the information required under sub-
11 section (b)(5)(B)(ii); and

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

15 (3) in paragraph (3) (as redesignated by para-
16 graph (1))—

17 (A) by amending subparagraph (A), by
18 striking “(C) of subsection (a)(2)” and insert-
19 ing “(D) of subsection (a)(2)”;

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

22 “(B) with respect to a program described
23 in subsection (b)(3)) that is offered by a pro-
24 vider, consist of information designating the
25 program as having conditional eligibility;”;

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

3 “(C) with respect to a program described
4 in subsection (b)(4) that is offered by a pro-
5 vider, consist of the information promoting the
6 program as having an employer-sponsored des-
7 ignation and identifying the employer or part-
8 nership sponsoring the program.”.

9 (4) by amending paragraph (4) (as so redesign-
10 nated) to read as follows:

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

17 “(A) on a publicly accessible website
18 that—

19 “(i) is consumer-tested; and

20 “(ii) is searchable, easily understand-
21 able, and navigable, and allows for the
22 comparison of eligible programs through
23 the use of common, linked, open-data de-
24 scriptive language; and

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

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

6 “(5) WEBSITE TECHNICAL ASSISTANCE.—The
7 Secretary shall—

8 “(A) upon request, provide technical assist-
9 ance to a State on establishing a website that
10 meets the requirements of paragraph (4); and

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

17 (e) PROVIDER PERFORMANCE INCENTIVES.—Section
18 122 (29 U.S.C. 3152), as amended by this section, is fur-
19 ther amended—

20 (1) in subsection (e), by striking “information
21 requirements,” in each place it appears;

22 (2) by redesignating subsections (f) through (i)
23 as subsection (g) through (j), respectively;

24 (3) by inserting after subsection (e), as so
25 amended, the following:

1 “(f) PROVIDER PERFORMANCE INCENTIVES.—

2 “(1) IN GENERAL.—The Governor or a local
3 board may establish a system of performance incen-
4 tive payments to be awarded to providers in addition
5 to the amount paid under section 133(b) to such
6 providers for the provision of training services to
7 participants of eligible programs. Such system of
8 performance incentives may be established to award
9 eligible programs that—

10 “(A) achieve performance levels above the
11 minimum levels established by the Governor
12 under subsection (b)(2);

13 “(B) serve a significantly higher number of
14 individuals with barriers to employment com-
15 pared to training providers offering similar
16 training services; or

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

23 “(2) INCENTIVE PAYMENTS.—Incentive pay-
24 ments to providers established under paragraph (1)

1 shall be awarded to providers from the following al-
2 lotments:

3 “(A) In the case of a system of perform-
4 ance incentive payments established by the Gov-
5 ernor, from funds reserved by the Governor
6 under section 128(a).

7 “(B) In the case of a system of perform-
8 ance incentive payments established by a local
9 board, from the allocations made to the local
10 area for youth under section 128(b), for adults
11 under paragraph (2)(A) or (3) of section
12 133(b), or for dislocated workers under section
13 133(b)(2)(B), as appropriate.”;

14 (f) ENFORCEMENT.—Section 122(g)(1) (as by reded-
15 igned by subsection (e)(2)), is amended by adding at the
16 end the following:

17 “(D) FAILURE TO PROVIDE REQUIRED IN-
18 FORMATION.—With respect to a provider of
19 training services that is eligible under this sec-
20 tion for a program year with respect to an eligi-
21 ble program, but that does not provide the in-
22 formation described in subsection (b)(5) with
23 respect to such program for such program year
24 (including information on performance nec-
25 essary to determine if the program meets the

1 minimum levels on the criteria to maintain eli-
2 gibility), the provider shall be ineligible under
3 this section with respect to such program for
4 the program year after the program year for
5 which the provider fails to provide such infor-
6 mation.

7 “(E) FAILURE TO MEET PERFORMANCE
8 CRITERIA.—

9 “(i) FIRST YEAR.—An eligible pro-
10 gram that has received standard eligibility
11 under subsection (c)(2) for a program year
12 but fails to meet the minimum levels of
13 performance on the criteria described in
14 subsection (b)(2) during the most recent
15 program year for which performance data
16 on such criteria are available shall be noti-
17 fied of such failure by the Governor.

18 “(ii) SECOND CONSECUTIVE YEAR.—A
19 program that fails to meet the minimum
20 levels of performance for a second consecu-
21 tive program year shall lose standard eligi-
22 bility for such program for at least the
23 program year following such second con-
24 secutive program year.

25 “(iii) REAPPLICATION.—

1 “(I) STANDARD ELIGIBILITY.—A
2 provider may reapply to receive stand-
3 ard eligibility for the program accord-
4 ing to the criteria described in sub-
5 section (c) if the program perform-
6 ance for the most recent program year
7 for which performance data is avail-
8 able meets the minimum levels of per-
9 formance required to receive such
10 standard eligibility.

11 “(II) CONDITIONAL ELIGI-
12 BILITY.—A program that loses stand-
13 ard eligibility may apply to receive
14 conditional eligibility under the proc-
15 ess and criteria established by the
16 Governor under subsection (b)(3).”.

17 (g) ON THE JOB TRAINING, CUSTOMIZED TRAINING,
18 INCUMBENT WORKER TRAINING, AND OTHER TRAINING
19 EXCEPTIONS.—Subsection (i) (as redesignated by sub-
20 section (e)(2)) of section 122 (29 U.S.C. 3152) is amend-
21 ed—

22 (1) in paragraph (1), by striking “subsections
23 (a) through (f)” and inserting “subsections (a)
24 through (g)”; and

1 (2) in paragraph (2), by amending the first sen-
2 tence to read as follows: “A one-stop operator in a
3 local area shall collect the minimum amount of in-
4 formation from providers of on-the-job training, cus-
5 tomized training, incumbent worker training, intern-
6 ships, paid or unpaid work experience opportunities,
7 and transitional employment as necessary to enable
8 the use of State administrative data to generate
9 such performance information as the Governor may
10 require”.

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

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

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

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

12 **CHAPTER 2—YOUTH WORKFORCE**

13 **INVESTMENT ACTIVITIES**

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

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

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

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

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

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

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

8 “(B) MATCHING FUNDS.—

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

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

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

1 “(II) Other Federal funds not
2 described in subclause (I).

3 “(III) State funds.”.

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

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

10 (b) YOUTH PARTICIPANT ELIGIBILITY.—

11 (1) ELIGIBILITY DETERMINATION.—

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

16 “(A) ELIGIBILITY DETERMINATION.—

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

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

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

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

23 “(I) may—

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

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

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

17 “(iv) DETERMINATION PROCESS FOR
18 HOMELESS AND FOSTER YOUTH.—In de-
19 termining whether an individual is eligible
20 to participate in activities carried out
21 under this chapter on the basis of being an
22 individual who is a homeless child or
23 youth, or a youth in foster care, as de-
24 scribed in subparagraph (B)(iii)(V), the

1 one-stop operator or service provider in-
2 volved shall—

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

13 “(II) if determining whether the
14 individual is a youth in foster care,
15 use a process that is in compliance
16 with the requirements of subsection
17 (b) of section 479D of the Higher
18 Education Act of 1965, as added by
19 section 702(l) of the FAFSA Sim-
20 plification Act (Public Law 116–260),
21 for financial aid administrators.”.

22 (B) DEFINITION OF OPPORTUNITY
23 YOUTH.—Subparagraph (B) of section
24 129(a)(1) of the Workforce Innovation and Op-

1 portunity Act (29 U.S.C. 3164(a)(1) is amend-
2 ed—

3 (i) in the subparagraph heading, by
4 striking “OUT-OF-SCHOOL” and inserting
5 “OPPORTUNITY”;

6 (ii) in clause (i), by inserting “, except
7 that an individual described in subpara-
8 graph (IV) or (V) of clause (iii) may be at-
9 tending school” after “(as defined under
10 State law)”; and

11 (iii) in clause (iii)(III)(bb), by striking
12 “language”.

13 (C) DEFINITION OF IN-SCHOOL YOUTH.—
14 Subparagraph (C)(iv) of section 129(a)(1) of
15 the Workforce Innovation and Opportunity Act
16 (29 U.S.C. 3164(a)(1)) is amended—

17 (i) in subclause (II), by striking “lan-
18 guage”;

19 (ii) by striking subclauses (III) and
20 (IV); and

21 (iii) by redesignating subclauses (V),
22 (VI), and (VII) as subclauses (III), (IV),
23 and (V), respectively.

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

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

6 (B) in subparagraph (B)—

7 (i) by striking “5” inserting “10”;

8 and

9 (ii) by striking “paragraph
10 (1)(C)(iv)(VII)” and inserting “paragraph
11 (1)(C)(iv)(V)”.

12 (3) OPPORTUNITY YOUTH PRIORITY.—Section
13 129(a)(4) of the Workforce Innovation and Oppor-
14 tunity Act (29 U.S.C. 3164(a)(1)) is amended—

15 (A) in the paragraph heading, by striking
16 “OUT-OF-SCHOOL” and inserting “OPPOR-
17 TUNITY”;

18 (B) in subparagraph (A)—

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

21 (ii) by inserting “the total amount of”
22 after “percent of”; and

23 (iii) by inserting “in the State” after
24 “subsection (c)”;

1 (C) in subparagraph (B)(i), by striking
2 “75” and inserting “65”;

3 (D) by redesignating subparagraph (B), as
4 so amended, as subparagraph (C); and

5 (E) by inserting after subparagraph (A)
6 the following:

7 “(B) LOCAL AREA TARGETS.—The local
8 board, the chief elected official, and the Gov-
9 ernor shall negotiate and reach agreement on
10 the minimum amount of funds provided to a
11 local area under subsection (c) that shall be
12 used to provide youth workforce investment ac-
13 tivities for opportunity youth based on the
14 needs of youth in the local area, as necessary
15 for the State to meet the percentage described
16 in subparagraph (A).”.

17 (c) REQUIRED STATEWIDE YOUTH ACTIVITIES.—
18 Section 129(b)(1) of the Workforce Innovation and Oppor-
19 tunity Act (29 U.S.C. 3164(b)(1))—

20 (1) in the matter preceding subparagraph (A),
21 by striking “sections 128(a)” and inserting “sections
22 128(a)(1)”; and

23 (2) in subparagraph (B), by inserting “through
24 a website that is consumer-tested to ensure that the
25 website is easily understood, searchable, and navi-

1 gable and allows for comparison of eligible providers
2 based on the program elements offered by such pro-
3 viders and the performance of such providers on the
4 primary indicators of performance for the youth pro-
5 gram as described in section 116(b)(2)(A)(ii)” after
6 “under section 123”.

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

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

13 (2) in subparagraph (C), by inserting “, which
14 may include providing guidance on career options in
15 in-demand industry sectors or occupations” after “in
16 the State”;

17 (3) in subparagraph (D)—

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

20 (B) by inserting after clause (v) the fol-
21 lowing:

22 “(vi) supporting the ability to under-
23 stand relevant tax information and obliga-
24 tions;”;

1 (4) in subparagraph (E), by striking the period
2 at the end and inserting a semicolon; and

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

4 “(F) establishing, supporting, and expand-
5 ing work-based learning opportunities, including
6 transitional jobs, that are aligned with career
7 pathways;

8 “(G) raising public awareness (including
9 through public service announcements, such as
10 social media campaigns and elementary and
11 secondary school showcases and school visits)
12 about career and technical education programs
13 and community-based and youth services orga-
14 nizations, and other endeavors focused on pro-
15 grams that prepare students for in-demand in-
16 dustry sectors or occupations; and

17 “(H) developing partnerships between edu-
18 cational institutions (including area career and
19 technical schools and institutions of higher edu-
20 cation) and employers to create or improve
21 workforce development programs to address the
22 identified education and skill needs of the work-
23 force and the employment needs of employers in
24 the regions or local areas of the State, as deter-
25 mined based on the most recent analysis con-

1 ducted under subparagraphs (B) and (C) of
2 section 102(b)(1).”.

3 (e) LOCAL ELEMENTS AND REQUIREMENTS.—

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

7 (A) in subparagraph (B), by inserting
8 “(which, in the case of a participant 18 years
9 or older, may include co-enrollment in any em-
10 ployment or training activity provided under
11 section 134 for adults)” after “for the partici-
12 pant”;

13 (B) in subparagraph (C)(v), by inserting
14 “high-skill, high-wage, or” after “small employ-
15 ers, in”; and

16 (C) in subparagraph (D)—

17 (i) by striking “10” and inserting
18 “40”; and

19 (ii) by inserting before the period the
20 following: “, except that after 2 consecutive
21 years of the local board implementing such
22 a pay-for-performance contract strategy,
23 the local board may reserve and use not
24 more than 60 percent of such total funds

1 allocated to the local area for such strategy
2 if—

3 “(aa) the local board dem-
4 onstrates to the Governor that
5 such strategy resulted in per-
6 formance improvements; and

7 “(bb) the Governor approves
8 a request to use such percentage
9 of total funds.”.

10 (2) PROGRAM ELEMENTS.—Section 129(c)(2)
11 of the Workforce Innovation and Opportunity Act
12 (29 U.S.C. 3164(c)(2)) is amended—

13 (A) in subparagraph (C)—

14 (i) in clause (i)—

15 (I) by striking “other” and in-
16 sserting “year-round”; and

17 (II) by inserting “that meet the
18 requirements of paragraph (10)” after
19 “school year”;

20 (ii) in clause (iii), by striking “and job
21 shadowing; and” and inserting the fol-
22 lowing: “that, to the extent practicable, are
23 aligned with in-demand industry sectors or
24 occupations in the State or local area and
25 for which participants shall be paid (by the

1 entity providing the internship, through
2 funds allocated to the local area pursuant
3 to paragraph (1) for the program, or by
4 another entity) if such internships are
5 longer than—

6 “(I) 4 weeks in the summer or 8
7 weeks during the school year for in-
8 school youth and opportunity youth
9 who are enrolled in school; or

10 “(II) 8 weeks for opportunity
11 youth who are not enrolled in
12 school;”;

13 (iii) by redesignating clause (iv) as
14 clause (v); and

15 (iv) by inserting after clause (iii), as
16 so amended, the following:

17 “(iv) job shadowing; and”;

18 (B) in subparagraph (H), by striking
19 “adult mentoring” and inserting “coaching and
20 adult mentoring services”;

21 (C) in subparagraph (M)—

22 (i) by inserting “high-skill, high-wage,
23 or” before “in-demand industry”; and

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

1 (D) in subparagraph (N), by striking the
2 period at the end and inserting “; and”; and

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

4 “(O) activities to develop fundamental
5 workforce readiness, which may include cre-
6 ativity, collaboration, critical thinking, digital
7 literacy, persistence, and other relevant skills.”.

8 (3) PRIORITY.—Section 129(c)(4) of the Work-
9 force Innovation and Opportunity Act (29 U.S.C.
10 3164(e)(2)) is amended, by striking “20” and in-
11 sserting “40”.

12 (4) RULE OF CONSTRUCTION.—Section
13 129(c)(5) of the Workforce Innovation and Oppor-
14 tunity Act (29 U.S.C. 3164(e)(2)) is amended by in-
15 sserting “or local area” after “youth services”.

16 (5) INDIVIDUAL TRAINING ACCOUNTS.—Section
17 129(c) of the Workforce Innovation and Opportunity
18 Act (29 U.S.C. 3164(c)(2)) is further amended by
19 adding at the end the following:

20 “(9) INDIVIDUAL TRAINING ACCOUNTS.—Funds
21 allocated pursuant to paragraph (1) to a local area
22 may be used to pay, through an individual training
23 account, an eligible provider of training services de-
24 scribed in section 122(d) for training services de-
25 scribed in section 134(c)(3) provided to in-school

1 youth who are not younger than age 16 and not
2 older than age 21 and opportunity youth, in the
3 same manner that an individual training account is
4 used to pay an eligible provider of training services
5 under section 134(c)(3)(F)(iii) for training services
6 provided to an adult or dislocated worker.”.

7 (6) SUMMER AND YEAR-ROUND EMPLOYMENT
8 OPPORTUNITIES REQUIREMENTS.—Section 129(c) of
9 the Workforce Innovation and Opportunity Act (29
10 U.S.C. 3164(c)(2)) is further amended by adding at
11 the end the following:

12 “(10) SUMMER AND YEAR-ROUND EMPLOYMENT
13 OPPORTUNITIES REQUIREMENTS.—

14 “(A) IN GENERAL.—A summer employ-
15 ment opportunity or a year-round employment
16 opportunity referred to in paragraph (2)(C)(i)
17 shall be a program that matches eligible youth
18 participating in such program with an appro-
19 priate employer (based on factors including the
20 needs of the employer and the age, skill, and in-
21 formed aspirations of the eligible youth) that—

22 “(i) shall include—

23 “(I) a component of occupational
24 skills education;

1 “(II) not less than 2 of the ac-
2 tivities described in subparagraphs
3 (G), (H), (I), (K), (M), and (O) of
4 paragraph (2); and

5 “(ii) may not use funds allocated
6 under this chapter to subsidize more than
7 50 percent of the wages of each eligible
8 youth participant in such program;

9 “(iii) in the case of a summer employ-
10 ment opportunity, complies with the re-
11 quirements of subparagraph (B); and

12 “(iv) in the case of a year-round em-
13 ployment opportunity, complies with the
14 requirements of subparagraph (C).

15 “(B) SUMMER EMPLOYMENT OPPOR-
16 TUNITY.—In addition to the applicable require-
17 ments described in subparagraph (A), a sum-
18 mer employment opportunity—

19 “(i) may not be less than 4 weeks;
20 and

21 “(ii) may not pay less than the great-
22 er of the applicable Federal, State, or local
23 minimum wage.

24 “(C) YEAR-ROUND EMPLOYMENT OPPOR-
25 TUNITY.—In addition to the applicable require-

1 ments described in subparagraph (B), a year-
2 round employment opportunity—

3 “(i) may not be shorter than 180 days
4 or longer than 1 year;

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

8 “(iii) may not employ the eligible
9 youth for less than 20 hours per week, ex-
10 cept in instances when the eligible youth
11 are under the age of 18 or enrolled in
12 school.

13 “(D) PRIORITY.—In selecting summer em-
14 ployment opportunities or year-round employ-
15 ment opportunities for purposes of paragraph
16 (2)(C)(i), a local area shall give priority to pro-
17 grams that meet the requirements of this para-
18 graph, which are in existing or emerging high-
19 skill, high-wage, or in-demand industry sectors
20 or occupations.”.

1 **CHAPTER 3—ADULT AND DISLOCATED**
2 **WORKER EMPLOYMENT AND TRAIN-**
3 **ING ACTIVITIES**

4 **SEC. 141. STATE ALLOTMENTS.**

5 Section 132(a)(2)(A) of the Workforce Innovation
6 and Opportunity Act (29 U.S.C. 3172(a)(2)(A)) is amend-
7 ed by—

8 (1) striking “, 169(e) (relating to dislocated
9 worker projects),”; and

10 (2) by inserting “, and under subsections (c)
11 (related to dislocated worker projects) and (d) (re-
12 lated to workforce data quality initiatives) of section
13 169” before “; and”

14 **SEC. 142. RESERVATIONS FOR STATE ACTIVITIES; WITHIN**
15 **STATE ALLOCATIONS.**

16 (a) RESERVATIONS FOR STATE ACTIVITIES.—Section
17 133(a) of the Workforce Innovation and Opportunity Act
18 (29 U.S.C. 3173(a)) is amended—

19 (1) in paragraph (1), by striking “section
20 128(a)” and inserting “section 128(a)(1)”;

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

22 “(3) STATEWIDE CRITICAL INDUSTRY SKILLS
23 FUND.—In addition to the reservations required
24 under paragraphs (1) and (2) of this subsection, the

1 Governor may make the reservation authorized
2 under section 128(a)(3).”.

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

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

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

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

14 (a) STATEWIDE EMPLOYMENT AND TRAINING AC-
15 TIVITIES.—

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

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

21 (B) in subparagraph (B)—

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

25 (ii) in clause (ii)—

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

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

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

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

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

17 (i) in clause (i)—

18 (I) in subclause (I)—

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

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

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

4 (III) by adding at the end the
5 following:

6 “(III) provision of additional as-
7 sistance to a local area that has ex-
8 cess demand for individual training
9 accounts for dislocated workers in
10 such local area and requests such as-
11 sistance under paragraph (5) of sec-
12 tion 414(c) of the American Competi-
13 tiveness and Workforce Improvement
14 Act of 1998 (29 U.S.C. 3224a(5)),
15 upon a determination by the State
16 that, in using funds allocated to such
17 local area pursuant to paragraph (1)
18 of such section 414(c) and subsection
19 (c)(1)(B) of this section for the pur-
20 pose described in paragraph (2)(A) of
21 such section 414(c), the local area
22 was in compliance with the require-
23 ments of such section 414(c).”; and
24 (ii) by adding at the end the fol-
25 lowing:

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

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

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

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

19 (i) in clause (i)—

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

22 (II) in subclause (IV)—

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

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

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

11 (III) by adding at the end the
12 following:

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

1 (ii) in clause (ii), by striking “(7)”
2 and inserting “(6)”;

3 (iii) in clause (v)—

4 (I) in subclause (II), by striking
5 “customized training” and inserting
6 “employer-directed skills develop-
7 ment”; and

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

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

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

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

1 individuals who are adults or dislocated
2 workers for the purpose of—

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

7 “(aa) a recognized postsec-
8 ondary credential that is used by
9 employers in the State for re-
10 cruitment, hiring, retention, or
11 advancement purposes;

12 “(bb) postsecondary credit
13 toward a recognized postsec-
14 ondary credential aligned with in-
15 demand industry sectors and oc-
16 cupations in the State for the
17 purpose of accelerating attain-
18 ment of such credential; and

19 “(cc) postsecondary credit
20 for progress along a career path-
21 way developed by the State or a
22 local area within the State;

23 “(II) developing individual em-
24 ployment plans under subsection
25 (c)(2)(B)(vii)(II) that incorporate the

1 knowledge, skills, and abilities of such
2 an individual to identify—

3 “(aa) in-demand industry
4 sectors or occupations that re-
5 quire similar knowledge, skills,
6 and abilities; and

7 “(bb) any upskilling needed
8 for the individual to secure em-
9 ployment in such a sector or oc-
10 cupation; and

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

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

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

24 “(II) the industry organizations,
25 employers, training providers, and in-

1 stitutions of higher education located
2 within the State that recognize the
3 knowledge, skills, and abilities of an
4 individual validated by such assess-
5 ments;

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

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

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

18 (A) in clause (i)—

19 (i) by inserting “or evidence-based”
20 after “innovative”; and

21 (ii) by striking “customized training”
22 and inserting “employer-directed skills de-
23 velopment”;

1 (B) in clause (ii), by inserting “, or bring-
2 ing evidence-based strategies to scale,” after
3 “strategies”;

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

9 (D) in clause (viii)(II)—

10 (i) in item (dd), by striking “and lit-
11 eracy” and inserting “, literacy, and digital
12 literacy”;

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

17 (iii) by adding at the end the fol-
18 lowing:

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

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

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

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

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

13 “(xvi) developing partnerships be-
14 tween educational institutions (including
15 area career and technical education
16 schools, local educational agencies, and in-
17 stitutions of higher education) and employ-
18 ers to create or improve workforce develop-
19 ment programs to address the identified
20 education and skill needs of the workforce
21 and the employment needs of employers in
22 regions of the State, as determined by the
23 most recent analysis conducted under sub-
24 paragraphs (A), (B), and (C) of section
25 102(b)(1);

1 “(xvii) identifying and making avail-
2 able to residents of the State, free or re-
3 duced cost access to online skills develop-
4 ment programs that are aligned with in-de-
5 mand industries or occupations in the
6 State and lead to attainment of a recog-
7 nized postsecondary credential valued by
8 employers in such industries or occupa-
9 tions; and

10 “(xviii) establishing and administering
11 critical skills fund under paragraph (4).”.

12 (4) CRITICAL INDUSTRY SKILLS FUND.—Sec-
13 tion 134(a) of the Workforce Innovation and Oppor-
14 tunity Act (29 U.S.C. 3174(a)), as amended, is fur-
15 ther amended by adding at the end the following:

16 “(4) CRITICAL INDUSTRY SKILLS FUND.—

17 “(A) PERFORMANCE-BASED PAYMENTS.—

18 A State shall use funds reserved under para-
19 graph (3)(A) of section 128(a), and any funds
20 reserved under paragraph (3)(B) of section
21 128(a), to establish and administer a critical in-
22 dustry skills fund to award performance-based
23 payments on a per-worker basis to eligible enti-
24 ties that provide eligible skills development pro-
25 grams to prospective workers or incumbent

1 workers (which may include youth age 18
2 through age 24) in industries and occupations
3 identified by the Governor under subparagraph
4 (B) that will result in employment or retention
5 with a participating employer.

6 “(B) INDUSTRIES AND OCCUPATIONS.—

7 “(i) IN GENERAL.—The Governor (in
8 consultation with the State board)—

9 “(I) shall identify the industries
10 and occupations for which an eligible
11 skills development program carried
12 out by an eligible entity in the State
13 may receive funds under this para-
14 graph; and

15 “(II) may select the industries
16 and occupations identified under sub-
17 clause (I) that will receive priority for
18 funds under this paragraph.

19 “(ii) HIGH GROWTH AND HIGH
20 WAGE.—In selecting industries or occupa-
21 tions to prioritize pursuant to clause
22 (i)(II), the Governor may consider—

23 “(I) industries that have, or are
24 expected to have, a high rate of

1 growth and an unmet demand for
2 skilled workers; and

3 “(II) occupations—

4 “(aa) with wages that are
5 significantly higher than an occu-
6 pation of similar level of skill or
7 needed skill development; or

8 “(bb) that are aligned with
9 career pathways into higher-wage
10 occupations.

11 “(C) SUBMISSION OF PROPOSALS.—

12 “(i) IN GENERAL.—To be eligible to
13 receive a payment under the critical indus-
14 try skills fund established under this para-
15 graph by a State, an eligible entity shall
16 submit a proposal to the Governor in such
17 form and at such time as the Governor
18 may require (subject to the requirements
19 of clause (ii)), which shall include—

20 “(I) a description of the indus-
21 tries or occupations in which the par-
22 ticipating employer is seeking to fill
23 jobs, the specific skills or credentials
24 necessary for an individual to obtain

1 such a job, and the salary range of
2 such a job;

3 “(II) the expected number of in-
4 dividuals who will participate in the
5 skills development program to be car-
6 ried out by the eligible entity;

7 “(III) a description of the eligible
8 skills development program, including
9 the provider, the length of the pro-
10 gram, the skills to be gained, and any
11 recognized postsecondary credentials
12 that will be awarded;

13 “(IV) the total cost of providing
14 the program;

15 “(V) for purposes of receiving a
16 payment pursuant to subparagraph
17 (D)(i)(II)(bb), a commitment from the
18 participating employer in the eligible
19 entity to employ each participant of
20 the program for not less than a 6-
21 month period (or a longer period as
22 determined by the State) after suc-
23 cessful completion of the program;
24 and

1 “(VI) an assurance that the enti-
2 ty will—

3 “(aa) establish the written
4 agreements described in subpara-
5 graph (D)(ii)(I);

6 “(bb) maintain and submit
7 the documentation described in
8 subparagraph (D)(ii)(II); and

9 “(cc) maintain and submit
10 the necessary documentation for
11 the State to verify participant
12 outcomes and report such out-
13 comes as described in subpara-
14 graph (F).

15 “(ii) ADMINISTRATIVE BURDEN.—The
16 Governor shall ensure that the form and
17 manner in which a proposal required to be
18 submitted under clause (i) is designed to
19 minimize paperwork and administrative
20 burden for entities.

21 “(iii) APPROVAL OF SUBSEQUENT
22 PROPOSALS.—With respect to an eligible
23 entity that has had a proposal approved by
24 the Governor under this subparagraph and
25 that submits a subsequent proposal under

1 this subparagraph, the eligible entity may
2 only receive approval from the Governor
3 for the subsequent proposal if—

4 “(I) with respect to the most re-
5 cent proposal approved under this
6 subparagraph—

7 “(aa) the skills development
8 program has ended;

9 “(bb) for any participants
10 employed by the participating
11 employer in accordance with sub-
12 paragraph (C)(i)(V), the min-
13 imum periods of such employ-
14 ment described in such subpara-
15 graph have ended;

16 “(cc) all the payments under
17 subparagraph (D) owed to the el-
18 igible entity have been made; and

19 “(dd) not fewer than 70 per-
20 cent of the participants who en-
21 rolled in the skills development
22 program—

23 “(AA) completed such
24 program; and

1 “(BB) after such com-
2 pletion, were employed by
3 the participating employer
4 for the minimum period de-
5 scribed in subparagraph
6 (C)(i)(V); and

7 “(II) the eligible entity meets any
8 other requirements that the Governor
9 may establish with respect to eligible
10 entities submitting subsequent pro-
11 posals.

12 “(D) REIMBURSEMENT FOR APPROVED
13 PROPOSALS.—

14 “(i) STATE REQUIREMENTS.—

15 “(I) IN GENERAL.—With respect
16 to each eligible entity whose proposal
17 under subparagraph (C) has been ap-
18 proved by the Governor, the Governor
19 shall make payments (in an amount
20 determined by the Governor and sub-
21 ject to the requirements of subclause
22 (II) of this clause, subparagraphs (E)
23 and (G), and any other limitations de-
24 termined necessary by the State) from
25 the critical industry skills fund estab-

1 lished under this paragraph to such
2 eligible entity for each participant of
3 the eligible skills development pro-
4 gram described in such proposal and
5 with respect to whom the eligible enti-
6 ty meets the requirements of clause
7 (ii).

8 “(II) PAYMENTS.—In making
9 payments to an eligible entity under
10 subclause (I) with respect to a partici-
11 pant—

12 “(aa) 50 percent of the total
13 payment shall be made after the
14 participant completes the eligible
15 skills development program of-
16 fered by the eligible entity; and

17 “(bb) the remaining 50 per-
18 cent of such total payment shall
19 be made after the participant has
20 been employed by the partici-
21 pating employer for the minimum
22 period described in subparagraph
23 (C)(i)(V).

24 “(ii) ELIGIBLE ENTITY REQUIRE-
25 MENTS.—To be eligible to receive the pay-

1 ments described in clause (i) with respect
2 to a participant, an eligible entity de-
3 scribed in such clause shall—

4 “(I) establish a written agree-
5 ment with the participant that in-
6 cludes the information described in
7 subclauses (I) and (III) of subpara-
8 graph (C)(i); and

9 “(II) submit documentation as
10 the Governor determines necessary to
11 verify that such participant has com-
12 pleted the skills development program
13 offered by the eligible entity and has
14 been employed by the participating
15 employer for the minimum period de-
16 scribed in subparagraph (C)(i)(V).

17 “(E) NON-FEDERAL COST SHARING.—

18 “(i) LIMITS ON FEDERAL SHARE.—An
19 eligible entity may not receive funds under
20 subparagraph (D) with respect to a partici-
21 pant of the eligible skills development pro-
22 gram offered by the eligible entity in ex-
23 cess of the following costs of such pro-
24 gram:

1 “(I) In the case of a partici-
2 pating employer of such eligible entity
3 with 25 or fewer employees, 90 per-
4 cent of the costs.

5 “(II) In the case of a partici-
6 pating employer of such eligible entity
7 with more than 25 employees, but
8 fewer than 100 employees, 75 percent
9 of the costs.

10 “(III) In the case of a partici-
11 pating employer of such eligible entity
12 with 100 or more employees, 50 per-
13 cent of the costs.

14 “(ii) NON-FEDERAL SHARE.—

15 “(I) IN GENERAL.—Any costs of
16 the skills development program of-
17 fered to a participant by such eligible
18 entity that are not covered by the
19 funds received under subparagraph
20 (D) shall be the non-Federal share
21 provided by the eligible entity (in cash
22 or in-kind).

23 “(II) EMPLOYER COST SHAR-
24 ING.—If the eligible skills develop-
25 ment program is being provided on-

1 the-job, the non-Federal share pro-
2 vided by an eligible entity may include
3 the amount of the wages paid by the
4 participating employer of the eligible
5 entity to a participant while such par-
6 ticipant is receiving the training.

7 “(F) PERFORMANCE REPORTING.—

8 “(i) IN GENERAL.—The State shall
9 use the participant information provided
10 by eligible entities to submit to the Sec-
11 retary a report, on an annual basis, with
12 respect to the participants of the eligible
13 skills development programs for which the
14 eligible entities received funds under this
15 paragraph for the most recent program
16 year, which shall—

17 “(I) be made digitally available
18 by the Secretary using linked, open,
19 and interoperable data, which shall in-
20 clude; and

21 “(II) include—

22 “(aa) the number of individ-
23 uals who participated in pro-
24 grams, unless such information
25 would reveal personally identifi-

1 able information about an indi-
2 vidual); and

3 “ (bb) performance outcomes
4 on the measures listed in clause
5 (ii).

6 “(ii) MEASURES.—The measures list-
7 ed below are as follows:

8 “(I) The percentage of partici-
9 pants who completed the skills devel-
10 opment program.

11 “(II) The percentage of partici-
12 pants who were employed by the par-
13 ticipating employer for a 6-month pe-
14 riod after program completion.

15 “(III) The percentage of partici-
16 pants who were employed by the par-
17 ticipating employer as described in
18 subclause (II), and who remained em-
19 ployed by the participating employer 1
20 year after program completion.

21 “(IV) The median earnings of
22 program participants who are in un-
23 subsidized employment during the sec-
24 ond quarter after program completion.

1 “(V) The median earnings in-
2 crease of program participants, meas-
3 ured by comparing the earning of a
4 participant in the second quarter prior
5 to entry into the program to the earn-
6 ings of such participant in the second
7 quarter following completion of the
8 program.

9 “(G) DEFINITIONS.—In this paragraph:

10 “(i) ELIGIBLE ENTITY.—The term ‘el-
11 igible entity’ means an employer, a group
12 of employers, an industry or sector part-
13 nership, or another entity serving as an
14 intermediary (such as a local board) that is
15 in a partnership with at least one employer
16 in an industry or occupation identified by
17 the Governor under subparagraph (B)(i)
18 (referred to in this paragraph as the ‘par-
19 ticipating employer’).

20 “(ii) ELIGIBLE SKILLS DEVELOPMENT
21 PROGRAM.—The term ‘eligible skills devel-
22 opment program’, with respect to which a
23 State may set a maximum and minimum
24 length (in weeks)—

1 “(I) includes work-based edu-
2 cation or related occupational skills
3 instruction that—

4 “(aa) develops the specific
5 technical skills necessary for suc-
6 cessful performance of the occu-
7 pations in which participants are
8 to be employed upon completion;
9 and

10 “(bb) may be provided by
11 the eligible entity or by any
12 training provider selected by the
13 eligible entity and that is not re-
14 quired to be on a list of eligible
15 providers of training services de-
16 scribed in section 122(d); and

17 “(II) may not include employee
18 onboarding, orientation, or profes-
19 sional development generally provided
20 to employees.”.

21 (5) STATE-IMPOSED REQUIREMENTS.—Section
22 134(a) of the Workforce Innovation and Opportunity
23 Act (29 U.S.C. 3174(a)), as amended, is further
24 amended by adding at the end the following:

1 “(5) STATE-IMPOSED REQUIREMENTS.—When-
2 ever a State or outlying area implements any rule or
3 policy relating to the administration or operation of
4 activities authorized under this title that has the ef-
5 fect of imposing a requirement that is not imposed
6 under Federal law, or is not a requirement, process,
7 or criteria that the Governor or State is directed to
8 establish under Federal law, the State or outlying
9 area shall identify to local areas and eligible pro-
10 viders the requirement as being imposed by the
11 State or outlying area.”.

12 (b) REQUIRED LOCAL EMPLOYMENT AND TRAINING
13 ACTIVITIES.—

14 (1) MINIMUM AMOUNT FOR SKILLS DEVELOP-
15 MENT.—Section 134(c)(1) of the Workforce Innova-
16 tion and Opportunity Act (29 U.S.C. 3174(c)(1)) is
17 amended—

18 (A) in subparagraph (A)(iv), by striking
19 “to” and inserting “to provide business services
20 described in paragraph (4) and”;

21 (B) by redesignating subparagraph (B) as
22 subparagraph (C); and

23 (C) by inserting after subparagraph (A),
24 as so amended, the following:

1 “(B) MINIMUM AMOUNT FOR SKILLS DE-
2 VELOPMENT.—Not less than 50 percent of the
3 funds described in subparagraph (A) shall be
4 used by the local area—

5 “(i) for the payment of training serv-
6 ices—

7 “(I) provided to adults under
8 paragraph (3)(F)(iii); and

9 “(II) provided to adults and dis-
10 located workers under paragraph
11 (3)(G)(ii); and

12 “(ii) for the payment of training serv-
13 ices under paragraph (2)(A) of section
14 414(c) of the American Competitiveness
15 and Workforce Improvement Act of 1998
16 (29 U.S.C. 3224a(c)) after funds allocated
17 to such local area under paragraph (1) of
18 such section 414(c) have been exhausted.”;
19 and

20 (D) in subparagraph (C), as so redesign-
21 ated, by striking “and (ii)” and inserting “,
22 (ii), and (iv)”.

23 (2) CAREER SERVICES.—Section 134(c)(2) of
24 the Workforce Innovation and Opportunity Act (29
25 U.S.C. 3174(c)(2)) is amended—

1 (A) by redesignating subparagraphs (A)
2 through (C) as subparagraphs (B) through (D),
3 respectively;

4 (B) by inserting before subparagraph (B),
5 as so redesignated, the following:

6 “(A) BASIC CAREER SERVICES.—The one-
7 stop delivery system shall coordinate with the
8 Employment Service established under the
9 Wagner-Peyser Act to provide basic career serv-
10 ices, which shall be available to individuals who
11 are adults or dislocated workers through the
12 one-stop delivery system, in an integrated man-
13 ner to streamline access to assistance for such
14 individuals and reduce duplication of effort, and
15 may use funds allocated under paragraph
16 (1)(A) for a fiscal year to provide such services
17 if no funds remain available under Wagner-
18 Peyser Act for such fiscal year for the local
19 area in which the one-stop delivery system is lo-
20 cated to provide such services, which shall, at a
21 minimum, include—

22 “(i) provision of workforce and labor
23 market employment statistics information,
24 including the provision of accurate (and, to
25 the extent practicable, real-time) informa-

1 tion relating to local, regional, and na-
2 tional labor market areas, including—

3 “(I) job vacancy listings in such
4 labor market areas;

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

8 “(III) information relating to
9 local occupations in demand (which
10 may include entrepreneurship oppor-
11 tunities), and the earnings, skill re-
12 quirements, and opportunities for ad-
13 vancement for such occupations;

14 “(ii) labor exchange services, includ-
15 ing job search and placement assistance
16 and, in appropriate cases, career coun-
17 seling, including

18 “(I) provision of information on
19 in-demand industry sectors and occu-
20 pations;

21 “(II) provision of information on
22 nontraditional employment; and

23 “(III) provision of information on
24 entrepreneurship, as appropriate;

1 “(iii)(I) provision of information, in
2 formats that are usable by and under-
3 standable to one-stop center customers, re-
4 lating to the availability of supportive serv-
5 ices or assistance, including child care,
6 child support, medical or child health as-
7 sistance under title XIX or XXI of the So-
8 cial Security Act (42 U.S.C. 1396 et seq.
9 and 1397aa et seq.), benefits under the
10 supplemental nutrition assistance program
11 established under the Food and Nutrition
12 Act of 2008 (7 U.S.C. 2011 et seq.), as-
13 sistance through the earned income tax
14 credit under section 32 of the Internal
15 Revenue Code of 1986, and assistance
16 under a State program for temporary as-
17 sistance for needy families funded under
18 part A of title IV of the Social Security
19 Act (42 U.S.C. 601 et seq.) and other sup-
20 portive services and transportation pro-
21 vided through funds made available under
22 such part, available in the local area; and
23 “(II) referral to the services or assist-
24 ance described in subclause (I), as appro-
25 priate;

1 “(iv) provision of information and as-
2 sistance regarding filing claims for unem-
3 ployment compensation; and

4 “(v) assistance in establishing eligi-
5 bility for programs of financial aid assist-
6 ance for training and education programs
7 that are not funded under this Act.”;

8 (C) in subparagraph (B), as so redesign-
9 nated—

10 (i) in the heading, by striking “CA-
11 REER” inserting “INDIVIDUALIZED CA-
12 REER”;

13 (ii) by inserting “individualized” be-
14 fore “career services”;

15 (iii) by inserting “shall, to the extent
16 practicable, be evidence-based,” before
17 “and shall”;

18 (iv) in clause (iii), by inserting “, and
19 a determination (considering factors in-
20 cluding prior work experience, military
21 service, education, and in-demand industry
22 sectors and occupations in the local area)
23 of whether such an individual would ben-
24 efit from a competency-based assessment
25 developed or identified by the State pursu-

1 ant to subsection (a)(2)(B)(vii) to accel-
2 erate the time to obtaining employment
3 that leads to economic self-sufficiency or
4 career advancement” before the semi-colon
5 at the end;

6 (v) by striking clauses (iv), (vi), (ix),
7 (x), and (xi);

8 (vi) by redesignating clauses (v), (vii),
9 (viii), (xii), and (xiii) as clauses (iv), (v),
10 (vi), (vii), and (viii), respectively;

11 (vii) in clause (v), as so redesignated,
12 by inserting “and credential” after “by
13 program”; and

14 (viii) in clause (vii)(I)(aa), as so re-
15 designated, by inserting “, including a
16 competency-based assessment developed or
17 identified by the State pursuant to sub-
18 section (a)(2)(B)(vii)” after “tools”;

19 (D) by amending subparagraph (C), as so
20 redesignated, to read as follows:

21 “(C) USE OF PREVIOUS ASSESSMENTS.—A
22 one-stop operator or one-stop partner shall not
23 be required to conduct a new interview, evalua-
24 tion, or assessment of a participant under sub-

1 paragraph (B)(vii) if the one-stop operator or
2 one-stop partner determines that—

3 “(i) it is appropriate to use a recent
4 interview, evaluation, or assessment of the
5 participant conducted pursuant to another
6 education or training program; and

7 “(ii) using such recent interview, eval-
8 uation, or assessment will accelerate an eli-
9 gibility determination.”; and

10 (E) in subparagraph (D), as so redesign-
11 nated—

12 (i) by inserting “individualized” be-
13 fore “career”; and

14 (ii) in clause (ii), by inserting “, li-
15 braries, and community-based organiza-
16 tions” after “nonprofit service providers”.

17 (3) TRAINING SERVICES.—Section 134(c)(3) of
18 the Workforce Innovation and Opportunity Act (29
19 U.S.C. 3174(c)(3)) is amended—

20 (A) in subparagraph (A)—

21 (i) in clause (i), in the matter pre-
22 ceding subclause (I), by striking “clause
23 (ii)” and inserting “clause (ii) or (iii)”

24 (ii) in clause (i)(II)—

1 (I) by striking “or in” and in-
2 serting “in” and

3 (II) by inserting “, or that may
4 be performed remotely” after “relo-
5 cate”;

6 (iii) by redesignating clause (iii) as
7 clause (iv);

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

10 “(iii) EMPLOYER REFERRAL.—

11 “(I) IN GENERAL.—A one-stop
12 operator or one-stop partner shall not
13 be required to conduct an interview,
14 evaluation, or assessment of an indi-
15 vidual under clause (i)(I) if such indi-
16 vidual—

17 “(aa) is referred by an em-
18 ployer to receive on-the-job train-
19 ing or employer-directed skills de-
20 velopment in connection with
21 that employer; and

22 “(bb) has been certified by
23 the employer as being in need of
24 training services to obtain unsub-
25 sidized employment with such

1 employer and having the skills
2 and qualifications to successfully
3 participate in the selected pro-
4 gram of training services.

5 “(II) PRIORITY.—A one-stop op-
6 erator or one-stop partner shall follow
7 the priority described in subparagraph
8 (E) to determine whether an indi-
9 vidual that meets the requirements of
10 subclause (I) of this clause is eligible
11 to receive training services.”; and

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

13 “(v) ADULT EDUCATION AND FAMILY
14 LITERACY ACTIVITIES.—In the case of an
15 individual who is determined to not have
16 the skills and qualifications to successfully
17 participate in the selected program of
18 training services under clause (i)(I)(cc),
19 the one-stop operator or one-stop partner
20 shall refer such individual to adult edu-
21 cation and literacy activities under title II,
22 including for co-enrollment in such activi-
23 ties, as appropriate.”;

24 (B) in subparagraph (B)—

25 (i) in clause (i)—

1 (I) in subclause (I), by striking
2 “other grant assistance for such serv-
3 ices, including” and inserting “assist-
4 ance for such services under”; and

5 (II) by striking “under other
6 grant assistance programs, including”
7 and inserting “under”; and

8 (ii) by adding at the end the fol-
9 lowing:

10 “(iv) PARTICIPATION DURING ELIGI-
11 BILITY DETERMINATION.—An individual
12 may participate in a program of training
13 services during the period which such indi-
14 vidual’s eligibility for training services
15 under clause (i) is being determined, ex-
16 cept that the provider of such a program
17 shall only receive reimbursement under
18 this Act for the individual’s participation
19 during such period if such individual is de-
20 termined to be eligible under clause (i).”;

21 (C) in subparagraph (D)(xi), by striking
22 “customized training” and inserting “employer-
23 directed skills development”;

24 (D) in subparagraph (G)(ii)—

1 (i) in subclause (II), by striking “cus-
2 tomized training” and inserting “employer-
3 directed skills development”; and

4 (ii) in subclause (IV), by striking “is
5 a” and inserting “is an evidence-based”;
6 (E) in subparagraph (H)(ii)—

7 (i) in subclause (I), by inserting “,
8 such as the extent to which participants
9 are individuals with barriers to employ-
10 ment” after “participants”; and

11 (ii) in subclause (III), by inserting “,
12 including whether the skills a participant
13 will obtain are transferable to other em-
14 ployers, occupations, or industries in the
15 local area or the State” after “opportuni-
16 ties”; and

17 (F) by adding at the end the following:

18 “(I) EMPLOYER-DIRECTED SKILLS DEVEL-
19 OPMENT.—An employer may receive a contract
20 from a local board to provide employer-directed
21 skills development to a participant or group of
22 participants if the employer submits to the local
23 board an agreement that establishes—

24 “(i) the provider of the skills develop-
25 ment program, which may be the employer;

1 “(ii) the length of the skills develop-
2 ment program;

3 “(iii) the recognized postsecondary
4 credentials that will be awarded to, or the
5 occupational skills that will be gained by,
6 program participants;

7 “(iv) the cost of the skills development
8 program;

9 “(v) the amount of such cost that will
10 be paid by the employer, which shall not be
11 less than the amount specified in section
12 3(14)(C); and

13 “(vi) a commitment by the employer
14 to employ the participating individual or
15 individuals upon successful completion of
16 the program.”.

17 (c) BUSINESS SERVICES.—Section 134(c) of the
18 Workforce Innovation and Opportunity Act (29 U.S.C.
19 3174(c)) is further amended—

20 (1) in paragraph (1)(A)(iv), by inserting “pro-
21 vide business services described in paragraph (4)
22 and” before “establish”; and

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

24 “(4) BUSINESS SERVICES.—Funds described in
25 paragraph (1) shall be used to provide appropriate

1 recruitment and other business services and strate-
2 gies on behalf of employers, including small employ-
3 ers, that meet the workforce investment needs of
4 area employers, as determined by the local board
5 and consistent with the local plan under section 108,
6 which services—

7 “(A) may be provided through effective
8 business intermediaries working in conjunction
9 with the local board, and may also be provided
10 on a fee-for-service basis or through the
11 leveraging of economic development, philan-
12 thropic, and other public and private resources
13 in a manner determined appropriate by the
14 local board; and

15 “(B) may include one or more of the fol-
16 lowing:

17 “(i) Developing and implementing in-
18 dustry sector strategies (including strate-
19 gies involving industry partnerships, re-
20 gional skills alliances, industry skill panels,
21 and sectoral skills partnerships).

22 “(ii) Developing and delivering inno-
23 vative workforce investment services and
24 strategies for area employers, which may
25 include career pathways, skills upgrading,

1 skill standard development and certifi-
2 cation for recognized postsecondary creden-
3 tial or other employer use, apprenticeship,
4 and other effective initiatives for meeting
5 the workforce investment needs of area
6 employers and workers.

7 “(iii) Assistance to area employers in
8 managing reductions in force in coordina-
9 tion with rapid response activities provided
10 under subsection (a)(2)(A) and developing
11 strategies for the aversion of layoffs, which
12 strategies may include early identification
13 of firms at risk of layoffs, use of feasibility
14 studies to assess the needs of and options
15 for at-risk firms, and the delivery of em-
16 ployment and training activities to address
17 risk factors,

18 “(iv) The marketing of business serv-
19 ices offered under this title to appropriate
20 area employers, including small and mid-
21 sized employers.

22 “(v) Technical assistance or other
23 support to employers seeking to implement
24 skills-based hiring practices, which may in-
25 clude technical assistance on the use and

1 validation of employment assessments, in-
2 cluding competency-based assessments de-
3 veloped or identified by the State pursuant
4 to paragraph (2)(B)(vii), and support in
5 the creation of skills-based job descrip-
6 tions.

7 “(vi) Other services described in this
8 subsection, including providing information
9 and referral to microenterprise services, as
10 appropriate, and specialized business serv-
11 ices not traditionally offered through the
12 one-stop delivery system.”.

13 (d) PERMISSIBLE LOCAL EMPLOYMENT AND TRAIN-
14 ING ACTIVITIES.—

15 (1) ACTIVITIES.—Section 134(d)(1)(A) of the
16 Workforce Innovation and Opportunity Act (29
17 U.S.C. 3174(d)(1)(A)) is amended—

18 (A) by amending clause (iii) to read as fol-
19 lows:

20 “(iii) implementation of a pay-for-per-
21 formance contract strategy for training
22 services, for which the local board may re-
23 serve and use not more than 40 percent of
24 the total funds allocated to the local area
25 under paragraph (2) or (3) of section

1 133(b), except that after 2 fiscal years of
2 a local board implementing such pay-for-
3 performance contract strategy, the local
4 board may request approval from the Gov-
5 ernor to reserve and use not more than 60
6 percent of the total funds allocated to the
7 local area under paragraph (2) or (3) of
8 section 133(b) for such strategy for the
9 following fiscal year if the local board can
10 demonstrate to the Governor the perform-
11 ance improvements achieved through the
12 use of such strategy;”;

13 (B) in clause (vii)—

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

16 (ii) in subclause (III), by inserting
17 “and” at the end; and

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

20 “(IV) to strengthen, through pro-
21 fessional development activities, the
22 knowledge and capacity of staff to use
23 the latest digital technologies, tools,
24 and strategies to deliver high quality

1 services and outcomes for jobseekers,
2 workers, and employers;”;

3 (C) in clause (ix)(II)—

4 (i) in item (cc), by striking “and” at
5 the end;

6 (ii) in item (dd), by inserting “and”
7 at the end; and

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

10 “(ee) technical assistance or
11 other support to employers seek-
12 ing to implement skills-based hir-
13 ing practices, which may include
14 technical assistance on the use
15 and validation of employment as-
16 sessments, including competency-
17 based assessments developed or
18 identified by the State pursuant
19 to paragraph (2)(B)(vii), and
20 support in the creation of skills-
21 based job descriptions;”;

22 (D) in clause (xi), by striking “and” at the
23 end;

24 (E) in clause (xii), by striking the period
25 at the end and inserting a semicolon; and

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

2 “(xiii) the use of competency-based
3 assessments for individuals upon initial as-
4 sessment of skills (pursuant to subsection
5 (c)(2)(A)(iii)) or completion of training
6 services or other learning experiences; and

7 “(xiv) the development of partnerships
8 between educational institutions (including
9 area career and technical education
10 schools, local educational agencies, and in-
11 stitutions of higher education) and employ-
12 ers to create or improve workforce develop-
13 ment programs to address the identified
14 education and skill needs of the workforce
15 and the employment needs of employers in
16 a region, as determined based on the most
17 recent analysis conducted by the local
18 board under section 107(d)(2).”.

19 (2) INCUMBENT WORKER TRAINING PRO-
20 GRAMS.—

21 (A) IN GENERAL.—Section 134(d)(4)(A) of
22 the Workforce Innovation and Opportunity Act
23 (29 U.S.C. 3174(d)(4)(A)) is amended—

24 (i) in clause (i), by striking “20” and
25 inserting “30”

1 (ii) by redesignating clauses (ii) and
2 (iii) as clauses (iii) and (iv), respectively;
3 and

4 (iii) by inserting after clause (i) the
5 following:

6 “(ii) INCREASE IN RESERVATION OF
7 FUNDS.—Notwithstanding clause (i), —

8 “(I) with respect to a local area
9 that had a rate of unemployment of
10 not more than 3 percent for not less
11 than 6 months during the preceding
12 program year, clause (i) shall be ap-
13 plied by substituting ‘40 percent’ for
14 ‘30 percent’; or

15 “(II) with respect to a local area
16 that meets the requirement in sub-
17 clause (I) and is located in a State
18 that had a labor force participation
19 rate of not less than 68 percent for
20 not less than 6 months during the
21 preceding program year, clause (i)
22 shall be applied by substituting ‘45
23 percent’ for ‘30 percent’.”.

24 (B) INCUMBENT WORKER UPSKILLING AC-
25 COUNTS.—Section 134(d)(4) of the Workforce

1 Innovation and Opportunity Act (29 U.S.C.
2 3174(d)(4)) is further amended by adding at
3 the end the following:

4 “(E) INCUMBENT WORKER UPSKILLING
5 ACCOUNTS.—

6 “(i) IN GENERAL.—To establish in-
7 cumbent worker upskilling accounts
8 through which an eligible provider of train-
9 ing services under section 122 may be paid
10 for the program of training services pro-
11 vided to an incumbent worker, a local
12 board—

13 “(I) may use up to 5 percent of
14 the funds reserved by the local area
15 under subparagraph (A)(i) or, if the
16 local area reserved funds under sub-
17 paragraph (A)(ii), up to 10 percent of
18 such reserved funds; and

19 “(II) may use funds reserved
20 under section 134(a)(2)(A) for state-
21 wide rapid response activities and pro-
22 vided by the State to local area to es-
23 tablish such accounts.

24 “(ii) ELIGIBILITY.—

1 “(I) IN GENERAL.—Subject to
2 subclause (II), a local board that
3 seeks to establish incumbent worker
4 upskilling accounts under clause (i)
5 shall establish criteria for determining
6 the eligibility of an incumbent worker
7 to receive such an account, which
8 shall take into account factors of—

9 “(aa) the wages of the in-
10 cumbent worker as of the date of
11 determining such worker’s eligi-
12 bility under this clause;

13 “(bb) the career advance-
14 ment opportunities for the in-
15 cumbent worker in the occupa-
16 tion of such worker as of such
17 date; and

18 “(cc) the ability of the in-
19 cumbent worker to, upon comple-
20 tion of the program of training
21 services selected by such worker,
22 secure employment in an in-de-
23 mand industry or occupation in
24 the local area that will lead to
25 economic self-sufficiency and

1 wages higher than the current
2 wages of the incumbent worker.

3 “(II) LIMITATION.—

4 “(aa) IN GENERAL.—An in-
5 cumbent worker described in item
6 (bb) shall be ineligible to receive
7 an incumbent worker upskilling
8 account under this subparagraph.

9 “(bb) INELIGIBILITY.—Item
10 (aa) shall apply to an incumbent
11 worker—

12 “(AA) whose total an-
13 nual wages for the most re-
14 cent year are greater than
15 the median household in-
16 come of the State; or

17 “(BB) who has earned
18 a baccalaureate or profes-
19 sional degree.

20 “(iii) COST SHARING FOR CERTAIN IN-
21 CUMBENT WORKERS.—With respect to an
22 incumbent worker determined to be eligible
23 to receive an incumbent worker upskilling
24 account who is not a low-income indi-
25 vidual—

1 “(I) such incumbent worker shall
2 pay not less than 25 percent of the
3 cost of the program of training serv-
4 ices selected by such worker; and

5 “(II) funds provided through the
6 incumbent worker upskilling account
7 established for such worker shall cover
8 the remaining 75 percent of the cost
9 of the program.”.

10 **CHAPTER 4—AUTHORIZATION OF**
11 **APPROPRIATIONS**

12 **SEC. 145. AUTHORIZATION OF APPROPRIATIONS.**

13 Section 136 of the Workforce Innovation and Oppor-
14 tunity Act (29 U.S.C. 3181) is amended to read as follows:

15 **“SEC. 136. AUTHORIZATION OF APPROPRIATIONS.**

16 “(a) YOUTH WORKFORCE INVESTMENT ACTIVI-
17 TIES.—There are authorized to be appropriated to carry
18 out the activities described in section 127(a)
19 \$976,573,900 for each of the fiscal years 2025 through
20 2030.

21 “(b) ADULT EMPLOYMENT AND TRAINING ACTIVI-
22 TIES.—There are authorized to be appropriated to carry
23 out the activities described in section 132(a)(1)
24 \$912,218,500 for each of the fiscal years 2025 through
25 2030.

1 “(c) DISLOCATED WORKER EMPLOYMENT AND
2 TRAINING ACTIVITIES.—There are authorized to be ap-
3 propriated to carry out the activities described in section
4 132(a)(2) \$1,451,859,000 for each of the fiscal years
5 2025 through 2030.”.

6 **Subtitle D—Job Corps**

7 **SEC. 151. PURPOSES.**

8 Section 141 of the Workforce Innovation and Oppor-
9 tunity Act (29 U.S.C. 3191) is amended by striking “cen-
10 ters” each place it appears and inserting “campuses”.

11 **SEC. 152. DEFINITIONS.**

12 Section 142 of the Workforce Innovation and Oppor-
13 tunity Act (29 U.S.C. 3192) is amended—

14 (1) in paragraphs (1), (7), (8), and (10), by
15 striking “center” each place it appears and inserting
16 “campus”; and

17 (2) in paragraph (7), by striking “center” in
18 the header and inserting “campus”.

19 **SEC. 153. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.**

20 Section 144 of the Workforce Innovation and Oppor-
21 tunity Act (29 U.S.C. 3194) is amended—

22 (1) in subsection (a)—

23 (A) in paragraph (1)—

24 (i) by striking “21” and inserting
25 “24”;

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

3 “(A) an individual who is age 16 or 17
4 shall be eligible only upon an individual deter-
5 mination by the director of a Job Corps campus
6 that such individual meets the criteria described
7 in subparagraph (A) or (B) of section
8 145(b)(1); and”;

9 (iii) in subparagraph (B), by striking
10 “either”; and

11 (B) in paragraph (2), by inserting after
12 “individual” the following: “or a resident of a
13 qualified opportunity zone as defined in section
14 1400Z–1(a) of the Internal Revenue Code of
15 1986”;

16 (2) in subsection (b), by inserting after “a vet-
17 eran” the following: “or a member of the Armed
18 Forces eligible for preseparation counseling of the
19 Transition Assistance Program under section 1142
20 of title 10, United States Code”;

21 (3) by inserting at the end the following:

22 “(c) SPECIAL RULE FOR HOMELESS AND FOSTER
23 YOUTH.—In determining whether an individual is eligible
24 to enroll for services under this subtitle on the basis of
25 being an individual who is a homeless child or youth, or

1 a youth in foster care, as described in subsection
2 (a)(3)(C), staff shall—

3 “(1) if determining whether the individual is a
4 homeless child or youth, use a process that is in
5 compliance with the requirements of subsection (a)
6 of section 479D of the Higher Education Act of
7 1965, as added by section 702(l) of the FAFSA
8 Simplification Act (Public Law 116–260), for finan-
9 cial aid administrators; and

10 “(2) if determining whether the individual is a
11 youth in foster care, use a process that is in compli-
12 ance with the requirements of subsection (b) of such
13 section 479D of the Higher Education Act of 1965,
14 as added by section 702(l) of the FAFSA Simplifica-
15 tion Act (Public Law 116–260), for financial aid ad-
16 ministrators.”.

17 **SEC. 154. RECRUITMENT, SCREENING, SELECTION, AND AS-**
18 **SIGNMENT OF ENROLLEES.**

19 Section 145 of the Workforce Innovation and Oppor-
20 tunity Act (29 U.S.C. 3195) is amended—

21 (1) in subsection (a)—

22 (A) in paragraph (2)—

23 (i) by amending paragraph (A) to
24 read as follows:

25 “(A) prescribe procedures for—

1 “(i) administering drug tests to en-
2 rollees; and

3 “(ii) informing such enrollees that
4 drug tests will be administered;”;

5 (ii) in subparagraph (D), by striking
6 “and”;

7 (iii) in subparagraph (E), by striking
8 the period and inserting “; and”; and

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

11 “(F) assist applicable one-stop centers and
12 other entities identified in paragraph (3) in de-
13 veloping joint applications for Job Corps,
14 YouthBuild, and the youth activities described
15 in section 129.”; and

16 (B) by adding at the end the following:

17 “(6) DRUG TEST PROCEDURES.—The proce-
18 dures prescribed under paragraph (2)(A)(i) shall re-
19 quire that—

20 “(A) each enrollee take a drug test not
21 more than 48 hours after such enrollee arrives
22 on campus;

23 “(B) if the result of the drug test taken by
24 an enrollee pursuant to subparagraph (A) is
25 positive, the enrollee take a subsequent drug

1 test at the earliest appropriate time (consid-
2 ering the substance and potency levels identified
3 in the initial test) to determine if the enrollee
4 has continued to use drugs since arriving on
5 campus, the results of which must be received
6 not later than 50 days after the enrollee arrived
7 on campus; and

8 “(C) if the result of the subsequent test
9 administered under subparagraph (B) is posi-
10 tive, the enrollee be terminated from the pro-
11 gram and referred to a substance use disorder
12 treatment program.”; and

13 (2) in subsections (b), (c), and (d)—

14 (A) by striking “center” each place it ap-
15 pears and inserting “campus”; and

16 (B) by striking “centers” each place it ap-
17 pears and inserting “campus”.

18 **SEC. 155. JOB CORPS CAMPUSES.**

19 Section 147 of the Workforce Innovation and Oppor-
20 tunity Act (29 U.S.C. 3197) is amended—

21 (1) in the header, by striking “centers” and in-
22 serting “campuses”;

23 (2) in subsection (a)—

24 (A) in paragraph (1)—

1 (i) by striking “center” each place it
2 appears and inserting “campus”; and

3 (ii) in subparagraph (A), by inserting
4 after “technical education school,” the fol-
5 lowing: “an institution of higher edu-
6 cation,”;

7 (B) in paragraph (2)—

8 (i) in subparagraph (A)—

9 (I) by striking “center” each
10 place it appears and inserting “cam-
11 pus”; and

12 (II) by inserting after “United
13 States Code,” the following: “and
14 paragraph (2)(C)(iii) of section
15 159(f),”; and

16 (ii) in subparagraph (B)—

17 (I) in clause (i)—

18 (aa) by striking “operate a
19 Job Corps center” and inserting
20 “operate a Job Corps campus”;

21 (bb) by striking subclause
22 (IV);

23 (cc) by redesignating sub-
24 clauses (I), (II), and (III), as

1 subclauses (III), (IV), and (V),
2 respectively;

3 (dd) by inserting before sub-
4 clause (III), as so redesignated,
5 the following:

6 “(I) (aa) in the case of an entity
7 that has previously operated a Job
8 Corps campus, a numeric metric of
9 the past achievement on the primary
10 indicators of performance for eligible
11 youth described in section
12 116(b)(2)(A)(ii); or

13 “(bb) in the case of an entity
14 that has not previously operated a Job
15 Corps campus, an alternative numeric
16 metric on the past effectiveness of the
17 entity in successfully assisting at-risk
18 youth to connect to the labor force,
19 based on such primary indicators of
20 performance for eligible youth; and

21 “(II) in the case of an entity that
22 has previously operated a Job Corps
23 campus, any information regarding
24 the entity included in any report de-

1 veloped by the Office of Inspector
2 General of the Department of Labor”;

3 (ee) in subclauses (III) and
4 (IV), as so redesignated, by strik-
5 ing “center” each place it ap-
6 pears and inserting “campus”;

7 (ff) in subclause (V), as so
8 redesignated, by striking “center
9 is located” and inserting “cam-
10 pus is located, including agree-
11 ments to provide off-campus
12 work-based learning opportunities
13 aligned with the career and tech-
14 nical education provided to en-
15 rollees”; and

16 (gg) by amending clause
17 (VI) to read as follows:

18 “(VI) the ability of the entity to
19 implement an effective behavior man-
20 agement plan, as described in section
21 152(a), and maintain a safe and se-
22 cure learning environment for enroll-
23 ees.”; and

24 (II) in clause (ii), by striking
25 “center” and inserting “campus”;

1 (C) in paragraph (3)—

2 (i) by striking “center” each place it
3 appears and inserting “campus”;

4 (ii) in subparagraph (D), by inserting
5 after “is located” the following: “, includ-
6 ing agreements to provide off-campus
7 work-based learning opportunities aligned
8 with the career and technical education
9 provided to enrollees,”;

10 (iii) by redesignating subparagraphs
11 (E), (F), (G), (H), (I), (J), and (K) as
12 subparagraphs (F), (G), (H), (I), (J), (K),
13 and (L), respectively; and

14 (iv) by inserting after subparagraph
15 (D) the following:

16 “(E) A description of the policies that will
17 be implemented at the campus regarding secu-
18 rity and access to campus facilities, including
19 procedures to report on and respond to criminal
20 actions and other emergencies occurring on
21 campus.”;

22 (3) in subsection (b)—

23 (A) in the header, by striking “centers”
24 and inserting “campuses”;

1 (B) by striking “center” each place it ap-
2 pears and inserting “campus”;

3 (C) by striking “centers” each place it ap-
4 pears and inserting “campuses”;

5 (D) in paragraph (2)(A), by striking “20
6 percent” and inserting “25 percent”; and

7 (E) by striking paragraph (3);

8 (4) in subsection (c)—

9 (A) by striking “centers” and inserting
10 “campuses”; and

11 (B) by striking “20 percent” and inserting
12 “30 percent”;

13 (5) in subsection (d) by striking “centers” each
14 place it appears and inserting “campuses”;

15 (6) in subsection (e)(1), by striking “centers”
16 and inserting “campuses”;

17 (7) in subsection (f), by striking “2-year pe-
18 riod” and inserting “3-year period”; and

19 (8) in subsection (g)—

20 (A) by striking “center” each place it ap-
21 pears and inserting “campus”;

22 (B) in paragraph (1)—

23 (i) by striking subparagraph (A);

24 (ii) by redesignating subparagraph

25 (B) as subparagraph (A);

1 (iii) by amending subparagraph (A),
2 as so redesignated—

3 (I) by striking “50 percent” and
4 inserting “80 percent”; and

5 (II) by striking the period at the
6 end and inserting “; or”; and

7 (iv) by inserting after subparagraph
8 (A), as so redesignated and amended, the
9 following:

10 “(B) failed to achieve an average of 80
11 percent of the level of enrollment that was
12 agreed to in the agreement described in sub-
13 section (a)(1)(A).”;

14 (C) in paragraph (3) by striking “shall
15 provide” and inserting “shall provide, at least
16 30 days prior to renewing the agreement”; and

17 (D) in paragraph (4)—

18 (i) in subparagraph (C), by striking
19 “and” after the semicolon;

20 (ii) by redesignating subparagraph
21 (D) as subparagraph (E); and

22 (iii) by inserting after subparagraph
23 (C) the following:

24 “(D) has maintained a safe and secure
25 campus environment; and”.

1 **SEC. 156. PROGRAM ACTIVITIES.**

2 Section 148 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3198) is amended—

4 (1) in subsection (a)—

5 (A) by striking “center” each place it ap-
6 pears and inserting “campus”;

7 (B) in paragraph (1), by inserting before
8 the period at the end the following: “, and pro-
9 ductive activities, such as tutoring or other
10 skills development opportunities, for residential
11 enrollees to participate in outside of regular
12 class time and work hours in order to increase
13 supervision of enrollees and reduce behavior in-
14 fractions”; and

15 (2) in subsection (c)—

16 (A) by striking “centers” each place it ap-
17 pears and inserting “campuses”; and

18 (B) in paragraph (1)—

19 (i) by striking “the eligible providers”
20 and inserting “any eligible provider”; and

21 (ii) by inserting after “under section
22 122” the following: “that is aligned with
23 the career and technical education an en-
24 rollee has completed”.

1 **SEC. 157. SUPPORT.**

2 Section 150 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3200) is amended—

4 (1) in subsection (a), by striking “centers” and
5 inserting “campuses”; and

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

7 “(d) PERIOD OF TRANSITION.—Notwithstanding the
8 requirements of section 146(b), a Job Corps graduate may
9 remain an enrollee and a resident of a Job Corps campus
10 for not more than one month after graduation as such
11 graduate transitions into independent living and employ-
12 ment if such graduate—

13 “(1) has not had a behavioral infraction in the
14 90 days prior to graduation; and

15 “(2) receives written approval from the director
16 of the Job Corps campus to remain such a resi-
17 dent.”.

18 **SEC. 158. OPERATIONS.**

19 Section 151 of the Workforce Innovation and Oppor-
20 tunity Act (29 U.S.C. 3201) is amended—

21 (1) by striking “center” each place it appears
22 and inserting “campus”; and

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

24 “(d) LOCAL AUTHORITY.—

25 “(1) IN GENERAL.—Subject to the limitations
26 of the budget approved by the Secretary for a Job

1 Corps campus, the operator of a Job Corps campus
2 shall have the authority, without prior approval from
3 the Secretary, to—

4 “(A) hire staff and provide staff profes-
5 sional development;

6 “(B) set terms and enter into agreements
7 with Federal, State, or local educational part-
8 ners, such as secondary schools, institutions of
9 higher education, child development centers,
10 units of Junior Reserve Officer Training Corps
11 programs established under section 2031 of
12 title 10, United States Code, or employers; and

13 “(C) engage with and educate stakeholders
14 about Job Corps operations and activities.

15 “(2) LIMITATION OF LIABILITY.—In the case of
16 an agreement described in paragraph (1)(B) that
17 does not involve the Job Corps operator providing
18 monetary compensation to the entity involved in
19 such agreement from the funds made available
20 under this subtitle, such agreement shall not be con-
21 sidered a subcontract (as defined in section 8701 of
22 title 41, United States Code).

23 “(e) PRIOR NOTICE.—Prior to making a change to
24 the agreement described in section 147(a) or an operating
25 plan described in this section, the Secretary shall solicit

1 from the operators of the Job Corps campuses information
2 on any operational costs the operators expect to result
3 from such change.”.

4 **SEC. 159. STANDARDS OF CONDUCT.**

5 Section 152 of the Workforce Innovation and Oppor-
6 tunity Act (29 U.S.C. 3202) is amended—

7 (1) by striking “centers” each place it appears
8 and inserting “campuses”;

9 (2) in subsection (a), by inserting “As part of
10 the operating plan required under section 151(a),
11 the director of each Job Corps campus shall develop
12 and implement a behavior management plan con-
13 sistent with the standards of conduct and subject to
14 the approval of the Secretary.” at the end; and

15 (3) in subsection (b)(2)(A), by striking “or dis-
16 ruptive”;

17 (4) by amending subsection (c) to read as fol-
18 lows:

19 “(c) APPEAL PROCESS.—

20 “(1) ENROLLEE APPEALS.—A disciplinary
21 measure taken by a director under this section shall
22 be subject to expeditious appeal in accordance with
23 procedures established by the Secretary.

24 “(2) DIRECTOR APPEALS.—

1 “(A) IN GENERAL.—The Secretary shall
2 establish an appeals process under which the di-
3 rector of a Job Corps campus may submit a re-
4 quest that an enrollee who has engaged in an
5 activity which is a violation of the guidelines es-
6 tablished pursuant to subsection (b)(2)(A) re-
7 main enrolled in the program, but be subject to
8 other disciplinary actions.

9 “(B) CONTENTS.—An request under para-
10 graph (A) shall include—

11 “(i) a signed certification from the di-
12 rector attesting that, to the belief of the di-
13 rector, the continued enrollment of such
14 enrollee would not impact the safety or
15 learning environment of the campus; and

16 “(ii) the behavioral records of such
17 enrollee.

18 “(C) TIMELINE.—The Secretary shall re-
19 view such appeal and either approve or deny the
20 appeal within 30 days of receiving such appeal.

21 “(D) INELIGIBILITY FOR APPEAL.—The
22 Secretary shall reject an appeal made by a di-
23 rector of a Job Corps campus if such campus
24 has been found out of compliance with the re-

1 quirements under subsection (d) at any time
2 during the previous 5 years.”; and

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

4 “(d) INCIDENT REPORTING.—

5 “(1) IN GENERAL.—The Secretary shall require
6 that the director of a Job Corps campus report to
7 the appropriate regional office—

8 “(A) not later than 2 hours after the cam-
9 pus management becomes aware of the occur-
10 rence of—

11 “(i) an enrollee or on-duty staff death;

12 “(ii) any incident—

13 “(I) requiring law enforcement
14 involvement;

15 “(II) involving a missing minor
16 student; or

17 “(III) where substantial property
18 damage has occurred; or

19 “(iii) a level 1 infraction;

20 “(B) in the case of a level 2 infraction, on
21 a quarterly basis, including the number and
22 type of such infractions that occurred during
23 such time period;

24 “(C) in the case of a minor infraction, as
25 determined necessary by the Secretary.

1 “(2) INFRACTIONS DEFINED.—In this sub-
2 section:

3 “(A) LEVEL 1 INFRACTION.—The term
4 ‘level 1 infraction’ means an activity described
5 in subsection (b)(2)(A).

6 “(B) LEVEL 2 INFRACTION.—The term
7 ‘level 2 infraction’ means an activity, other than
8 a level 1 infraction, determined by the Sec-
9 retary to be a serious infraction.

10 “(C) MINOR INFRACTION.—The term
11 ‘minor infraction’ means an activity, other than
12 a level 1 or 2 infraction, determined by the Sec-
13 retary to be an infraction.

14 “(3) LAW ENFORCEMENT AGREEMENTS.—The
15 director of each Job Corps campus shall enter into
16 an agreement with the local law enforcement agency
17 with jurisdiction regarding procedures for the
18 prompt reporting and investigation of potentially il-
19 legal activity on Job Corps campuses.”.

20 **SEC. 160. COMMUNITY PARTICIPATION.**

21 Section 153 of the Workforce Innovation and Oppor-
22 tunity Act (29 U.S.C. 3203) is amended—

23 (1) by striking “center” each place it appears
24 and inserting “campus”; and

1 (2) by striking “centers” each place it appears
2 and inserting “campuses”.

3 **SEC. 161. WORKFORCE COUNCILS.**

4 Section 154 of the Workforce Innovation and Oppor-
5 tunity Act (29 U.S.C. 3204) is amended—

6 (1) by striking “center” each place it appears
7 and inserting “campus”;

8 (2) in subsection (d), in the heading, by strik-
9 ing “New centers” and inserting “New campuses”.

10 **SEC. 162. ADVISORY COMMITTEES.**

11 Section 155 of the Workforce Innovation and Oppor-
12 tunity Act (29 U.S.C. 3205) is amended—

13 (1) by striking “The Secretary” and inserting
14 “(a) IN GENERAL.—The Secretary”;

15 (2) by striking “centers” and inserting “cam-
16 puses”

17 (3) by striking “center” and inserting “cam-
18 pus”; and

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

20 “(b) ADVISORY COMMITTEE TO IMPROVE JOB CORPS
21 SAFETY.—Not later than 6 months after the date of en-
22 actment of the A Stronger Workforce for America Act,
23 the Secretary shall establish an advisory committee to pro-
24 vide recommendations on effective or evidence-based strat-
25 egies to improve—

1 “(1) safety, security, and learning conditions on
2 Job Corps campuses; and

3 “(2) the standards for campus safety estab-
4 lished under section 159(c)(4).”.

5 **SEC. 163. EXPERIMENTAL PROJECTS AND TECHNICAL AS-**
6 **SISTANCE.**

7 Section 156 of the Workforce Innovation and Oppor-
8 tunity Act (29 U.S.C. 3206) is amended—

9 (1) by striking “center” each place it appears
10 and inserting “campus”;

11 (2) by striking “centers” each place it appears
12 and inserting “campuses”;

13 (3) by redesignating subsection (b) as sub-
14 section (c);

15 (4) by inserting the following after subsection
16 (a):

17 “(b) **JOB CORPS SCHOLARS.**—

18 “(1) **IN GENERAL.**—The Secretary may award
19 grants, on a competitive basis, to institutions of
20 higher education to enroll cohorts of Job Corps eligi-
21 ble youth in Job Corps Scholars activities for a 24-
22 month period and pay the tuition and necessary
23 costs for enrollees for such period.

24 “(2) **ACTIVITIES.**—Job Corps Scholar activities
25 shall include—

1 “(A) intensive counseling services and sup-
2 portive services;

3 “(B) a 12-month career and technical edu-
4 cation component aligned with in-demand in-
5 dustries and occupations in the State where the
6 institution of higher education that is receiving
7 the grant is located; and

8 “(C) a 12-month employment placement
9 period that follows the component described in
10 subparagraph (B).

11 “(3) PERFORMANCE DATA.—The Secretary
12 shall collect performance information from institu-
13 tions of higher education receiving grants under this
14 subsection on the primary indicators of performance
15 for eligible youth described in section
16 116(b)(2)(A)(ii), the cost per participant and cost
17 per graduate, and other information as necessary to
18 evaluate the success of Job Corps Scholars grantees
19 in improving outcomes for at-risk youth.

20 “(4) EVALUATION.—At the end of each two
21 year-period for which the Secretary awards grants
22 under this subsection, the Secretary shall provide for
23 an independent, robust evaluation that compares—

24 “(A) the outcomes achieved by Job Corps
25 Scholars participants with the outcomes

1 achieved by other participants in the Job Corps
2 program during such 2-year period; and

3 “(B) the costs of the Job Corps Scholars
4 programs with the costs of other Job Corps
5 programs during such 2-year period.”; and

6 (5) in subsection (c)(1), as so redesignated, by
7 adding at the end the following:

8 “(D) in the development and implementa-
9 tion of a behavior management plan under sec-
10 tion 152(a); and

11 “(E) maintaining a safe and secure learn-
12 ing environment; and”.

13 **SEC. 164. SPECIAL PROVISIONS.**

14 Section 158 of the Workforce Innovation and Oppor-
15 tunity Act (29 U.S.C. 3208) is amended—

16 (1) by striking “center” each place it appears
17 and inserting “campus”;

18 (2) in subsection (f)—

19 (A) by striking “may accept on behalf of
20 the Job Corps or individual Job Corps centers
21 charitable donations of cash” and inserting “,
22 on behalf of the Job Corps or Job Corps cam-
23 pus operators, may accept grants, charitable do-
24 nations of cash,”;

1 (B) by inserting at the end the following:
2 “Notwithstanding sections 501(b) and 522 of
3 title 40, United States Code, any property ac-
4 quired by a Job Corps campus shall be directly
5 transferred, on a nonreimbursable basis, to the
6 Secretary.”.

7 **SEC. 165. MANAGEMENT INFORMATION.**

8 (a) LEVELS OF PERFORMANCE.—Section 159 of the
9 Workforce Innovation and Opportunity Act (29 U.S.C.
10 3209) is amended—

11 (1) by striking “center” each place it appears
12 and inserting “campus”;

13 (2) in subsection (c)—

14 (A) in paragraph (1)—

15 (i) by striking “The Secretary” and
16 inserting the following:

17 “(A) IN GENERAL.—The Secretary”.

18 (ii) by inserting “that are ambitious
19 yet achievable and” after “program”; and

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

22 “(B) LEVELS OF PERFORMANCE.—In es-
23 tablishing the expected performance levels
24 under subparagraph (A) for a Job Corps cam-
25 pus, the Secretary shall take into account—

1 “(i) how the levels involved compare
2 with the recent performance of such cam-
3 pus and the performance of other cam-
4 puses within the same State or geographic
5 region;

6 “(ii) the levels of performance set for
7 the primary indicators of performance for
8 eligible youth described in section
9 116(b)(2)(A)(ii) for the State in which the
10 campus is located;

11 “(iii) the differences in actual eco-
12 nomic conditions (including differences in
13 unemployment rates and job losses or
14 gains in particular industries) between the
15 local area of such campus and other local
16 areas with a campus; and

17 “(iv) the extent to which the levels in-
18 volved promote continuous improvement in
19 performance on the primary indicators of
20 performance by such campus and ensure
21 optimal return on the use of Federal
22 funds.

23 “(C) PERFORMANCE PER CONTRACT.—The
24 Secretary shall ensure the expected levels of

1 performance are established in the relevant con-
2 tract or agreement.

3 “(D) REVISIONS BASED ON ECONOMIC
4 CONDITIONS AND INDIVIDUALS SERVED DURING
5 THE PROGRAM YEAR.—

6 “(i) IN GENERAL.—In the event of a
7 significant economic downturn, the Sec-
8 retary may revise the applicable adjusted
9 levels of performance for each of the cam-
10 puses for a program year to reflect the ac-
11 tual economic conditions during such pro-
12 gram year.

13 “(ii) REPORT TO CONGRESS.—Prior
14 to implementing the revisions described in
15 clause (i), the Secretary shall submit to the
16 Committee on Education and the Work-
17 force of the House of Representatives and
18 the Committee on Health, Education,
19 Labor, and Pensions of the Senate a re-
20 port explaining the reason for such revi-
21 sions.

22 “(E) REVIEW OF PERFORMANCE LEV-
23 ELS.—The Office of Inspector General of the
24 Department of Labor shall, every 5 years, sub-
25 mit to the Committee on Education and the

1 Workforce of the House of Representatives and
2 the Committee on Health, Education, Labor,
3 and Pensions of the Senate, and publish in the
4 Federal Register and on a publicly available
5 website of the Department, a report con-
6 taining—

7 “(i) a quadrennial review of the ex-
8 pected levels of performance; and

9 “(ii) an evaluation of whether—

10 “(I) the Secretary is establishing
11 such expected levels of performance in
12 good faith; and

13 “(II) such expected levels have
14 led to continued improvement of the
15 Job Corps program.”;

16 (B) by redesignating paragraph (4) as
17 paragraph (5);

18 (C) by inserting after paragraph (3) the
19 following:

20 “(4) CAMPUS SAFETY.—

21 “(A) IN GENERAL.—The Secretary shall
22 establish campus and student safety standards.
23 A Job Corps campus failing to achieve such
24 standards shall be required to take the perform-

1 ance improvement actions described in sub-
2 section (f).

3 “(B) CONSIDERATIONS.—In establishing
4 the campus and student safety standards under
5 subparagraph (A), the Secretary shall take into
6 account—

7 “(i) incidents reported under section
8 152(d);

9 “(ii) survey data from enrollees, fac-
10 ulty and staff, and community members;
11 and

12 “(iii) any other considerations identi-
13 fied by the Secretary after reviewing the
14 recommendations of the advisory group de-
15 scribed in section 155(b),”;

16 (D) in paragraph (5), as so redesignated—

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

19 (ii) in subparagraph (B), by striking
20 the period at the end and inserting a semi-
21 colon; and

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

1 “(C) the number of contracts that were
2 awarded a renewal compared to those eligible
3 for a renewal;

4 “(D) the number of campuses where the
5 contract was awarded to a new operator; and

6 “(E) the number of campuses that were
7 required to receive performance improvement,
8 as described under subsection (f)(2), including
9 whether any actions were taken as described in
10 subparagraphs (B) and (C) of such sub-
11 section.”; and

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

13 “(6) WAGE RECORDS.—The Secretary shall
14 make arrangements with a State or other appro-
15 priate entity to facilitate the use of State wage
16 records to evaluate the performance of Job Corps
17 campuses on the employment and earnings indica-
18 tors described in clause (i)(III) of paragraph (A) of
19 section 116(b)(2)(A) and subclauses (I) and (II) of
20 clause (ii) of such paragraph for the purposes of the
21 report required under paragraph (5).”;

22 (3) in subsection (d)(1)—

23 (A) by inserting “and make available on
24 the website of the Department pertaining to the
25 Job Corps program in a manner that is con-

1 sumer-tested to ensure it is easily understood,
2 searchable, and navigable,” after “subsection
3 (c)(4),”;

4 (B) in subparagraph (B), by striking “gen-
5 der” and inserting “sex”;

6 (C) by redesignating subparagraphs (J)
7 through (O) as subparagraphs (K) through (P),
8 respectively; and

9 (D) by inserting the following after sub-
10 paragraph (I):

11 “(J) the number of appeals under section
12 152(c) and a description of each appeal that
13 was approved;”;

14 (4) in subsection (g)(2), by striking “comply”
15 and inserting “attest to compliance”.

16 (b) PERFORMANCE ASSESSMENTS AND IMPROVE-
17 MENTS.—Section 159(f) of the Workforce Innovation and
18 Opportunity Act (29 U.S.C. 3209) is amended to read as
19 follows:

20 “(f) PERFORMANCE ASSESSMENTS AND IMPROVE-
21 MENTS.—

22 “(1) ASSESSMENTS.—The Secretary shall con-
23 duct an annual assessment of the performance of
24 each Job Corps campus on the primary indicators of
25 performance described in section 116(b)(2)(A)(ii),

1 where each indicator shall be given equal weight in
2 determining the overall performance of the campus.
3 Based on the assessment, the Secretary shall take
4 measures to continuously improve the performance
5 of the Job Corps program.

6 “(2) PERFORMANCE IMPROVEMENT.—

7 “(A) INITIAL FAILURE.—With respect to a
8 Job Corps campus that fails to meet an average
9 of 90 percent on the expected levels of perform-
10 ance across all the primary indicators of per-
11 formance specified in subsection (c)(1) or is
12 ranked among the lowest 10 percent of Job
13 Corps campuses, the Secretary shall, after each
14 program year of such performance failure, de-
15 velop and implement a performance improve-
16 ment plan for such campus. Such a plan shall
17 require action to be taken during a 1-year pro-
18 gram year period, which shall include providing
19 technical assistance to the campus.

20 “(B) REPEAT FAILURE.—With respect to
21 a Job Corps campus that, for two consecutive
22 program years, fails to meet an average of 85
23 percent on the expected levels of performance
24 across all the primary indicators of performance
25 or is ranked among the lowest 10 percent of

1 Job Corps campuses, the Secretary shall take
2 substantial action to improve the performance
3 of such campus, which shall include—

4 “(i) changing the management staff of
5 the campus;

6 “(ii) changing the career and tech-
7 nical education and training offered at the
8 campus;

9 “(iii) replacing the operator of the
10 campus; or

11 “(iv) reducing the capacity of the
12 campus;

13 “(C) CHRONIC FAILURE.—With respect to
14 a Job Corps campus that, for the two consecu-
15 tive program years immediately following the
16 Secretary taking substantial performance action
17 under subparagraph (B), fails to meet an aver-
18 age of 85 percent on the expected levels of per-
19 formance across all the primary indicators or is
20 ranked among the lowest 10 percent of Job
21 Corps campuses, the Secretary shall take fur-
22 ther substantial action to improve the perform-
23 ance of such campus, which shall include—

24 “(i) relocating the campus;

25 “(ii) closing the campus; or

1 “(iii) awarding funding directly to the
2 State in which the campus is located for
3 operation of the campus, and for which the
4 Secretary shall enter into a memorandum
5 of understanding with such State for pur-
6 poses of operating the campus in its cur-
7 rent location and may encourage innova-
8 tion in such memorandum of under-
9 standing by waiving any statutory or regu-
10 latory requirement of this subtitle except
11 for those related to participant eligibility
12 under section 144, standards of conduct
13 under section 152, and performance re-
14 porting and accountability under this sec-
15 tion.

16 “(3) ADDITIONAL PERFORMANCE IMPROVE-
17 MENT.—In addition to the performance improvement
18 plans required under paragraph (2), the Secretary
19 may develop and implement additional performance
20 improvement plans for a Job Corps campus that
21 fails to meet criteria established by the Secretary
22 other than the expected levels of performance de-
23 scribed in subsection (c)(1).

24 “(4) CIVILIAN CONSERVATION CENTERS.—With
25 respect to a Civilian Conservation Center that, for 3

1 consecutive program years, fails to meet an average
2 of 90 percent of the expected levels of performance
3 across all the primary indicators of performance
4 specified in subsection (e)(1), the Secretary, in con-
5 sultation with the Secretary of Agriculture, shall se-
6 lect, on a competitive basis, an entity to operate the
7 Civilian Conservation Center in accordance with the
8 requirements of section 147.”.

9 (c) CONFORMING AMENDMENTS.—Section 159 of the
10 Workforce Innovation and Opportunity Act (29 U.S.C.
11 3209) is further amended—

12 (1) by striking “center” each place it appears
13 and inserting “campus”;

14 (2) by striking “centers” each place it appears
15 and inserting “campuses”; and

16 (3) in subsection (g)(1), in the header, by strik-
17 ing “Center” and inserting “Campus”.

18 **SEC. 166. JOB CORPS OVERSIGHT AND REPORTING.**

19 Section 161 of the Workforce Innovation and Oppor-
20 tunity Act (29 U.S.C. 3211) is amended—

21 (1) by redesignating subsection (d) as sub-
22 section (e); and

23 (2) by inserting after subsection (e) the fol-
24 lowing new subsection:

1 “(d) REPORT ON IMPLEMENTATION OF REC-
2 OMMENDATIONS.—The Secretary shall, on an annual
3 basis, prepare and submit to the appropriate committees
4 a report regarding the implementation of all outstanding
5 recommendations from the Office of Inspector General of
6 the Department of Labor or the Government Account-
7 ability Office.”.

8 **SEC. 167. AUTHORIZATION OF APPROPRIATIONS.**

9 Section 162 of the Workforce Innovation and Oppor-
10 tunity Act (29 U.S.C. 3212) is amended to read as follows:

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

12 “There are authorized to be appropriated to carry out
13 this subtitle \$1,760,155,000 for each of the fiscal years
14 2025 through 2030.”.

15 **Subtitle E—National Programs**

16 **SEC. 171. NATIVE AMERICAN PROGRAMS.**

17 Section 166 of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3221) is amended—

19 (1) in subsection (d)(1)—

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

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

24 (C) by inserting at the end the following:

1 “(C) are evidence-based, to the extent
2 practicable.”;

3 (2) in subsection (d)(2)—

4 (A) by redesignating subparagraph (B) as
5 subparagraph (C); and

6 (B) by inserting after subparagraph (A)
7 the following:

8 “(B) ADMINISTRATIVE COSTS.—Not more
9 than 10 percent of the funds provided to an en-
10 tity under this section may be used for the ad-
11 ministrative costs of the activities and services
12 carried out under subparagraph (A).”;

13 (3) in subsection (h), by inserting after para-
14 graph (2) the following:

15 “(3) WAGE RECORDS.—The Secretary shall
16 make arrangements with a State or other appro-
17 priate entity to facilitate the use of State wage
18 records to evaluate the performance of entities fund-
19 ed under this section on the employment and earn-
20 ings indicators described in subclause (I) through
21 (III) of section 116(b)(2)(A)(i) for the purposes of
22 the report required under paragraph (4).

23 “(4) PERFORMANCE RESULTS.—For each pro-
24 gram year, the Secretary shall make available on a
25 publicly accessible website of the Department a re-

1 port on the performance, during such program year,
2 of entities funded under this section on—

3 “(A) the primary indicators of performance
4 described in section 116(b)(2)(A);

5 “(B) any additional indicators established
6 under paragraph (1)(A); and

7 “(C) the adjusted levels of performance for
8 such entities as described in paragraph (2).”;
9 (4) in subsection (i)—

10 (A) in paragraph (3)(A), by striking “and
11 judicial review.” and inserting “judicial review,
12 and performance accountability pertaining to
13 the primary indicators of performance described
14 in 116(b)(2)(A).”;

15 (B) in paragraph (4)—

16 (i) in subparagraph (B)—

17 (I) by striking “The Council”
18 and inserting the following:

19 “(i) IN GENERAL.—The Council”; and

20 (II) by inserting at the end the
21 following:

22 “(ii) VACANCIES.—An individual ap-
23 pointed to fill a vacancy on the Council oc-
24 ccurring before the expiration of the term
25 for which the predecessor of such indi-

1 vidual was appointed shall be appointed
2 only for the remainder of that term. Such
3 an individual may serve on the Council
4 after the expiration of such term until a
5 successor is appointed.”; and

6 (5) by amending subsection (k)(2) to read as
7 follows:

8 “(2) AUTHORIZATION OF APPROPRIATIONS.—
9 There are authorized to be appropriated to carry out
10 this subsection \$542,000 for each of the fiscal years
11 2025 through 2030.”.

12 **SEC. 172. MIGRANT AND SEASONAL FARMWORKER PRO-**
13 **GRAMS.**

14 Section 167 of the Workforce Innovation and Oppor-
15 tunity Act (29 U.S.C. 3222) is amended—

16 (1) in subsection (c), by adding at the end the
17 following:

18 “(5) WAGE RECORDS.—The Secretary shall
19 make arrangements with a State or other appro-
20 priate entity to facilitate the use of State wage
21 records to evaluate the performance of entities fund-
22 ed under this section on the employment and earn-
23 ings indicators described in subclause (I) through
24 (III) of section 116(b)(2)(A)(i) for the purposes of
25 the report required under paragraph (4).

1 “(6) PERFORMANCE RESULTS.—For each pro-
2 gram year, the Secretary shall make available on a
3 publicly accessible website of the Department a re-
4 port on the performance, during such program year,
5 of entities funded under this section on—

6 “(A) the primary indicators of performance
7 described in section 116(b)(2)(A); and

8 “(B) the adjusted levels of performance for
9 such entities as described in paragraph (3).”;

10 (2) by redesignating subsections (e), (f), (g),
11 (h), and (i) as subsections (f), (g), (h), (i), and (j),
12 respectively;

13 (3) by inserting after subsection (d) the fol-
14 lowing:

15 “(e) ADMINISTRATIVE COSTS.—Not more than 10
16 percent of the funds provided to an entity under this sec-
17 tion may be used for the administrative costs of the activi-
18 ties and services carried out under subsection (d).”; and

19 (4) in subsection (i), as so redesignated, to read
20 as follows:

21 “(i) FUNDING ALLOCATION; FUNDING OBLIGA-
22 TION.—

23 “(1) FUNDING ALLOCATION.—From the funds
24 appropriated and made available to carry out this
25 section, the Secretary shall reserve not more than 1

1 percent for discretionary purposes, such as providing
2 technical assistance to eligible entities.

3 “(2) FUNDING OBLIGATION.—

4 “(A) IN GENERAL.—Funds appropriated
5 and made available to carry out this section for
6 any fiscal year may be obligated by the Sec-
7 retary during the period beginning on April 1
8 of the calendar year that begins during such
9 fiscal year and ending on June 30 of the fol-
10 lowing calendar year to be made available to an
11 entity described in subsection (b) for the period
12 described in subparagraph (B).

13 “(B) OBLIGATED AMOUNT.—Funds made
14 available under this section for a fiscal year to
15 any entity described in subsection (b) may be
16 spent or reserved for spending by such entity
17 during the period beginning on July 1 of the
18 calendar year that begins during such fiscal
19 year, and ending on June 30 of the following
20 calendar year.”.

21 **SEC. 173. TECHNICAL ASSISTANCE.**

22 (a) GENERAL TECHNICAL ASSISTANCE.—Section
23 168(a)(1) of the Workforce Innovation and Opportunity
24 Act (29 U.S.C. 3223(a)(1)) is amended—

1 (1) by striking “appropriate training, technical
2 assistance, staff development” and inserting “appro-
3 priate education, technical assistance, professional
4 development for staff”

5 (2) in subparagraphs (B), (C), and (D), by
6 striking “training” each place it appears and insert-
7 ing “professional development”; and

8 (3) by redesignating subparagraphs (G) and
9 (H) as subparagraphs (J) and (K), respectively; and

10 (4) by inserting after paragraph (F) the fol-
11 lowing:

12 “(G) assistance to the one-stop delivery system
13 and the Employment Service established under the
14 Wagner-Peyser Act for the integration of basic ca-
15 reer service activities pursuant to section
16 134(c)(2)(A);

17 “(H) assistance to States with maintaining, and
18 making accessible to job seekers and employers, the
19 lists of eligible providers of training services required
20 under section 122;

21 “(I) assistance to States that apply for such as-
22 sistance under section 122(k) for the purposes de-
23 scribed in such subsection;”.

24 (b) PERFORMANCE ACCOUNTABILITY TECHNICAL
25 ASSISTANCE.—Section 168(b) of the Workforce Innova-

1 tion and Opportunity Act (29 U.S.C. 3223(b)) is amend-
2 ed—

3 (1) in the header, by striking “DISLOCATED
4 WORKER” and inserting “PERFORMANCE ACCOUNT-
5 ABILITY”; and

6 (2) in paragraph (1), in the first sentence—

7 (A) by inserting “, pursuant to paragraphs
8 (1) and (2) of section 116(f),” after “technical
9 assistance”; and

10 (B) by striking “with respect to employ-
11 ment and training activities for dislocated work-
12 ers” and inserting “with respect to the core
13 programs”; and

14 (c) COMMUNITIES IMPACTED BY OPIOID USE DIS-
15 ORDERS.—Section 168 of the Workforce Innovation and
16 Opportunity Act (29 U.S.C. 3223) is further amended by
17 adding at the end the following:

18 “(d) COMMUNITIES IMPACTED BY OPIOID USE DIS-
19 ORDERS.—The Secretary shall, as part of the activities de-
20 scribed in subsection (c)(2), evaluate and disseminate to
21 States and local areas information regarding evidence-
22 based and promising practices for addressing the economic
23 workforce impacts associated with high-rates of opioid use
24 disorders, which information shall—

1 “(1) be updated annually to reflect the most re-
2 cent and available research; and

3 “(2) include information—

4 “(A) shared by States and local areas re-
5 garding effective practices for addressing such
6 impacts; and

7 “(B) on how to apply for any funding that
8 may be available under section 170(b)(1)(E).”.

9 **SEC. 174. EVALUATIONS AND RESEARCH.**

10 (a) IN GENERAL.—Section 169 of the Workforce In-
11 novation and Opportunity Act (29 U.S.C. 3224) is amend-
12 ed—

13 (1) in subsection (a)—

14 (A) in paragraph (2)—

15 (i) in subparagraph (E), by inserting
16 “and” at the end;

17 (ii) in subparagraph (F), by striking
18 “; and” at the end and inserting a period;

19 and

20 (iii) by striking subparagraph (G);

21 (B) in paragraph (3)—

22 (i) by striking “The Secretary” and
23 inserting the following:

24 “(A) IN GENERAL.—The Secretary”; and

1 (ii) by adding at the end the following
2 new subparagraph:

3 “(B) LIMITATION.—The Secretary may
4 not use the authority described in subparagraph
5 (A) if the evaluations required under paragraph
6 (1) have not been initiated or completed in the
7 time period required.”; and

8 (C) in paragraph (4), by striking “2019”
9 and inserting “2028”; and
10 (2) in subsection (b)—

11 (A) by amending paragraph (4) to read as
12 follows:

13 “(4) STUDIES AND REPORTS.—

14 “(A) STUDY ON EMPLOYMENT CONDI-
15 TIONS.—The Secretary, in coordination with
16 other heads of Federal agencies, as appropriate,
17 may conduct a study examining the nature of
18 participants’ unsubsidized employment after
19 exit from programs carried out under this Act,
20 including factors such as availability of paid
21 time off, health and retirement benefits, work-
22 place safety standards, predictable and stable
23 work schedule, stackable credentials, and ad-
24 vancement opportunities.

1 “(B) STUDY ON IMPROVING WORKFORCE
2 SERVICES FOR INDIVIDUALS WITH DISABIL-
3 ITIES.—The Secretary of Labor, in coordination
4 with the Secretary of Education and the Sec-
5 retary of Health and Human Services, may con-
6 duct studies that analyze the access to services
7 by individuals with disabilities, including wheth-
8 er an individual who is unable to receive serv-
9 ices under title IV due to a wait list for such
10 services is able to receive services under titles I
11 through III.

12 “(C) STUDY ON THE EFFECTIVENESS OF
13 PAY FOR PERFORMANCE.—The Secretary shall,
14 not more than 4 years after the date of enact-
15 ment of A Stronger Workforce for America Act,
16 conduct a study that compares the effectiveness
17 of the pay-for-performance strategies used
18 under sections 129, 134, and 172 after such
19 date of enactment to the awarding of grants
20 and contracts under such sections as in effect
21 on the day before the date of enactment of such
22 Act.

23 “(D) STUDY ON INDIVIDUAL TRAINING AC-
24 COUNTS FOR DISLOCATED WORKERS.—The Sec-
25 retary shall, not more than 4 years after the

1 date of enactment of the A Stronger Workforce
2 for America Act, conduct a study that compares
3 the usage of Individual Training Accounts for
4 dislocated workers after such date of enactment
5 to the usage of such accounts prior to such date
6 of enactment, including—

7 “(i) the types of training services and
8 occupations targeted by dislocated workers
9 when using their Individual Training Ac-
10 counts; and

11 “(ii) the effectiveness of such skills
12 development.

13 “(E) STUDY ON STATEWIDE CRITICAL IN-
14 DUSTRY SKILLS FUNDS.—The Secretary shall,
15 not more than 4 years after the date of enact-
16 ment of the A Stronger Workforce for America
17 Act, conduct a study that will review the usage
18 of statewide critical industry skills funds estab-
19 lished by States under section 134(a)(4) and
20 identify, for purposes of measuring the overall
21 effectiveness of the program—

22 “(i) the industries targeted by such
23 Funds;

24 “(ii) the occupations workers are
25 being upskilled for;

1 “(iii) how frequently skills develop-
2 ment is provided to prospective workers
3 and incumbent workers, and

4 “(iv) the reported performance out-
5 comes.

6 “(F) STUDY ON THE EFFECTIVENESS OF
7 EMPLOYER-BASED TRAINING.—The Secretary
8 shall, not more than 4 years after the date of
9 enactment of the A Stronger Workforce for
10 America Act, conduct a study that measures
11 the effectiveness of on-the-job training, em-
12 ployer-directed skills training, apprenticeship,
13 and incumbent worker training under this title
14 in preparing job seekers and workers, including
15 those with barriers to employment, for unsub-
16 sidized employment. Such study shall include
17 the cost per participant and wage and employ-
18 ment outcomes, as compared to other methods
19 of training.

20 “(G) REPORTS.—The Secretary shall pre-
21 pare and disseminate to the Committee on
22 Health, Education, Labor, and Pensions of the
23 Senate and the Committee on Education and
24 the Workforce of the House of Representatives,
25 and on the publicly available website of the De-

1 partment, reports containing the results of the
2 studies conducted under this paragraph.”; and

3 (B) in paragraph (5), by adding at the end
4 the following:

5 “(C) EVALUATION OF GRANTS.—

6 “(i) IN GENERAL.—For each grant or
7 contract awarded under this paragraph,
8 the Secretary shall conduct a rigorous eval-
9 uation of the multistate project to deter-
10 mine the impact of the activities supported
11 by the project, including the impact on the
12 employment and earnings of program par-
13 ticipants.

14 “(ii) REPORT.—The Secretary shall
15 prepare and disseminate to the Committee
16 on Health, Education, Labor, and Pen-
17 sions of the Senate and the Committee on
18 Education and the Workforce of the House
19 of Representatives, and to the public, in-
20 cluding through electronic means, reports
21 containing the results of evaluations con-
22 ducted under this subparagraph.”.

23 (b) WORKFORCE DATA QUALITY INITIATIVE.—Sec-
24 tion 169 of the Workforce Innovation and Opportunity Act

1 (29 U.S.C. 3224) is further amended by adding at the
2 end the following:

3 “(d) WORKFORCE DATA QUALITY INITIATIVE.—

4 “(1) GRANT PROGRAM.—Of amount made avail-
5 able pursuant to section 132(a)(2)(A) for any pro-
6 gram year, the Secretary shall use 5 percent of such
7 amount, and may also use funds authorized for pur-
8 poses of carrying out this section, to award grants
9 to eligible entities to create workforce longitudinal
10 data systems and associated resources for the pur-
11 poses of strengthening program quality, building
12 State capacity to produce evidence for decision mak-
13 ing, meeting performance reporting requirements,
14 protecting privacy, and improving transparency.

15 “(2) APPLICATION.—To be eligible to receive a
16 grant under this subsection, an eligible entity shall
17 submit an application to the Secretary at such time
18 and in such manner as the Secretary may require,
19 which shall include—

20 “(A) a description of the proposed activi-
21 ties that will be conducted by the eligible entity,
22 including a description of the need for such ac-
23 tivities and a detailed budget for such activities;

24 “(B) a description of the expected out-
25 comes and outputs (such as systems or prod-

1 ucts) that will result from the proposed activi-
2 ties and the proposed uses of such outputs;

3 “(C) a description of how the proposed ac-
4 tivities will support the reporting of perform-
5 ance data, including employment and earnings
6 outcomes, for the performance accountability
7 requirements under section 116, including out-
8 comes for eligible training providers;

9 “(D) a description of the methods and pro-
10 cedures the eligible entity will use to ensure the
11 security and privacy of the collection, storage,
12 and use of all data involved in the systems and
13 resources supported through the grant, includ-
14 ing compliance with State and Federal privacy
15 and confidentiality statutes and regulations;
16 and

17 “(E) a plan for how the eligible entity will
18 continue the activities or sustain the use of the
19 outputs created with the grant funds after the
20 grant period ends.

21 “(3) PRIORITY.—In awarding grants under the
22 subsection, the Secretary shall give priority to—

23 “(A) eligible entities that are—

24 “(i) a State agency of a State that
25 has not previously received a grant from

1 the Secretary for the purposes of this sub-
2 section and demonstrates a substantial
3 need to improve its data infrastructure; or
4 “(ii) a consortium of State agencies
5 that is comprised of State agencies from
6 multiple States and includes at least one
7 State agency described in clause (i) and
8 has the capacity to make significant con-
9 tributions towards building interoperable,
10 cross-State data infrastructure; and

11 “(B) eligible entities that will use grant
12 funds to—

13 “(i) expand the adoption and use of
14 linked, open, and interoperable data on
15 credentials, including through the develop-
16 ment of a credential registry or other tools
17 and services designed to help learners and
18 workers make informed decisions, such as
19 the credential navigation feature described
20 in section 122(d)(2);

21 “(ii) participate in and contribute
22 data to a multistate data collaborative, in-
23 cluding data that provides participating
24 States the ability to better understand—

1 “(I) earnings and employment
2 outcomes of individuals who work out-
3 of-State; and

4 “(II) cross-State earnings and
5 employment trends;

6 “(iii) enhance collaboration with pri-
7 vate sector workforce and labor market
8 data entities and the end-users of work-
9 force and labor market data, including in-
10 dividuals, employers, economic development
11 agencies, and workforce development pro-
12 viders; or

13 “(iv) leverage the use of non-Federal
14 contributions to improve workforce data in-
15 frastructure, including staff capacity build-
16 ing.

17 “(4) USE OF FUNDS.—In addition to the activi-
18 ties described in paragraph (3)(B), an eligible entity
19 awarded a grant under this subsection may use
20 funds to carry out any of the following activities:

21 “(A) Developing or enhancing a State’s
22 workforce longitudinal data system, including
23 by participating and contributing data to the
24 State’s data system, if applicable, that links

1 with elementary and secondary school and post-
2 secondary data.

3 “(B) Accelerating the replication and
4 adoption of data systems, projects, products, or
5 practices already in use in one or more States
6 to other States.

7 “(C) Research and labor market data im-
8 provement activities to improve the timeliness,
9 relevance, and accessibility of such data
10 through pilot projects that are developed locally
11 but designed to scale to other regions or States.

12 “(D) Establishing, enhancing, or con-
13 necting to a system of interoperable learning
14 and employment records that provides individ-
15 uals who choose to participate in such system
16 ownership of a verified and secure record of
17 their skills and achievements and the ability to
18 share such record with employers and education
19 providers.

20 “(E) Developing policies, guidelines, and
21 security measures for data collection, storing,
22 and sharing to ensure compliance with relevant
23 Federal and State privacy laws and regulations.

1 “(F) Increasing local board access to and
2 integration with the State’s workforce longitu-
3 dinal data system in a secure manner.

4 “(G) Creating or participating in a data
5 exchange for collecting and using standards-
6 based jobs and employment data including, at a
7 minimum, job titles or occupation codes.

8 “(H) Improving State and local staff ca-
9 pacity to understand, use, and analyze data to
10 improve decision-making and improve partici-
11 pant outcomes.

12 “(5) ADMINISTRATION.—

13 “(A) DURATION.—A grant awarded under
14 this subsection may be for a period of up to 3
15 years.

16 “(B) SUPPLEMENT, NOT SUPPLANT.—
17 Funds made available under this subsection
18 shall be used to supplement, and not supplant,
19 other Federal, State, or local funds used for de-
20 velopment of State data systems.

21 “(C) REPORT.—Each eligible entity that
22 receives a grant under this subsection shall sub-
23 mit a report to the Secretary not later than 180
24 days after the conclusion of the grant period on
25 the activities supported through the grant and

1 improvements in the use of workforce and labor
2 market information that have resulted from
3 such activities.

4 “(6) DEFINITIONS.—In this subsection, the
5 term ‘eligible entity’ means a State agency or con-
6 sortium of State agencies, including a multistate
7 data collaborative, that is or includes the State agen-
8 cies responsible for—

9 “(A) State employer wage records used by
10 the State’s unemployment insurance programs
11 in labor market information reporting and anal-
12 ysis and for fulfilling the reporting require-
13 ments of this Act;

14 “(B) the production of labor market infor-
15 mation; and

16 “(C) the direct administration of one or
17 more of the core programs.”.

18 **SEC. 175. NATIONAL DISLOCATED WORKER GRANTS.**

19 Section 170 of the Workforce Innovation and Oppor-
20 tunity Act (29 U.S.C. 3225) is amended—

21 (1) by amending subsection (a)(1) to read as
22 follows:

23 “(1) EMERGENCY OR DISASTER.—The term
24 ‘emergency or disaster’ means an emergency or a
25 major disaster, as defined in paragraphs (1) and (2),

1 respectively, of section 102 of the Robert T. Stafford
2 Disaster Relief and Emergency Assistance Act (42
3 U.S.C. 5122 (1) and (2)).”;

4 (2) in subsection (b)—

5 (A) in paragraph (1)—

6 (i) in subparagraph (C), by striking
7 “and” at the end;

8 (ii) in subparagraph (D)(ii), by strik-
9 ing the period at the end and inserting “;
10 and”; and

11 (iii) by adding at the end the fol-
12 lowing:

13 “(E) to an entity described in subsection
14 (c)(1)(B) to provide employment and training
15 activities related to the prevention and treat-
16 ment of opioid use disorders, including addic-
17 tion treatment, mental health treatment, and
18 pain management, in an area that, as a result
19 of widespread opioid use, addiction, and
20 overdoses, has higher-than-average demand for
21 such activities that exceeds the availability of
22 State and local resources to provide such activi-
23 ties.”; and

24 (B) by adding at the end the following:

1 “(3) PERFORMANCE RESULTS.—The Secretary
2 shall collect the necessary information from each en-
3 tity receiving a grant under this section to determine
4 the performance of such entity on the primary indi-
5 cators of performance described in section
6 116(b)(2)(A)(i) and make such information available
7 on the publicly accessible website of the Department
8 in a format that does not reveal personally identifi-
9 able information.”; and

10 (3) in subsection (c)—

11 (A) in paragraph (1)(A)—

12 (i) by striking “subsection (b)(1)(A)”
13 and inserting “subparagraphs (A) or (E)”
14 of subsection (b)(1)”; and

15 (ii) by striking “, in such manner, and
16 containing such information” and inserting
17 “and in such manner”; and

18 (B) in paragraph (2)—

19 (i) in subparagraph (B)—

20 (I) in the heading, by striking
21 “RETRAINING” and inserting
22 “RESKILLING”; and

23 (II) by striking “retraining” and
24 inserting “reskilling”;

1 (ii) by redesignating subparagraphs
2 (C) and (D) as subparagraphs (D) and
3 (E), respectively; and

4 (iii) by inserting after subparagraph
5 (B) the following:

6 “(C) OPIOID-RELATED GRANTS.—In order
7 to be eligible to receive employment and train-
8 ing assistance under a national dislocated work-
9 er grant awarded pursuant to subsection
10 (b)(1)(E), an individual shall be—

11 “(i) a dislocated worker;

12 “(ii) a long-term unemployed indi-
13 vidual;

14 “(iii) an individual who is unemployed
15 or significantly underemployed as a result
16 of widespread opioid use in the area; or

17 “(iv) an individual who is employed or
18 seeking employment in a health care pro-
19 fession involved in the prevention and
20 treatment of opioid use disorders, includ-
21 ing such professions that provide addiction
22 treatment, mental health treatment, or
23 pain management.”.

1 **SEC. 176. YOUTHBUILD PROGRAM.**

2 Section 171 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3226) is amended—

4 (1) in subsection (c)—

5 (A) in paragraph (1), to read as follows:

6 “(1) AMOUNT OF GRANTS; RESERVATION.—

7 “(A) AMOUNT OF GRANTS.—Subject to
8 subparagraph (B), the Secretary is authorized
9 to make grants to applicants for the purpose of
10 carrying out YouthBuild programs approved
11 under this section.

12 “(B) RESERVATION FOR RURAL AREAS
13 AND INDIAN TRIBES.—In any fiscal year in
14 which the amount appropriated to carry out
15 this section is greater than \$90,000,000, the
16 Secretary shall reserve 20 percent of the
17 amount appropriated that is in excess of
18 \$90,000,000 and use such reserved amount to
19 make grants, for the purpose of carrying out
20 YouthBuild programs approved under this sec-
21 tion, to applicants that—

22 “(i) are located in rural areas; or

23 “(ii) are Indian tribes, or are carrying
24 out such programs for the benefit of mem-
25 bers of an Indian tribe.”;

26 (B) in paragraph (2)—

- 1 (i) in subparagraph (A)—
- 2 (I) in clause (iv)(II), by striking
- 3 “language learners” and inserting
- 4 “learners”; and
- 5 (II) in clause (vii), by inserting
- 6 after “enable individuals” the fol-
- 7 lowing: “, including those with disabil-
- 8 ities,”; and
- 9 (ii) by adding at the end the fol-
- 10 lowing:
- 11 “(I) Provision of meals and other food as-
- 12 sistance to participants in conjunction with an-
- 13 other activity described in this paragraph.”;
- 14 (C) in paragraph (3)—
- 15 (i) in subparagraph (A), by striking
- 16 “such time, in such manner, and con-
- 17 taining such information” and inserting
- 18 “such time and in such manner”; and
- 19 (ii) in subparagraph (B)—
- 20 (I) in the header, by striking
- 21 “Minimum requirements” and insert-
- 22 ing “Requirements”;
- 23 (II) by striking “, at a min-
- 24 imum”;

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

3 (IV) in clause (xxi) by striking
4 the period at the end and inserting “;
5 and”; and

6 (V) by adding at the end the fol-
7 lowing:

8 “(xxii) a description of the levels of
9 performance the applicant expects to
10 achieve on the primary indicators of per-
11 formance described in section
12 116(b)(2)(A)(ii).”; and

13 (D) in paragraph (4)—

14 (i) by striking “such selection criteria
15 as the Secretary shall establish under this
16 section, which shall include criteria” and
17 inserting “selection criteria”;

18 (ii) in subparagraph (J)(iii), by add-
19 ing “and” after the semicolon;

20 (iii) in subparagraph (K), by striking
21 “; and” and inserting a period; and

22 (iv) by striking subparagraph (L);

23 (2) in subsection (e)(1)—

1 (A) in subparagraph (A)(ii), by striking
2 “offender” and inserting “who is a justice-in-
3 volved individual”; and

4 (B) in subparagraph (B)(i), by striking
5 “are basic skills deficient” and inserting “have
6 foundational skill needs”;

7 (3) in subsection (f), by striking paragraph (2)
8 and inserting the following:

9 “(2) USE OF WAGE RECORDS.—The Secretary
10 shall make arrangements with a State or other ap-
11 propriate entity to facilitate the use of State wage
12 records to evaluate the performance of YouthBuild
13 programs funded under this section on the employ-
14 ment and earnings indicators described in section
15 116(b)(2)(A)(ii) for the purposes of the report re-
16 quired under paragraph (3).

17 “(3) PERFORMANCE RESULTS.—For each pro-
18 gram year, the Secretary shall make available, on a
19 publicly accessible website of the Department, a re-
20 port on the performance of YouthBuild programs,
21 during such program year, funded under this section
22 on—

23 “(A) the primary indicators of performance
24 described in section 116(b)(2)(A)(ii); and

1 “(B) the expected levels of performance for
2 such programs as described in paragraph (1).”;
3 (4) in subsection (g), by inserting at the end
4 the following:

5 “(4) ANNUAL RELEASE OF FUNDING OPPOR-
6 TUNITY ANNOUNCEMENT.—The Secretary shall, to
7 the greatest extent practicable, announce new fund-
8 ing opportunities for grants under this section dur-
9 ing the same time period each year for which such
10 grants are available.”; and

11 (5) by amending subsection (i) to read as fol-
12 lows:

13 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to carry out this section
15 \$108,150,000 for each of the fiscal years 2025 through
16 2030.”.

17 **SEC. 178. REENTRY EMPLOYMENT OPPORTUNITIES.**

18 Subtitle D of title I of the Workforce Innovation and
19 Opportunity Act (29 U.S.C. 3221 et seq.), is further
20 amended—

21 (1) by redesignating section 172 as section 174;

22 and

23 (2) by inserting after section 171 the following:

24 **“SEC. 172. REENTRY EMPLOYMENT OPPORTUNITIES.**

25 “(a) PURPOSES.—The purposes of this section are—

1 “(1) to improve the employment, earnings, and
2 skill attainment, and reduce recidivism, of adults
3 and youth who have been involved with the justice
4 system;

5 “(2) to prompt innovation and improvement in
6 the reentry of justice-involved individuals into the
7 workforce so that successful initiatives can be estab-
8 lished or continued and replicated; and

9 “(3) to further develop the evidence on how to
10 improve employment, earnings, and skill attainment,
11 and reduce recidivism, of justice-involved individuals,
12 through rigorous evaluations of specific services pro-
13 vided, including how they affect different popu-
14 lations and how they are best combined and
15 sequenced, and disseminate such evidence to entities
16 supporting the reentry of justice-involved individuals
17 into the workforce.

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 section 174(e) and not reserved under
23 subsection (h), the Secretary—

24 “(A) shall, on a competitive basis, make
25 grants to, or enter into contracts or cooperative

1 agreements with, eligible entities to implement
2 reentry projects that serve eligible adults or eli-
3 gible youth;

4 “(B) may use not more than 30 percent of
5 such amounts to award funds under subpara-
6 graph (A) to eligible entities to serve as na-
7 tional or regional intermediaries to provide such
8 funds to other eligible entities to—

9 “(i) implement reentry projects de-
10 scribed in subparagraph (A); and

11 “(ii) monitor and support such enti-
12 ties;

13 “(C) shall use 30 percent of such amounts
14 to award funds under subparagraph (A) to eli-
15 gible entities using pay-for-performance con-
16 tracts—

17 “(i) that specify a fixed amount that
18 will be paid to the entity based on the
19 achievement of specified levels of perform-
20 ance on the indicators of performance de-
21 scribed in subsections (e)(1)(A)(i) and
22 (e)(2)(A) within a defined timetable; and

23 “(ii) which may provide for bonus
24 payments to such entity to expand capacity
25 to provide effective services; and

1 “(D) shall ensure grants awarded under
2 this section are awarded to eligible entities from
3 geographically diverse areas, in addition to the
4 priorities described in paragraph (4).

5 “(2) AWARD PERIODS.—The Secretary shall
6 award funds under this section for an initial period
7 of not more than 4 years.

8 “(3) ADDITIONAL AWARDS.—The Secretary
9 may award, for a period of not more than 4 years,
10 one or more additional grants to an eligible entity
11 that received a grant under this section if the eligi-
12 ble entity achieved the performance levels agreed
13 upon with the Secretary (as described in subsection
14 (e)(3)) for the most recent award period.

15 “(4) PRIORITY.—In awarding funds under this
16 section, the Secretary shall give priority to eligible
17 entities whose applications submitted under sub-
18 section (c) demonstrate a commitment to use such
19 funds to implement reentry projects—

20 “(A) that will serve high-poverty areas;

21 “(B) that will enroll eligible youth or eligi-
22 ble adults—

23 “(i) prior to the release of such indi-
24 viduals from incarceration in a correctional
25 institution; or

1 “(ii) not later than 90 days after such
2 release;

3 “(C) whose strategy and design are evi-
4 dence-based;

5 “(D) that establish partnerships with—

6 “(i) businesses; or

7 “(ii) institutions of higher education
8 or providers under section 122 (as deter-
9 mined by the State where services are
10 being provided) to provide project partici-
11 pants with programs of study leading to
12 recognized postsecondary credentials in in-
13 demand occupations; or

14 “(E) that provide training services, includ-
15 ing customized training and on-the-job training,
16 that are designed to meet the specific require-
17 ments of an employer (including a group of em-
18 ployers) and are conducted with a commitment
19 by the employer to employ individuals upon suc-
20 cessful completion of the preparation.

21 “(c) APPLICATION.—

22 “(1) FORM AND PROCEDURE.—To be qualified
23 to receive funds under this section, an eligible entity
24 shall submit an application at such time, and in
25 such manner, as determined by the Secretary, and

1 containing the information described in paragraph
2 (2).

3 “(2) CONTENTS.—An application submitted by
4 an eligible entity under paragraph (1) shall contain
5 the following:

6 “(A) A description of the eligible entity, in-
7 cluding the experience of the eligible entity in
8 providing employment and training services for
9 justice-involved individuals.

10 “(B) A description of the needs that will
11 be addressed by the reentry project supported
12 by the funds received under this section, and
13 the target participant population and the geo-
14 graphic area to be served.

15 “(C) A description of the proposed employ-
16 ment and training activities and supportive
17 services, if applicable, to be provided under
18 such reentry project, and how such activities
19 and services will prepare participants for em-
20 ployment in in-demand industry sectors and oc-
21 cupations within the geographic area to be
22 served by such reentry project.

23 “(D) The anticipated schedule for carrying
24 out the activities proposed under the reentry
25 project.

1 “(E) A description of—

2 “(i) the partnerships the eligible enti-
3 ty will establish with agencies and entities
4 within the criminal justice system, local
5 boards and one-stops, community-based or-
6 ganizations, and employers (including local
7 businesses) to provide participants of the
8 reentry project with work-based learning,
9 job placement, and recruitment (if applica-
10 ble); and

11 “(ii) how the eligible entity will co-
12 ordinate its activities with other services
13 and benefits available to justice-involved
14 individuals in the geographic area to be
15 served by the reentry project.

16 “(F) A description of the manner in which
17 individuals will be recruited and selected for
18 participation for the reentry project.

19 “(G) A detailed budget and a description
20 of the system of fiscal controls, and auditing
21 and accountability procedures, that will be used
22 to ensure fiscal soundness for the reentry
23 project.

24 “(H) A description of the expected levels of
25 performance to be achieved with respect to the

1 performance measures described in subsection
2 (e).

3 “(I) A description of the evidence-based
4 practices the eligible entity will use in adminis-
5 tration of the reentry project.

6 “(J) An assurance that the eligible entity
7 will collect, disaggregate by each subpopulation
8 of individuals with barriers to employment, and
9 by race, ethnicity, sex and age, and report to
10 the Secretary the data required with respect to
11 the reentry project carried out by the eligible
12 entity for purposes of determining levels of per-
13 formance achieved and conducting the evalua-
14 tion under this section.

15 “(K) An assurance that the eligible entity
16 will provide matching funds, as described in
17 subsection (d)(4).

18 “(L) A description of how the eligible enti-
19 ty plans to continue the reentry project after
20 the award period.

21 “(3) ADDITIONAL CONTENT FOR INTER-
22 MEDIARY APPLICANTS.—An application submitted by
23 an eligible entity seeking to serve as a national or
24 regional intermediary as described in subsection
25 (b)(1)(B) shall also contain the following:

1 “(A) An identification and description of
2 the eligible entities that will be subgrantees of
3 such intermediary and implement the reentry
4 projects, which shall include subgrantees in—

5 “(i) three or more noncontiguous met-
6 ropolitan areas or rural areas; and

7 “(ii) not less than 2 States.

8 “(B) A description of the services and sup-
9 ports the intermediary will provide to the sub-
10 grantees, including administrative and fiscal
11 support to ensure the subgrantees comply with
12 all grant requirements.

13 “(C) A description of how the intermediary
14 will facilitate the replication of evidence-based
15 practices or other best practices identified by
16 the intermediary across all subgrantees.

17 “(D) If such intermediary is currently re-
18 ceiving, or has previously received, funds under
19 this section as an intermediary to implement a
20 reentry project, an assurance that none of the
21 subgrantees identified under subparagraph (A)
22 were previous subgrantees of the intermediary
23 for such reentry project and failed to meet the
24 levels of performance established for such re-
25 entry project.

1 “(d) USES OF FUNDS.—

2 “(1) REQUIRED ACTIVITIES.—An eligible entity
3 that receives funds under this section shall use such
4 funds to implement a reentry project for eligible
5 adults, eligible youth, or both that provides each of
6 the following:

7 “(A) One or more of the individualized ca-
8 reer services listed in subclause (I) through
9 (IX) of section 134(c)(2)(A)(xii).

10 “(B) One or more of the training services
11 listed in clauses (i) through (x)(i) in section
12 134(c)(3)(D), including subsidized employment
13 opportunities through transitional jobs.

14 “(C) For participants who are eligible
15 youth, one or more of the program elements
16 listed in subparagraphs (A) through (N) of sec-
17 tion 129(c)(2).

18 “(2) ALLOWABLE ACTIVITIES.—An eligible enti-
19 ty that receives funds under this section may use
20 such funds to provide to eligible adults or eligible
21 youth the following:

22 “(A) Follow-up services after placement in
23 unsubsidized employment as described in sec-
24 tion 134(c)(2)(A)(xiii).

25 “(B) Apprenticeship programs.

1 “(C) Education in digital literacy skills.

2 “(D) Mentoring.

3 “(E) Assistance in obtaining employment,
4 including as a result of the eligible entity—

5 “(i) establishing and developing rela-
6 tionships and networks with large and
7 small employers; and

8 “(ii) coordinating with employers to
9 develop customized training programs and
10 on-the-job training.

11 “(F) Assistance with driver’s license rein-
12 statement and fees for driver’s licenses and
13 other necessary documents for employment.

14 “(G) Provision of or referral to evidence-
15 based mental health treatment by licensed prac-
16 titioners.

17 “(H) Provision of or referral to substance
18 use disorder treatment services, provided that
19 funds awarded under this section are only used
20 to provide such services to participants who are
21 unable to obtain such services through other
22 programs providing such services.

23 “(I) Provisions of or referral to supportive
24 services, provided that no more than 5 percent
25 of funds awarded to an eligible entity under

1 this section may be used to provide such serv-
2 ices to participants who are able to obtain such
3 services through other programs providing such
4 services.

5 “(3) ADMINISTRATIVE COST LIMIT.—An eligible
6 entity may not use more than 7 percent of the funds
7 received under this section for administrative costs,
8 including for costs related to collecting information,
9 analysis, and coordination for purposes of subsection
10 (e) or (f).

11 “(4) MATCHING FUNDS.—An eligible entity
12 shall provide a non-Federal contribution, which may
13 be provided in cash or in-kind, for the costs of the
14 project in an amount that is not less than 25 per-
15 cent of the total amount of funds awarded to the en-
16 tity for such period, except that the Secretary may
17 waive the matching funds requirement, on a case-by-
18 case basis and for not more than 20 percent of all
19 grants awarded, if the eligible entity demonstrates
20 significant financial hardship.

21 “(e) LEVELS OF PERFORMANCE.—

22 “(1) ESTABLISHMENT OF LEVELS.—

23 “(A) IN GENERAL.—The Secretary shall
24 establish expected levels of performance for re-
25 entry projects funded under this section for—

1 “(i) each of the primary indicators of
2 performance for adults and youth de-
3 scribed in section 116(b); and

4 “(ii) an indicator of performance es-
5 tablished by the Secretary with respect to
6 participant recidivism.

7 “(B) UPDATES.—The levels established
8 under subparagraph (A) shall be updated for
9 each 4-year award period.

10 “(2) AGREEMENT ON PERFORMANCE LEVELS.—
11 In establishing and updating performance levels
12 under paragraph (1), the Secretary shall reach
13 agreement on such levels with the eligible entities re-
14 ceiving awards under this section that will be subject
15 to such levels, based on, as the Secretary determines
16 relevant for each indicator of performance, the fol-
17 lowing factors:

18 “(A) The expected performance levels of
19 each such eligible entity described in the appli-
20 cation submitted under subsection (c)(2)(H).

21 “(B) The local economic conditions of the
22 geographic area to be served by each such eligi-
23 ble entity, including differences in unemploy-
24 ment rates and job losses or gains in particular
25 industries.

1 “(C) The characteristics of project partici-
2 pants when entering the project involved, in-
3 cluding—

4 “(i) criminal records;

5 “(ii) indicators of poor work history;

6 “(iii) lack of work experience;

7 “(iv) lack of educational or occupa-
8 tional skills attainment;

9 “(v) low levels of literacy or English
10 proficiency;

11 “(vi) disability status;

12 “(vii) homelessness; and

13 “(viii) receipt of public assistance.

14 “(3) FAILURE TO MEET PERFORMANCE LEV-
15 ELS.—In the case of an eligible entity that fails to
16 meet the performance levels established under para-
17 graph (1) and updated to reflect the actual economic
18 conditions and characteristics of participants (as de-
19 scribed in paragraph (2)(C)) served by the reentry
20 project involved for any award year, the Secretary
21 shall provide technical assistance to the eligible enti-
22 ty, including the development of a performance im-
23 provement plan.

24 “(f) EVALUATION OF REENTRY PROJECTS.—

1 “(1) IN GENERAL.—Not later than 5 years
2 after the first award of funds under this section is
3 made, the Secretary (acting through the Chief Eval-
4 uation Officer) shall meet each of the following re-
5 quirements:

6 “(A) DESIGN AND CONDUCT OF EVALUA-
7 TION.—Design and conduct an evaluation to
8 evaluate the effectiveness of the reentry projects
9 funded under this section, which meets the re-
10 quirements of paragraph (2), and includes an
11 evaluation of each of the following:

12 “(i) The effectiveness of such projects
13 in assisting individuals with finding em-
14 ployment and maintaining employment at
15 the second quarter and fourth quarter
16 after unsubsidized employment is obtained.

17 “(ii) The effectiveness of such projects
18 in assisting individuals with earning recog-
19 nized postsecondary credentials.

20 “(iii) The effectiveness of such
21 projects in relation to their cost, including
22 the extent to which the projects improve
23 reentry outcomes, including in employ-
24 ment, compensation (which may include
25 wages earned and benefits), career ad-

1 vancement, measurable skills gains, creden-
2 tials earned, and recidivism of participants
3 in comparison to comparably situated indi-
4 viduals who did not participate in such
5 projects.

6 “(iv) The effectiveness of specific
7 services and interventions provided and of
8 the overall project design.

9 “(v) If applicable, the extent to which
10 such projects effectively serve various de-
11 mographic groups, including people of dif-
12 ferent geographic locations, ages, races,
13 national origins, sex, and criminal records,
14 and individuals with disabilities.

15 “(vi) If applicable, the appropriate se-
16 quencing, combination, or concurrent
17 structure, of services for each subpopula-
18 tion of individuals who are participants of
19 such projects, such as the order, combina-
20 tion, or concurrent structure and services
21 in which transitional jobs and occupational
22 skills development are provided, to ensure
23 that such participants are prepared to fully
24 benefit from employment and training
25 services provided under the project.

1 “(vii) Limitations or barriers to edu-
2 cation and employment as a result of occu-
3 pational or educational licensing restric-
4 tions.

5 “(B) DATA ACCESSIBILITY.—Make avail-
6 able, on the publicly accessible website of the
7 Department of Labor, data collected during the
8 course of evaluation under this subsection, in
9 an aggregated format that does not disclose
10 personally identifiable information.

11 “(2) DESIGN REQUIREMENTS.—An evaluation
12 under this subsection—

13 “(A) shall—

14 “(i) be designed by the Secretary (act-
15 ing through the Chief Evaluation Officer)
16 in conjunction with the eligible entities car-
17 rying out the reentry projects being evalu-
18 ated;

19 “(ii) include analysis of participant
20 feedback and outcome and process meas-
21 ures; and

22 “(iii) use designs that employ the
23 most rigorous analytical and statistical
24 methods that are reasonably feasible, such
25 as the use of control groups; and

1 “(B) may not—

2 “(i) collect personally identifiable in-
3 formation, except to the extent such infor-
4 mation is necessary to conduct the evalua-
5 tion; or

6 “(ii) reveal or share personally identi-
7 fiable information.

8 “(3) PUBLICATION AND REPORTING OF EVAL-
9 UATION FINDINGS.—The Secretary (acting through
10 the Chief Evaluation Officer) shall—

11 “(A) in accordance with the timeline deter-
12 mined to be appropriate by the Chief Evalua-
13 tion Officer, publish an interim report on such
14 evaluation;

15 “(B) not later than 90 days after the date
16 on which any evaluation is completed under this
17 subsection, publish and make publicly available
18 such evaluation; and

19 “(C) not later than 60 days after the com-
20 pletion date described in subparagraph (B),
21 submit to the Committee on Education and the
22 Workforce of the House of Representatives and
23 the Committee on Health, Education, Labor,
24 and Pensions of the Senate a report on such
25 evaluation.

1 “(g) ANNUAL REPORT.—

2 “(1) CONTENTS.—Subject to paragraph (2),
3 the Secretary shall post, using transparent, linked,
4 open, and interoperable data formats, on its publicly
5 accessible website, an annual report on—

6 “(A) the number of individuals who par-
7 ticipated in projects assisted under this section
8 for the preceding year;

9 “(B) the percentage of such individuals
10 who successfully completed the requirements of
11 such projects;

12 “(C) the performance of eligible entities on
13 such projects as measured by the performance
14 indicators set forth in subsection (e); and

15 “(D) an explanation of any waivers grant-
16 ed by the Secretary of the matching require-
17 ment under subsection (d)(4) .

18 “(2) DISAGGREGATION.—The information pro-
19 vided under subparagraphs (A) through (C) of para-
20 graph (1) with respect to a year shall be
21 disaggregated by each project assisted under this
22 section for such year.

23 “(h) RESERVATION OF FUNDS.—Of the funds appro-
24 priated under section 174(e) for a fiscal year, the Sec-
25 retary—

1 “(1) may reserve not more than 5 percent for
2 the administration of grants, contracts, and coopera-
3 tive agreements awarded under this section, of which
4 not more than 2 percent may be reserved for the
5 provision of—

6 “(A) technical assistance to eligible entities
7 that receive funds under this section; and

8 “(B) outreach and technical assistance to
9 eligible entities desiring to receive such funds,
10 including assistance with application develop-
11 ment and submission; and

12 “(2) shall reserve not less than 1 percent and
13 not more than 2.5 percent for the evaluation activi-
14 ties under subsection (f) or to support eligible enti-
15 ties with any required data collection, analysis, and
16 coordination related to such evaluation activities.

17 “(i) DEFINITIONS.—In this section:

18 “(1) CHIEF EVALUATION OFFICER.—The term
19 ‘Chief Evaluation Officer’ means the head of the
20 independent evaluation office located in the Office of
21 the Assistant Secretary for Policy of the Department
22 of Labor.

23 “(2) COMMUNITY SUPERVISION.—The term
24 ‘community supervision’ means mandatory oversight

1 (including probation and parole) of a formerly incar-
2 cerated person—

3 “(A) who was convicted of a crime by a
4 judge or parole board; and

5 “(B) who is living outside a secure facility.

6 “(3) CORRECTIONAL INSTITUTION.—The term
7 ‘correctional institution’ has the meaning given the
8 term in section 225(e).

9 “(4) ELIGIBLE ENTITY.—The term ‘eligible en-
10 tity’ means—

11 “(A) a private nonprofit organization
12 under section 501(c)(3) of the Internal Revenue
13 Code of 1986, including a community-based or
14 faith-based organization;

15 “(B) a local board;

16 “(C) a State or local government;

17 “(D) an Indian or Native American entity
18 eligible for grants under section 166;

19 “(E) a labor organization or joint labor-
20 management organization;

21 “(F) an industry or sector partnership;

22 “(G) an institution of higher education; or

23 “(H) a consortium of the entities described
24 in subparagraphs (A) through (H).

1 “(5) ELIGIBLE ADULT.—The term ‘eligible
2 adult’ means a justice-involved individual who—

3 “(A) is age 25 or older; and

4 “(B) in the case of an individual that was
5 previously incarcerated, was released from in-
6 carceration not more than 3 years prior to en-
7 rollment in a project funded under this section.

8 “(6) ELIGIBLE YOUTH.—The term ‘eligible
9 youth’ means a justice-involved individual who is not
10 younger than age 14 or older than age 24.

11 “(7) HIGH-POVERTY.—The term ‘high-poverty’,
12 when used with respect to a geographic area, means
13 an area with a poverty rate of at least 20 percent
14 as determined based on the most recently available
15 data from the American Community Survey con-
16 ducted by the Bureau of the Census.

17 “(8) JUSTICE-INVOLVED INDIVIDUAL.—The
18 term ‘justice-involved individual’ means an individual
19 who has been convicted as a juvenile or an adult and
20 imprisoned under Federal or State law.”.

21 **SEC. 179. STRENGTHENING COMMUNITY COLLEGES GRANT**
22 **PROGRAM.**

23 Subtitle D of title I of the Workforce Innovation and
24 Opportunity Act (29 U.S.C. 3221 et seq.), is further

1 amended by inserting after section 172, as added by the
2 preceding section, the following:

3 **“SEC. 173. STRENGTHENING COMMUNITY COLLEGES WORK-**
4 **FORCE DEVELOPMENT GRANTS PROGRAM.**

5 “(a) PURPOSES.—The purposes of this section are—

6 “(1) to establish, improve, or expand high-qual-
7 ity workforce development programs at community
8 colleges; and

9 “(2) to expand opportunities for individuals to
10 obtain recognized postsecondary credentials that are
11 nationally or regionally portable and stackable for
12 high-skill, high-wage, or in-demand industry sectors
13 or occupations.

14 “(b) STRENGTHENING COMMUNITY COLLEGES
15 WORKFORCE DEVELOPMENT GRANTS PROGRAM.—

16 “(1) IN GENERAL.—From the amounts appro-
17 priated to carry out this section under section 174(f)
18 and not reserved under paragraph (2), the Secretary
19 shall, on a competitive basis, make grants to eligible
20 institutions to carry out the activities described in
21 subsection (e).

22 “(2) RESERVATION.—Of the amounts appro-
23 priated to carry out this section under section
24 174(f), the Secretary may reserve not more than two

1 percent for the administration of grants awarded
2 under this section, including—

3 “(A) providing technical assistance and
4 targeted outreach to support eligible institu-
5 tions serving a high number or high percentage
6 of low-income individuals or individuals with
7 barriers to employment, and rural-serving eligi-
8 ble institutions, to provide guidance and assist-
9 ance in the process of applying for grants under
10 this section; and

11 “(B) evaluating and reporting on the per-
12 formance and impact of programs funded under
13 this section in accordance with subsections (f)
14 through (h).

15 “(c) AWARD PERIOD.—

16 “(1) INITIAL GRANT PERIOD.—Each grant
17 under this section shall be awarded for an initial pe-
18 riod of not more than 4 years.

19 “(2) SUBSEQUENT GRANTS.—An eligible insti-
20 tution that receives an initial grant under this sec-
21 tion may receive one or more additional grants
22 under this section for additional periods of not more
23 than 4 years each if the eligible institution dem-
24 onstrates that, during the most recently completed
25 grant period for a grant received under this section,

1 such eligible institution achieved the levels of per-
2 formance agreed to by the eligible institution with
3 respect to the performance indicators specified in
4 subsection (f).

5 “(d) APPLICATION.—

6 “(1) IN GENERAL.—To be eligible to receive a
7 grant under this section, an eligible institution shall
8 submit an application to the Secretary at such time
9 and in such manner as the Secretary may require.

10 “(2) CONTENTS.—An application submitted by
11 an eligible institution under paragraph (1) shall in-
12 clude a description of each the following:

13 “(A) The extent to which the eligible insti-
14 tution has demonstrated success building part-
15 nerships with employers in in-demand industry
16 sectors or occupations to provide students with
17 the skills needed for occupations in such indus-
18 tries and an explanation of the results of any
19 such partnerships.

20 “(B) The methods and strategies the eligi-
21 ble institution will use to engage with employers
22 in in-demand industry sectors or occupations,
23 including any arrangements to place individuals
24 who complete the workforce development pro-

1 grams supported by the grant into employment
2 with such employers.

3 “(C) The proposed eligible institution and
4 industry partnership that the eligible institution
5 will establish or maintain to comply with sub-
6 section (e)(1), including—

7 “(i) the roles and responsibilities of
8 each employer, organization, agency, or in-
9 stitution of higher education that the eligi-
10 ble institution will partner with to carry
11 out the activities under this section; and

12 “(ii) the needs that will be addressed
13 by such eligible institution and industry
14 partnership.

15 “(D) One or more industries that such
16 partnership will target and real-time labor mar-
17 ket data demonstrating that those industries
18 are aligned with employer demand in the geo-
19 graphic area to be served by the eligible institu-
20 tion.

21 “(E) The extent to which the eligible insti-
22 tution can—

23 “(i) leverage additional resources to
24 support the programs to be funded with
25 the grant, which shall include written com-

1 mitments of any leveraged or matching
2 funds for the proposed programs; and

3 “(ii) demonstrate the future sustain-
4 ability of each such program.

5 “(F) The steps the institution will take to
6 ensure the high quality of each program to be
7 funded with the grant, including the career
8 pathways within such programs.

9 “(G) The population and geographic area
10 to be served by the eligible institution, including
11 the number of individuals the eligible institution
12 intends to serve during the grant period.

13 “(H) The workforce development programs
14 to be supported by the grant.

15 “(I) The recognized postsecondary creden-
16 tials that are expected to be earned by partici-
17 pants in such workforce development programs
18 and the related in-demand industry sectors or
19 occupations for which such programs will pre-
20 pare participants.

21 “(J) The evidence upon which the edu-
22 cation and skills development strategies to be
23 used in such workforce development programs
24 are based and an explanation of how such evi-

1 dence influenced the design of the programs to
2 improve education and employment outcomes.

3 “(K) How activities of the eligible institu-
4 tion are expected to align with the workforce
5 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 eligible
9 institution 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 “(L) The goals of the eligible institution
19 with respect 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 eligible institution, including
25 with respect to any performance indicators

1 applicable under section 116 or subsection
2 (f) of this section.

3 “(3) CONSIDERATION OF PREVIOUS EXPERI-
4 ENCE.—The Secretary may not disqualify an eligible
5 institution from receiving a grant under this section
6 solely because such institution lacks previous experi-
7 ence in building partnerships, as described in para-
8 graph (2)(A).

9 “(4) PRIORITY.—In awarding grants under this
10 section, the Secretary shall give priority to eligible
11 institutions that—

12 “(A) will use the grant to serve—

13 “(i) individuals with barriers to em-
14 ployment; or

15 “(ii) incumbent workers who need to
16 gain or improve foundational skills to en-
17 hance their employability;

18 “(B) use competency-based assessments,
19 such as the competency-based assessment iden-
20 tified by the State in which the eligible institu-
21 tion is located under section 134(a)(2)(B)(vii),
22 to award academic credit for prior learning for
23 programs supported by the grant; or

24 “(C) have, or will seek to have, the career
25 education programs supported by the grant in-

1 cluded on the list of eligible providers of train-
2 ing services under section 122 for the State in
3 which the eligible institution is located.

4 “(e) USES OF FUNDS.—

5 “(1) ELIGIBLE INSTITUTION AND INDUSTRY
6 PARTNERSHIP.—For the purpose of carrying out the
7 activities specified in paragraphs (2) and (3), an eli-
8 gible institution that receives a grant under this sec-
9 tion shall establish a partnership (or continue an ex-
10 isting partnership) with one or more employers in an
11 in-demand industry sector or occupation (in this sec-
12 tion referred to as an ‘eligible institution and indus-
13 try partnership’) and shall maintain such partner-
14 ship for the duration of the grant period. The eligi-
15 ble institution shall ensure that the partnership—

16 “(A) targets one or more specific high-
17 skill, high-wage, or in-demand industries;

18 “(B) includes collaboration with the work-
19 force development system;

20 “(C) serves adult and dislocated workers,
21 incumbent workers, and new entrants to the
22 workforce;

23 “(D) uses an evidence-based program de-
24 sign that is appropriate for the activities carried
25 out by the partnership;

1 “(E) incorporates work-based learning op-
2 portunities, as defined in section 3 of the Carl
3 D. Perkins Career and Technical Education Act
4 of 2006 (20 U.S.C. 2302); and

5 “(F) incorporates, to the extent appro-
6 priate, virtual service delivery to facilitate tech-
7 nology-enabled learning.

8 “(2) REQUIRED ACTIVITIES.—An eligible insti-
9 tution that receives a grant under this section shall,
10 in consultation with the employers in the eligible in-
11 stitution and industry partnership described in para-
12 graph (1)—

13 “(A) establish, improve, or expand high
14 quality, evidence-based workforce development
15 programs, career pathway programs, or work-
16 based learning programs (including apprentice-
17 ship programs or preapprenticeships);

18 “(B) provide career services to individuals
19 participating in the programs funded with the
20 grant to facilitate retention and program com-
21 pletion, which may include—

22 “(i) career navigation, coaching,
23 mentorship, and case management serv-
24 ices, including providing information and
25 outreach to individuals with barriers to

1 employment to encourage such individuals
2 to participate in programs funded with the
3 grant; and

4 “(ii) providing access to course mate-
5 rials, technological devices, required equip-
6 ment, and other supports necessary for
7 participation in and successful completion
8 of such programs; and

9 “(C) make available, in a format that is
10 open, searchable, and easily comparable, infor-
11 mation on—

12 “(i) curricula and recognized postsec-
13 ondary credentials offered through pro-
14 grams funded with the grant, including
15 any curricula or credentials created or fur-
16 ther developed using such grant, which for
17 each recognized postsecondary credential,
18 shall include—

19 “(I) the issuing entity of such
20 credential;

21 “(II) any third-party endorse-
22 ments of such credential;

23 “(III) the occupations for which
24 the credential prepares individuals;

1 “(IV) the skills and competencies
2 necessary to achieve to earn such cre-
3 dential;

4 “(V) the level of mastery of such
5 skills and competencies (including how
6 mastery is assessed); and

7 “(VI) any transfer value or
8 stackability of the credential;

9 “(ii) any skills or competencies devel-
10 oped by individuals who participate in such
11 programs beyond the skills and com-
12 petencies identified as part of the recog-
13 nized postsecondary credential awarded;
14 and

15 “(iii) related employment and earn-
16 ings outcomes on the primary indicators of
17 performance described in subclauses (I)
18 through (III) of section 116(b)(2)(A)(i).

19 “(3) ADDITIONAL ACTIVITIES.—In addition to
20 the activities required under paragraph (2), an eligi-
21 ble institution that receives a grant under this sec-
22 tion shall, in consultation with the employers in the
23 eligible institution and industry partnership de-
24 scribed in paragraph (1), carry out one or more of
25 the following activities:

- 1 “(A) Establish, improve, or expand—
- 2 “(i) articulation agreements (as de-
- 3 fined in section 486A(a) of the Higher
- 4 Education Act of 1965 (20 U.S.C.
- 5 1093a(a));
- 6 “(ii) credit transfer agreements;
- 7 “(iii) corequisite remediation pro-
- 8 grams that enable a student to receive re-
- 9 medial education services while enrolled in
- 10 a postsecondary course rather than requir-
- 11 ing the student to receive remedial edu-
- 12 cation before enrolling in a such a course;
- 13 “(iv) dual or concurrent enrollment
- 14 programs;
- 15 “(v) competency-based education and
- 16 assessment; or
- 17 “(vi) policies and processes to award
- 18 academic credit for prior learning or for
- 19 the programs described in paragraph
- 20 (2)(A).
- 21 “(B) Establish or implement plans for pro-
- 22 viders of the programs described in paragraph
- 23 (2)(A) to meet the criteria and carry out the
- 24 procedures necessary to be included on the eli-

1 eligible training services provider list described in
2 section 122(d).

3 “(C) Purchase, lease, or refurbish special-
4 ized equipment as necessary to carry out such
5 programs, provided that not more than 15 per-
6 cent of the funds awarded to the eligible insti-
7 tution under this section may be used for activi-
8 ties described in this subparagraph.

9 “(D) Reduce or eliminate unmet financial
10 need relating to the cost of attendance (as de-
11 fined under section 472 of the Higher Edu-
12 cation Act of 1965 (20 U.S.C. 1087ll)) of par-
13 ticipants in such programs.

14 “(4) ADMINISTRATIVE COST LIMIT.—An eligible
15 institution may use not more than 7 percent of the
16 funds awarded under this section for administrative
17 costs, including costs related to collecting informa-
18 tion, analysis, and coordination for purposes of sub-
19 section (f).

20 “(f) PERFORMANCE LEVELS AND PERFORMANCE
21 REVIEWS.—

22 “(1) IN GENERAL.—The Secretary shall develop
23 and implement guidance that establishes the levels
24 of performance that are expected to be achieved by
25 each eligible institution receiving a grant under this

1 section. Such performance levels shall be established
2 on the following indicators:

3 “(A) Each of the primary indicators of
4 performance for adults described in section
5 116(b), which shall be applied for all individuals
6 who participated in a program that received
7 funding from a grant under this section.

8 “(B) The extent to which the eligible insti-
9 tution built capacity by—

10 “(i) increasing the breadth and depth
11 of employer engagement and investment in
12 workforce development programs in the in-
13 demand industry sectors and occupations
14 targeted by the eligible institution and in-
15 dustry partnership established or main-
16 tained by the eligible institution under sub-
17 section (e)(1);

18 “(ii) designing or implementing new
19 and accelerated instructional techniques or
20 technologies, including the use of advanced
21 online and technology-enabled learning
22 (such as immersive technology); and

23 “(iii) increasing program and policy
24 alignment across systems and decreasing
25 duplicative services or service gaps.

1 “(C) With respect to individuals who par-
2 ticipated in a workforce development program
3 funded with the grant—

4 “(i) the percentage of participants
5 who successfully completed the program;
6 and

7 “(ii) of the participants who were in-
8 cumbent workers at the time of enrollment
9 in the program, the percentage who ad-
10 vanced into higher-level positions during or
11 after completing the program.

12 “(2) CONSULTATION AND DETERMINATION OF
13 PERFORMANCE LEVELS.—

14 “(A) CONSIDERATION.—In developing per-
15 formance levels in accordance with paragraph
16 (1), the Secretary shall take into consideration
17 the goals of the eligible institution pursuant to
18 subsection (d)(2)(L).

19 “(B) DETERMINATION.—After completing
20 the consideration required under subparagraph
21 (A), the Secretary shall separately determine
22 the performance levels that will apply to each
23 eligible institution, taking into account—

24 “(i) the expected performance levels of
25 each eligible institution with respect to the

1 goals described by the eligible institution
2 pursuant to subsection (d)(2)(L); and

3 “(ii) local economic conditions in the
4 geographic area to be served by the eligible
5 institution, including differences in unem-
6 ployment rates and job losses or gains in
7 particular industries.

8 “(C) NOTICE AND ACKNOWLEDGMENT.—

9 “(i) NOTICE.—The Secretary shall
10 provide each eligible institution with a
11 written notification that sets forth the per-
12 formance levels that will apply to the eligi-
13 ble institution, as determined under sub-
14 paragraph (B).

15 “(ii) ACKNOWLEDGMENT.—After re-
16 ceiving the notification described in clause
17 (i), each eligible institution shall submit to
18 the Secretary written confirmation that the
19 eligible institution—

20 “(I) received the notification; and

21 “(II) agrees to be evaluated in
22 accordance with the performance lev-
23 els determined by the Secretary.

24 “(3) PERFORMANCE REVIEWS.—On an annual
25 basis during each year of the grant period, the Sec-

1 retary shall evaluate the performance during such
2 year of each eligible institution receiving a grant
3 under this section in a manner consistent with the
4 performance levels determined for such institution
5 pursuant to paragraph (2).

6 “(4) FAILURE TO MEET PERFORMANCE LEV-
7 ELS.—After conducting an evaluation under para-
8 graph (3), if the Secretary determines that an eligi-
9 ble institution did not achieve the performance levels
10 applicable to the eligible institution under paragraph
11 (2), the Secretary shall—

12 “(A) provide technical assistance to the eli-
13 gible institution; and

14 “(B) develop a performance improvement
15 plan for the eligible institution.

16 “(g) EVALUATIONS AND REPORTS.—

17 “(1) IN GENERAL.—Not later than 4 years
18 after the date on which the first grant is made
19 under this section, the Secretary shall design and
20 conduct an evaluation to determine the overall effec-
21 tiveness of the eligible institutions receiving a grant
22 under this section.

23 “(2) ELEMENTS.—The evaluation of the effec-
24 tiveness of eligible institutions conducted under
25 paragraph (1) shall include an assessment of the

1 general effectiveness of programs and activities sup-
2 ported by the grants awarded to such eligible insti-
3 tutions under this section, including the extent to
4 which the programs and activities—

5 “(A) developed new, or expanded existing,
6 successful industry sector strategies, including
7 the extent to which such eligible institutions
8 deepened employer engagement and developed
9 workforce development programs that met in-
10 dustry skill needs;

11 “(B) created, expanded, or enhanced ca-
12 reer pathways, including the extent to which the
13 eligible institutions developed or improved com-
14 petency-based education and assessment, credit
15 for prior learning, modularized and self-paced
16 curricula, integrated education and workforce
17 development, dual enrollment in secondary and
18 postsecondary career pathways, stacked and
19 latticed credentials, and online and distance
20 learning;

21 “(C) created alignment between eligible in-
22 stitutions and the workforce development sys-
23 tem;

24 “(D) assisted individuals with finding, re-
25 taining, or advancing in employment;

1 “(E) assisted individuals with earning rec-
2 cognized postsecondary credentials; and

3 “(F) provided equal access to various de-
4 mographic groups, including people of different
5 geographic locations, ages, races, national ori-
6 gins, and sexes.

7 “(3) DESIGN REQUIREMENTS.—The evaluation
8 under this subsection shall—

9 “(A) be designed by the Secretary (acting
10 through the Chief Evaluation Officer) in con-
11 junction with the eligible institutions being eval-
12 uated;

13 “(B) include analysis of program partici-
14 pant feedback and outcome and process meas-
15 ures; and

16 “(C) use designs that employ the most rig-
17 orous analytical and statistical methods that
18 are reasonably feasible, such as the use of con-
19 trol groups.

20 “(4) DATA ACCESSIBILITY.—The Secretary
21 shall make available on a publicly accessible website
22 of the Department of Labor any data collected as
23 part of the evaluation under this subsection. Such
24 data shall be made available in an aggregated for-
25 mat that does not reveal personally identifiable in-

1 formation and that ensures compliance with relevant
2 Federal laws, including section 444 of the General
3 Education Provisions Act (commonly known as the
4 ‘Family Educational Rights and Privacy Act of
5 1974’)(20 U.S.C. 1232g).

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 the Workforce of the House of Rep-
18 resentatives and the Committee on Health,
19 Education, Labor, and Pensions of the Senate
20 a report on such evaluation; and

21 “(C) not later than 90 days after such
22 completion date, publish and make the results
23 of such 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 eligible institutions on
6 the capacity-building performance indicator set forth
7 under subsection (f)(1)(B).

8 “(2) The performance of eligible institutions on
9 the workforce development participant outcome per-
10 formance indicators set forth under subsection
11 (f)(1)(C).

12 “(3) The number of individuals enrolled in
13 workforce development programs funded with a
14 grant under this section.

15 “(i) DEFINITIONS.—In this section:

16 “(1) COMMUNITY COLLEGE.—The term ‘com-
17 munity college’ means—

18 “(A) a public institution of higher edu-
19 cation (as defined in section 101(a) of the
20 Higher Education Act (20 U.S.C. 1001(a)), at
21 which—

22 “(i) the highest degree awarded is an
23 associate degree; or

24 “(ii) an associate degree is the most
25 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 **SEC. 180. AUTHORIZATION OF APPROPRIATIONS.**

12 Section 174 of the Workforce Innovation and Oppor-
13 tunity Act, as so redesignated, is amended—

14 (1) by redesignating subsections (e) and (f) as
15 subsections (g) and (h), respectively; and

16 (2) by striking subsections (a) through (d) and
17 inserting the following:

18 “(a) NATIVE AMERICAN PROGRAMS.—There are au-
19 thorized to be appropriated to carry out section 166 (not
20 including subsection (k) of such section) \$61,800,000 for
21 each of the fiscal years 2025 through 2030.

22 “(b) MIGRANT AND SEASONAL FARMWORKER PRO-
23 GRAMS.—There are authorized to be appropriated to carry
24 out section 167 \$100,317,900 for each of the fiscal years
25 2025 through 2030.

1 “(c) TECHNICAL ASSISTANCE.—There are authorized
2 to be appropriated to carry out section 168 \$5,000,000
3 for each of the fiscal years 2025 through 2030.

4 “(d) EVALUATIONS AND RESEARCH.—There are au-
5 thorized to be appropriated to carry out section 169
6 \$12,720,000 for each of the fiscal years 2025 through
7 2030.

8 “(e) REENTRY PROGRAM.—There are authorized to
9 be appropriated to carry out section 172 \$115,000,000 for
10 each of the fiscal years 2025 through 2030.

11 “(f) STRENGTHENING COMMUNITY COLLEGES PRO-
12 GRAM.—There are authorized to be appropriated to carry
13 out section 173 \$65,000,000 for each of the fiscal years
14 2025 through 2030.”.

15 **Subtitle F—Administration**

16 **SEC. 191. REQUIREMENTS AND RESTRICTIONS.**

17 Section 181(b) of the Workforce Innovation and Op-
18 portunity Act is amended by adding at the end the fol-
19 lowing:

20 “(8) CONSULTATION.—If an employer provides
21 on-the-job training, incumbent worker training, or
22 employer-directed skill development with funds made
23 available under this title directly to employees of
24 such employer that are subject to a collective bar-
25 gaining agreement with the employer, the employer

1 shall consult with the labor organization that rep-
2 resents such employees on the planning and design
3 of such training or development.”.

4 **SEC. 192. GENERAL WAIVERS OF STATUTORY OR REGU-**
5 **LATORY REQUIREMENTS.**

6 Section 189(i)(3)(A)(i) of the Workforce Innovation
7 and Opportunity Act (29 U.S.C. 3249(i)(3)(A)(i)) is
8 amended by striking “procedures for review and approval
9 of plans” and inserting “the procedures for review and
10 approval of plans, the performance reports described in
11 section 116(d), and the requirement described in section
12 134(e)(1)(B)”.

13 **SEC. 193. STATE INNOVATION DEMONSTRATION AUTHOR-**
14 **ITY.**

15 Section 190 of the Workforce Innovation and Oppor-
16 tunity Act (29 U.S.C. 3250) is amended to read as follows:

17 **“SEC. 190. STATE INNOVATION DEMONSTRATION AUTHOR-**
18 **ITY.**

19 “(a) PURPOSE.—The purpose of this section is to—

20 “(1) authorize States to apply under this sec-
21 tion, in the case of an eligible State, on behalf of the
22 entire State, or for any State, on behalf of a local
23 area or a consortium of local areas in the State, to
24 receive the allotments or allocations of the State or
25 the local areas, respectively, for youth workforce in-

1 vestment activities and adult and dislocated worker
2 employment and training activities under this Act,
3 as a consolidated grant for 5 years for the purpose
4 of carrying out a demonstration project to pursue in-
5 novative reforms to achieve better outcomes for job-
6 seekers, employers, and taxpayers; and

7 “(2) require that rigorous evaluations be con-
8 ducted to demonstrate if better outcomes and associ-
9 ated innovative reforms were achieved as a result of
10 such demonstration projects.

11 “(b) GENERAL AUTHORITY.—

12 “(1) WAIVERS AND DEMONSTRATION GRANT
13 AMOUNTS.—Notwithstanding any other provision of
14 law, during the demonstration period applicable to a
15 demonstration project approved for a State pursuant
16 to subsection (d)(3), the Secretary shall comply with
17 each of the following:

18 “(A) WAIVERS.—Subject to paragraph (2),
19 waive for the State as a whole, or for the local
20 area or the consortium of local areas in such
21 State selected by the State to carry out such
22 demonstration project, all the statutory and
23 regulatory requirements of subtitle A and sub-
24 title B.

1 “(B) DEMONSTRATION GRANT
2 AMOUNTS.—For each fiscal year applicable to
3 such demonstration period:

4 “(i) STATE AS A WHOLE.—In a case
5 of a State approved to carry out a dem-
6 onstration project under this section on be-
7 half of the State as a whole, distribute as
8 a consolidated sum to the State, for pur-
9 poses of carrying out the project, the
10 State’s total allotment for such fiscal year
11 under—

12 “(I) subsections (b)(1)(C) and
13 subsection (c) of section 127; and

14 “(II) paragraphs (1)(B) and
15 (2)(B) of section 132(b); and

16 “(III) section 132(c).

17 “(ii) LOCAL AREA.—In a case of a
18 local area selected by a State to carry out
19 a demonstration project under this section,
20 require the State to—

21 “(I) distribute as a consolidated
22 sum to the local board for such local
23 area, for purposes of carrying out the
24 project, the local area’s allocation for
25 such fiscal year under—

1 “(aa) subsections (b) and (c)
2 of section 128; and

3 “(bb) subsections (b) and
4 (c) of section 133; or

5 “(II) if the local board of the
6 local area enters into a written agree-
7 ment with the State for the State to
8 serve as the fiscal agent for the local
9 board during the demonstration
10 project, use the funds described in
11 subclause (I) for purposes of carrying
12 out the project on behalf of the local
13 board.

14 “(iii) CONSORTIUM OF LOCAL
15 AREAS.—In a case of a consortium of local
16 areas selected by a State to carry out a
17 demonstration project under this section,
18 require the State to—

19 “(I) distribute as a consolidated
20 sum to the consortium, for purposes
21 of carrying out the project, the total
22 amount of the allocations for the local
23 areas in such consortium for such fis-
24 cal year under—

1 “(aa) subsections (b) and (c)
2 of section 128; and

3 “(bb) subsections (b) and
4 (c) of section 133; or

5 “(II) if the consortium enters
6 into a written agreement with the
7 State for the State to serve as the fis-
8 cal agent for the consortium during
9 the demonstration project, use the
10 funds described in subclause (I) for
11 purposes of carrying out the project
12 on behalf of such consortium.

13 “(2) EXCEPTIONS.—

14 “(A) IN GENERAL.—A State, local area, or
15 consortium of local areas carrying out a dem-
16 onstration project under this section shall com-
17 ply with statutory or regulatory requirements of
18 this Act relating to—

19 “(i) performance accountability and
20 reporting, except as otherwise provided in
21 this section;

22 “(ii) the membership of local or State
23 boards in instances where a State carrying
24 out a demonstration project will maintain

1 the use of such boards during the dem-
2 onstration period; and

3 “(iii) the priority of service described
4 in section 134(c)(3)(E).

5 “(B) APPLICABILITY OF DEFINED
6 TERMS.—In carrying out a demonstration
7 project under this section, a State, local area,
8 or consortium of local areas may only use a
9 term defined in section 3 to describe an activity
10 carried out under such demonstration project if
11 the State, local area, or consortium of local
12 areas gives such term the same meaning as
13 such term is given under such section.

14 “(3) AUTHORITY FOR THIRD PARTY EVALUA-
15 TION.—

16 “(A) IN GENERAL.—Not later than 180
17 days after the issuance of the first demonstra-
18 tion project awarded under this section, the
19 Secretary shall contract with a third party eval-
20 uator to conduct a rigorous evaluation of each
21 demonstration project for each State, local area,
22 or consortium of local areas awarded a dem-
23 onstration project. The evaluation shall—

24 “(i) cover the 5-year period of each
25 demonstration project;

1 “(ii) compare the employment and
2 earnings outcomes of participants in activi-
3 ties carried out under the demonstration
4 project to—

5 “(I) the outcomes of similarly sit-
6 uated individuals that do not partici-
7 pate in such activities who are located
8 in such State, local area, or a local
9 area in such consortium; and

10 “(II) the outcomes of partici-
11 pants in activities under this chapter
12 in the State, local area, or a local area
13 in the consortium that was awarded a
14 waiver prior to the award of such
15 waiver;

16 “(iii) conduct a qualitative analysis
17 that identifies any promising practices or
18 innovate strategies that—

19 “(I) would not have been con-
20 ducted without the waiving of statu-
21 tory or regulatory provisions through
22 the demonstration project; and

23 “(II) lead to positive employment
24 and earnings outcomes for the partici-
25 pants; and

1 “(iv) compare the outcomes for sub-
2 clauses (I) and (II) of clause (i) with re-
3 spect to the subpopulations described in
4 section 116(d)(2)(B).

5 “(B) REPORT.—Not later than 2 years
6 after the fifth year of the demonstration project
7 the Secretary shall submit to the Committee on
8 Education and the Workforce of the House of
9 Representatives and the Committee on Health,
10 Education, Labor, and Pensions the results of
11 the evaluation conducted on such project.

12 “(c) DEMONSTRATION PERIOD; LIMITATIONS.—

13 “(1) IN GENERAL.—A demonstration project
14 approved under this section for a State, local area,
15 or consortium—

16 “(A) shall be carried out for a 5-year dem-
17 onstration period; and

18 “(B) may be renewed for an additional 5-
19 year demonstration period if the State, local
20 area, or consortium meets its expected levels of
21 performance established under subsection (f)(1)
22 for each of the final 3 years of the preceding
23 5-year period and achieves a performance im-
24 provement of not less than an average of a 5
25 percent increase across all of the primary indi-

1 cators of performance on the final year of the
2 preceding 5-year period compared with the ex-
3 pected levels of performance.

4 “(2) LIMITATIONS.—

5 “(A) DEMONSTRATION PERIOD LIMITA-
6 TIONS.—For each 5-year demonstration period
7 (including renewals of such period) the Sec-
8 retary may not award—

9 “(i) more than 4 demonstration
10 projects to eligible States for the State as
11 a whole under this section; and

12 “(ii) more than 6 demonstration
13 projects to local areas (or consortia of local
14 areas) for a local area (or a consortium)
15 under this section.

16 “(B) STATE LIMITATIONS.—No more than
17 1 demonstration project may be approved under
18 this section per State. For purposes of this
19 paragraph, a demonstration project approved
20 for a local area or a consortium of local areas
21 in a State shall be considered a demonstration
22 project approved under this section for the
23 State.

24 “(3) ELIGIBLE STATES.—The Secretary may
25 not approve a statewide demonstration project under

1 subsection (b)(1)(B)(i) to a State unless, at the time
2 of submission of the application, such State is—

3 “(A) a State designated as a single State
4 local area; or

5 “(B) a State with a labor force participa-
6 tion rate that is less than 60 percent for the
7 most recent program year and a population of
8 less than 6,000,000, as determined by the most
9 recent data released by the Census Bureau.

10 “(d) APPLICATION.—

11 “(1) IN GENERAL.—To be eligible to carry out
12 a demonstration project under this section, a State
13 shall submit to the Secretary an application at such
14 time and in such manner as the Secretary may rea-
15 sonably require, and containing the information de-
16 scribed in paragraph (2).

17 “(2) CONTENT.—Each application submitted by
18 a State under this subsection shall include the fol-
19 lowing:

20 “(A) A description of the demonstration
21 project to be carried out under this section, in-
22 cluding—

23 “(i) whether the project will be car-
24 ried out—

25 “(I) by the State as a whole;

1 “(II) by a local area, and if so—
2 “(aa) an identification of—
3 “(AA) such local area;
4 “(BB) whether the
5 local board for such local
6 area is the fiscal agent for
7 the project, or whether the
8 local board has entered into
9 a written agreement with
10 the State for the State to
11 serve as the fiscal agent dur-
12 ing the project; and
13 “(bb) written verification
14 from the local board for such
15 local area that such local board
16 agrees—
17 “(AA) to carry out such
18 project; and
19 “(BB) to the fiscal
20 agent identified in item
21 (aa)(BB); and
22 “(III) by a consortium of local
23 areas in the State, and if so—
24 “(aa) an identification of—

1 “(AA) each local area
2 that comprises the consor-
3 tium; and

4 “(BB) the local area
5 that will serve as the fiscal
6 agent for the consortium
7 during the project, or wheth-
8 er the consortium has en-
9 tered into a written agree-
10 ment with the State for the
11 State to serve as the fiscal
12 agent; and

13 “(bb) written verification
14 from each local board of each
15 local area identified in item
16 (aa)(AA) that such local board
17 agrees—

18 “(AA) to carry out such
19 project as a consortium; and

20 “(BB) to the fiscal
21 agent for the consortium
22 identified in item (aa)(BB);

23 “(ii) a description of the activities to
24 be carried out under the project; and

1 “(iii) the goals the State, local area,
2 or consortium intends to achieve through
3 such activities, which shall be aligned with
4 purpose described in subsection (a).

5 “(B) A description of the performance out-
6 comes the State, the local area, or consortium
7 expects to achieve for such activities for each
8 year of the demonstration period as described
9 in subsection (f)(1).

10 “(C) A description of how the State, local
11 area, or consortium consulted with employers,
12 the State board, and the local boards in the
13 State in determining the activities to carry out
14 under the demonstration project.

15 “(D) A description of how the State will
16 make such activities available to jobseekers and
17 employers in each of the local areas in the State
18 or, in a case of a project that will be carried out
19 by a local area or a consortium, a description
20 of how such services will be made available to
21 jobseekers and employers in such local area or
22 each of the local areas in the consortium.

23 “(E) A description, if appropriate, of how
24 the State, local area, or consortium will inte-
25 grate the funds received, and the activities car-

1 ried out, under the demonstration project under
2 this section with State workforce development
3 programs and other Federal, State, or local
4 workforce, education, or social service programs
5 (including the programs and activities listed in
6 section 103(a)(2), the program of adult edu-
7 cation and literacy activities authorized under
8 title II, and the program authorized under title
9 I of the Rehabilitation Act of 1973 (29 U.S.C.
10 720 et seq.)).

11 “(F) An assurance that the State, local
12 area, or consortium will meet the requirements
13 of this section.

14 “(3) SECRETARIAL APPROVAL.—

15 “(A) IN GENERAL.—Not later than 60
16 days after the date on which a State submits an
17 application under this subsection, the Secretary
18 shall—

19 “(i) in a case in which the application
20 meets the requirements of this section and
21 is not subject to the limitations described
22 in subsection (c)(2), approve such applica-
23 tion and the demonstration project de-
24 scribed in such application; or

1 “(ii) provide to the State a written ex-
2 planation of initial disapproval that meets
3 the requirements of subparagraph (C).

4 “(B) DEFAULT APPROVAL.—With respect
5 to an application submitted by a State under
6 this subsection that is not subject to the limita-
7 tions described in subsection (c), if the Sec-
8 retary fails to approve such application or pro-
9 vide an explanation of initial disapproval for
10 such application as required under subpara-
11 graph (A), the application and the demonstra-
12 tion project described in such application shall
13 be deemed approved by the Secretary.

14 “(C) INITIAL DISAPPROVAL.—An expla-
15 nation of initial disapproval provided by the
16 Secretary to a State under subparagraph (A)(ii)
17 shall provide the State—

18 “(i) a detailed explanation of why the
19 application does not meet the requirements
20 of this section; and

21 “(ii) if the State is not subject to the
22 limitations described in subsection (c), an
23 opportunity to revise and resubmit the
24 State’s application under this section.

1 “(e) STATE DEMONSTRATION PROJECT REQUIRE-
2 MENTS.—A State, local area, or consortium that has been
3 approved to carry out a demonstration project under this
4 section shall meet each of the following requirements:

5 “(1) USE OF FUNDS.—Use the funds received
6 pursuant to subsection (b)(1)(B) solely to carry out
7 the activities of the demonstration project to achieve
8 the goals described in subsection (d)(2)(A).

9 “(2) ADMINISTRATIVE COSTS LIMITATION.—
10 Use not more than 10 percent of the funds received
11 pursuant to subsection (b)(1)(B) for a fiscal year for
12 the administrative costs of carrying out the dem-
13 onstration project.

14 “(3) PRIORITY FOR SERVICES.—Give priority
15 for services under the project to veterans and their
16 eligible spouses in accordance with the requirements
17 of section 4215 of title 38, United States Code, re-
18 cipients of public assistance, low-income individuals,
19 and individuals who have foundational skills needs.

20 “(4) NUMBER OF PARTICIPANTS.—Serve a
21 number of participants under the activities of the
22 demonstration project for each year of the dem-
23 onstration period that—

24 “(A) is greater than the number of partici-
25 pants served by such State, local area, or con-

1 sortium under the programs described in sub-
2 paragraphs (A) and (C) of section 3(13) for the
3 most recent program year that ended prior to
4 the beginning of the first year of the dem-
5 onstration period; or

6 “(B) is not less than the number of par-
7 ticipants to be served under the activities of the
8 demonstration project that is agreed upon be-
9 tween the State, local area, or consortium, and
10 the Secretary—

11 “(i) prior to the Secretary’s approval
12 of the application submitted under sub-
13 section (d); and

14 “(ii) after the Secretary takes into ac-
15 count—

16 “(I) the goals the State, local
17 area, or consortium intends to achieve
18 through the demonstration project;
19 and

20 “(II) the participants the State,
21 local area, or consortium intends to
22 serve under such project; and

23 “(iii) prior to approval of the applica-
24 tion submitted under subsection (d).

1 “(5) REPORTING OUTCOMES.—Submit, on an
2 annual basis, to the Secretary a report, with respect
3 to such State, local area, or consortium, on—

4 “(A) participant outcomes for each indi-
5 cator of performance described in subsection
6 (f)(1)(A) for the activities carried out under the
7 project; and

8 “(B) the applicable requirements of section
9 116(d)(2), including subparagraphs (B)
10 through (G) and subparagraph (J), as such
11 subparagraphs are applicable to activities under
12 the demonstration project.

13 “(6) COMPLIANCE WITH CERTAIN EXISTING RE-
14 QUIREMENTS.—Comply with the statutory or regu-
15 latory requirements listed in subsection (b)(2).

16 “(f) PERFORMANCE ACCOUNTABILITY.—

17 “(1) ESTABLISHMENT OF BASELINE LEVEL
18 FOR PERFORMANCE.—

19 “(A) IN GENERAL.—Each State shall de-
20 scribe in the application submitted under sub-
21 section (d), for each year of the demonstration
22 period—

23 “(i) with respect to participants who
24 are at least 25 years old, the expected lev-
25 els of performance for each of the indica-

1 tors of performance under section
2 116(b)(2)(A)(i) for the activities carried
3 out under the project under this section,
4 which shall meet the requirements of sub-
5 paragraph (B); and

6 “(ii) with respect to participants who
7 are at least 16 years old and no older than
8 24 years old, the expected levels of per-
9 formance for each of the indicators of per-
10 formance under section 116(b)(2)(A)(ii)
11 for the activities carried out under the
12 project under this section, which shall meet
13 the requirements of subparagraph (B).

14 “(B) 5TH YEAR.—Each of the expected
15 levels of performance established pursuant to
16 subparagraph (A) for each of the indicators of
17 performance for the 5th year of the demonstra-
18 tion period shall be higher than—

19 “(i) the highest level of performance
20 for the corresponding indicator of perform-
21 ance for the programs described in sub-
22 paragraph (A) of section 3(13) for the
23 most recent program year that ended prior
24 to the beginning of the first year of the
25 demonstration period; or

1 “(ii) an alternate baseline level of per-
2 formance that is agreed upon between the
3 State and the Secretary—

4 “(I) prior to the Secretary’s ap-
5 proval of the application submitted
6 under subsection (d); and

7 “(II) after the Secretary takes
8 into account—

9 “(aa) the goals the State in-
10 tends to achieve through the
11 demonstration project; and

12 “(bb) the participants the
13 State intends to serve under such
14 project.

15 “(C) AGREED LEVEL FOR PERFORMANCE
16 ON EXPECTED LEVELS OF PERFORMANCE.—
17 Prior to approving an application for a dem-
18 onstration project submitted by a State, and
19 using the expected levels of performance de-
20 scribed in such application, the Secretary shall
21 reach an agreement with such State on the ex-
22 pected levels of performance for each of the in-
23 dicators of performance. In reaching an agree-
24 ment on such expected levels of performance,

1 the Secretary and the State may consider the
2 factors described in section 116(b)(3)(A)(v).

3 “(2) SANCTIONS.—

4 “(A) IN GENERAL.—The sanctions de-
5 scribed in section 116(f)(1)(B) shall apply to a
6 State, local area, or consortium beginning on
7 the 3rd year of the demonstration period for
8 such State, local area, or consortium, except
9 that the levels of performance established under
10 subsection (f)(1) of this section shall be—

11 “(i) deemed to be the State negotiated
12 levels of performance for purposes of this
13 paragraph; and

14 “(ii) adjusted at the end of each pro-
15 gram year to reflect the actual characteris-
16 tics of participants served and the actual
17 economic conditions experienced using a
18 statistical adjustment model similar to the
19 model described in section
20 116(b)(3)(A)(viii).

21 “(B) INELIGIBILITY FOR RENEWAL.—A
22 State, local area, or consortium that is subject
23 to such sanctions shall be ineligible to renew its
24 demonstration period under subsection (c).

1 “(3) IMPACT OF LOCAL OR CONSORTIUM DEM-
2 ONSTRATIONS ON STATEWIDE ACCOUNTABILITY.—
3 With respect to a State with an approved dem-
4 onstration project for a local area or consortium of
5 local areas in the State—

6 “(A) the performance of such local area or
7 consortium for the programs described in sub-
8 paragraphs (A) and (C) of section 3(13) shall
9 not be included in the levels of performance for
10 such State for any of such programs for pur-
11 poses of section 116 for any program year that
12 is applicable to any year of the demonstration
13 period; and

14 “(B) with respect to any local areas of the
15 State that are not part of the demonstration
16 project, the State shall reach a new agreement
17 with the Secretary, for purposes of section
18 116(b)(3)(A), on levels of performance for such
19 programs for such program years.

20 “(g) TERMINATION.—Except as provided under sub-
21 section (c)(1)(B), the Secretary may not approve a dem-
22 onstration project after December 31, 2030.”.

1 **TITLE II—ADULT EDUCATION**
2 **AND LITERACY**

3 **SEC. 201. PURPOSE.**

4 Section 202 of the Workforce Innovation and Oppor-
5 tunity Act (29 U.S.C. 3271) is amended—

6 (1) in paragraph (1), by inserting “(including
7 digital literacy skills)” before “necessary”; and

8 (2) in paragraph (4), by striking “English lan-
9 guage learners” and inserting “English learners”.

10 **SEC. 202. DEFINITIONS.**

11 Section 203 of the Workforce Innovation and Oppor-
12 tunity Act (29 U.S.C. 3272) is amended—

13 (1) in paragraph (1)—

14 (A) in subparagraph (A), by inserting “lis-
15 ten,” after “write,”;

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

18 (C) by redesignating subparagraph (C) as
19 subparagraph (D); and

20 (D) by inserting after subparagraph (B)
21 the following:

22 “(C) develop and use digital literacy skills;
23 and”;

24 (2) by redesignating paragraphs (3) through
25 (17) as paragraphs (4) through (18), respectively;

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

3 “(3) DIGITAL LITERACY SKILLS.—The term
4 ‘digital literacy skills’ means the skills associated
5 with using existing and emerging technologies to
6 find, evaluate, organize, create, and communicate in-
7 formation and to complete tasks.”;

8 (4) in paragraph (5)(C) (as so redesignated)—

9 (A) by striking clause (i) and inserting the
10 following:

11 “(i) has foundational skills needs;”;

12 and

13 (B) in clause (iii), by striking “English
14 language learner” and inserting “English learn-
15 er”;

16 (5) in paragraph (7)(A) (as so redesignated), by
17 striking “English language learners” and inserting
18 “English learners”;

19 (6) in paragraph (8) (as so redesignated)—

20 (A) in the paragraph header, by striking
21 “LANGUAGE”; and

22 (B) in the matter preceding subparagraph
23 (A), by striking “English language” and insert-
24 ing “English”;

1 (7) in paragraph (10) (as so redesignated), by
2 inserting “and educational” after “economic”;

3 (8) in paragraph (13) (as so redesignated)—

4 (A) by striking “English language learner”
5 and inserting “English learner”; and

6 (B) by striking “workforce training” and
7 inserting “skills development, preparation for
8 postsecondary education or employment, and fi-
9 nancial literacy instruction”; and

10 (9) in paragraph (14) (as so redesignated)—

11 (A) by striking “and solve” and insert
12 “solve”; and

13 (B) by inserting “and use digital tech-
14 nology,” after “problems,”.

15 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

16 Section 206 of the Workforce Innovation and Oppor-
17 tunity Act (29 U.S.C. 3275) is amended to read as follows:

18 **“SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

19 “There are authorized to be appropriated to carry out
20 this title \$751,042,100 for each of the fiscal years 2025
21 through 2030.”.

22 **SEC. 204. PERFORMANCE ACCOUNTABILITY SYSTEM.**

23 Section 212 of the Workforce Innovation and Oppor-
24 tunity Act (29 U.S.C. 3292) is amended by striking “sec-
25 tion 116.” and inserting “section 116, except that the in-

1 dicator described in subsection (b)(2)(A)(i)(VI) of such
2 section shall be applied as if it were the percentage of pro-
3 gram participants who exited the program during the pro-
4 gram year and completed an integrated education and
5 training program.”.

6 **SEC. 205. MATCHING REQUIREMENT.**

7 Section 222(b) of the Workforce Innovation and Op-
8 portunity Act (29 U.S.C. 3302(b)) is amended by adding
9 at the end the following:

10 “(3) PUBLIC AVAILABILITY OF INFORMATION
11 ON MATCHING FUNDS.—Each eligible agency shall
12 maintain, on a publicly accessible website of such
13 agency and in an easily accessible format, informa-
14 tion documenting the non-Federal contributions
15 made available to adult education and family literacy
16 programs pursuant to this subsection, including—

17 “(A) the sources of such contributions, ex-
18 cept that in the case of private contributions,
19 names of the individuals or entities providing
20 such contributions may not be disclosed; and

21 “(B) in the case of funds made available
22 by a State or outlying area, an explanation of
23 how such funds are distributed to eligible pro-
24 viders.”.

1 **SEC. 206. STATE LEADERSHIP ACTIVITIES.**

2 Section 223(a) of the Workforce Innovation and Op-
3 portunity Act (29 U.S.C. 3303(a)) is amended—

4 (1) in paragraph (1)—

5 (A) in subparagraph (A), by striking “ac-
6 tivities.” and inserting “activities and the iden-
7 tification of opportunities to coordinate with ac-
8 tivities supported under the Carl D. Perkins
9 Career and Technical Education Act of 2006
10 (20 U.S.C. 2301 et seq.) to expand integrated
11 education and training programs.”;

12 (B) in subparagraph (C)—

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

15 (ii) in clause (iii), by striking the pe-
16 riod at the end and inserting “; and”;

17 (iii) by adding at the end the fol-
18 lowing:

19 “(iv) assistance in reporting partici-
20 pant outcomes for the performance ac-
21 countability system described in section
22 212, including facilitating partnerships
23 with the appropriate State entities to con-
24 duct matches with State administrative
25 data (such as wage records) to determine
26 program performance on the indicators of

1 performance described in subclauses (I)
2 through (III) of section 116(b)(2)(A)(i).”;
3 (C) by redesignating subparagraph (D) as
4 subparagraph (F); and
5 (D) by inserting after subparagraph (C)
6 the following:

7 “(D) The development or identification
8 (which may be done in coordination with other
9 States) of instructional materials that—

10 “(i) are designed to meet the needs of
11 adult learners and English learners;

12 “(ii) to the extent practicable, are evi-
13 dence-based; and

14 “(iii) will improve the instruction pro-
15 vided pursuant to the local activities re-
16 quired under section 231(b).

17 “(E) The dissemination of instructional
18 materials described in subparagraph (D) to eli-
19 gible providers to improve the instruction pro-
20 vided pursuant to the local activities required
21 under section 231(b), including instructional
22 materials that—

23 “(i) were developed for integrated
24 education and training in an in-demand in-
25 dustry or occupation within the State; and

1 “(ii) lead to English language acqui-
2 tion, a recognized postsecondary credential,
3 or both.”; and

4 (2) in paragraph (2)—

5 (A) in subparagraph (I)(i)—

6 (i) by striking “mathematics, and
7 English” and inserting “mathematics,
8 English”; and

9 (ii) by striking “acquisition;” and in-
10 serting “acquisition, and digital literacy
11 skills;”;

12 (B) in subparagraph (J), by striking “re-
13 tention.” and inserting “retention, such as the
14 development and maintenance of policies for
15 awarding recognized postsecondary credentials
16 to adult educators who demonstrate effective-
17 ness at improving the achievement of adult stu-
18 dents.”;

19 (C) in subparagraph (K), by striking
20 “English language learners,” and inserting
21 “English learners,”;

22 (D) by redesignating subparagraph (M) as
23 subparagraph (O); and

24 (E) by inserting after subparagraph (L)
25 the following:

1 “(M) Performance incentive payments to
2 eligible providers, including incentive payments
3 linked to increased use of integrated employ-
4 ment and training or other forms of instruction
5 linking adult education with the development of
6 occupational skills for an in-demand occupation
7 in the State.

8 “(N) Strengthening the quality and effec-
9 tiveness of adult education and family literacy
10 programs in the State through support for pro-
11 gram quality standards and accreditation re-
12 quirements.”.

13 **SEC. 207. PROGRAMS FOR CORRECTIONS EDUCATION AND**
14 **OTHER INSTITUTIONALIZED INDIVIDUALS.**

15 Section 225 of the Workforce Innovation and Oppor-
16 tunity Act (29 U.S.C. 3305)) is amended—

17 (1) by redesignating subsections (d) and (e) as
18 subsections (e) and (f), respectively; and

19 (2) by inserting after subsection (c) the fol-
20 lowing:

21 “(d) COORDINATION.—Each eligible agency that is
22 using assistance provided under this section to carry out
23 a program for criminal offenders within a correctional in-
24 stitution shall—

1 “(1) coordinate such educational programs with
2 career and technical education activities provided to
3 individuals in State institutions from funds reserved
4 under section 112(a)(2)(A) of the Carl D. Perkins
5 Career and Technical Education Act of 2006 (20
6 U.S.C. 2322(a)(2)(A)); and

7 “(2) identify opportunities to develop integrated
8 education and training opportunities for such indi-
9 viduals.”.

10 **SEC. 208. GRANTS AND CONTRACTS FOR ELIGIBLE PRO-**
11 **VIDERS.**

12 Section 231 of the Workforce Innovation and Oppor-
13 tunity Act (29 U.S.C. 3321) is amended—

14 (1) in subsection (e)—

15 (A) in paragraph (1)(B)(ii), by striking
16 “English language learners” and inserting
17 “English learners”;

18 (B) in paragraph (5)—

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

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

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

1 “(C) uses instructional materials that are
2 designed to meet the needs of adult learners
3 and English learners and are evidence-based (to
4 the extent practicable), which may include, but
5 shall not be required to include, the instruc-
6 tional materials disseminated by the State
7 under section 223(a)(1)(D);” and

8 (C) in paragraph (6)—

9 (i) by striking “speaking,” and insert-
10 ing “speaking and listening;” and

11 (ii) by inserting before the semicolon
12 at the end the following: “, which may in-
13 clude the application of the principals of
14 universal design for learning”; and

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

16 “(f) COST ANALYSIS.—In determining the amount of
17 funds to be awarded in grants or contracts under this sec-
18 tion, the eligible agency may consider the costs of pro-
19 viding learning in context, including integrated education
20 and training and workplace adult education and literacy
21 activities, and the extent to which the eligible provider in-
22 tends to serve individuals using such activities, in order
23 to align the amount of funds awarded with such costs.”.

1 **SEC. 209. LOCAL APPLICATION.**

2 Section 232 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3322) is amended—

4 (1) in paragraph (4), by inserting “and coordi-
5 nate with the appropriate State entity” after “data”;

6 (2) in paragraph (6), by striking “and” at the
7 end;

8 (3) by redesignating paragraph (7) as para-
9 graph (8); and

10 (4) by inserting after paragraph (6) the fol-
11 lowing:

12 “(7) a description of how the eligible provider
13 will provide learning in context, including through
14 partnerships with employers to offer workplace adult
15 education and literacy activities and integrated edu-
16 cation and training; and”.

17 **SEC. 210. LOCAL ADMINISTRATIVE COST LIMITS.**

18 Section 233(a) of the Workforce Innovation and Op-
19 portunity Act (29 U.S.C. 3323(a)) is amended—

20 (1) in paragraph (1), by striking “95” and in-
21 serting “85”; and

22 (2) by amending paragraph (2) to read as fol-
23 lows:

24 “(2) of the remaining amount—

1 “(A) not more than 10 percent may be
2 used for professional development for adult edu-
3 cators; and

4 “(B) not more than 5 percent shall be
5 used for planning, administration (including
6 carrying out the requirements of section 116),
7 professional development of administrative
8 staff, and the activities described in paragraphs
9 (3) and (5) of section 232.”.

10 **SEC. 211. NATIONAL LEADERSHIP ACTIVITIES.**

11 Section 242 of the Workforce Innovation and Oppor-
12 tunity Act (29 U.S.C. 3332) is amended—

13 (1) in subsection (b)(1), by striking “116;” and
14 inserting “116, including the dissemination of effec-
15 tive practices used by States to use administrative
16 data to determine program performance and reduce
17 the data collection and reporting burden on eligible
18 providers;”;

19 (2) in paragraphs (1)(B) and (2)(C)(vii)(I) of
20 subsection (c), by striking “English language learn-
21 ers” and inserting “English learners”; and

22 (3) in subsection (c)(2)—

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

1 (B) by redesignating subparagraph (G) as
2 subparagraph (I); and

3 (C) by inserting after subparagraph (F)
4 the following:

5 “(G) developing and rigorously evaluating
6 programs for the preparation of effective adult
7 educators and disseminating the results of such
8 evaluations;

9 “(H) carrying out initiatives to support the
10 effectiveness and impact of adult education,
11 that States may adopt on a voluntary basis,
12 through—

13 “(i) the development and dissemina-
14 tion of staffing models that prioritize dem-
15 onstrated effectiveness and continuous im-
16 provement in supporting the learning of
17 adult students; and

18 “(ii) the evaluation and improvement
19 of program quality standards and accredi-
20 tation requirements; and”.

21 **SEC. 212. INTEGRATED ENGLISH LITERACY AND CIVICS**
22 **EDUCATION.**

23 Section 243(c)(1) of the Workforce Innovation and
24 Opportunity Act (29 U.S.C. 3333(c)(1)) is amended by

1 striking “English language learners” and inserting
2 “English learners”.

3 **TITLE III—AMENDMENTS TO**
4 **OTHER LAWS**

5 **SEC. 301. AMENDMENTS TO THE WAGNER-PEYSER ACT.**

6 (a) DEFINITIONS.—Section 2(5) of the Wagner-
7 Peyser Act (29 U.S.C. 49a(5)) is amended by inserting
8 “the Commonwealth of the Northern Mariana Islands,
9 American Samoa,” after “Guam,”.

10 (b) UNEMPLOYMENT COMPENSATION LAW REQUIRE-
11 MENT.—Section 5(b)(1) of such Act is amended by insert-
12 ing “the Commonwealth of the Northern Mariana Islands,
13 American Samoa,” after “Guam,”.

14 (c) ALLOTMENTS.—Section 6 of such Act (29 U.S.C.
15 49e) is amended—

16 (1) in subsection (a)—

17 (A) by striking “except for Guam” and in-
18 serting “except for Guam, the Commonwealth
19 of the Northern Mariana Islands, and American
20 Samoa”;

21 (B) by striking “first allot to Guam and
22 the Virgin Islands” and inserting the following:

23 “first allot—

24 “(1) to Guam and the Virgin Islands”;

1 (C) by striking the period at the end and
2 inserting “; and”; and

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

4 “(2) beginning with the first fiscal year for
5 which the total amount available for allotments
6 under this section is greater than the total amount
7 available for allotments under this section for fiscal
8 year 2024, and for each succeeding fiscal year, to
9 each of the Commonwealth of the Northern Mariana
10 Islands and American Samoa, an amount which is
11 equal to one-half of the amount allotted to Guam
12 under paragraph (1) for such fiscal year.”; and

13 (2) in subsection (b)(1), in the matter following
14 subparagraph (B), by inserting “, the Common-
15 wealth of the Northern Mariana Islands, American
16 Samoa,” after “Guam”.

17 (d) USE OF FUNDS.—Section 7 of such Act (29
18 U.S.C. 49f) is amended—

19 (1) in subsection (a)(1), by striking “and refer-
20 ral to employers” and inserting “referral to employ-
21 ers, and the activities described in section
22 134(c)(2)(A) of the Workforce Innovation and Op-
23 portunity Act (29 U.S.C. 3174(c)(2)(A)), as amend-
24 ed by the A Stronger Workforce for America Act”;
25 and

1 (2) in subsection (e), by inserting “and in an
2 integrated manner as described in section
3 134(c)(2)(A) of the Workforce Innovation and Op-
4 portunity Act (29 U.S.C. 3174(c)(2)(A)), as amend-
5 ed by the A Stronger Workforce for America Act”
6 before the period at the end.

7 (e) WORKFORCE AND LABOR MARKET INFORMATION
8 SYSTEM.—Section 15 of such Act (29 U.S.C. 491–2) is
9 amended—

10 (1) in subsection (a)(1)—

11 (A) in subparagraph (A)—

12 (i) in the matter preceding clause (i),
13 by striking “timely manner” and inserting
14 “manner that is as close to real-time as
15 practicable”;

16 (ii) in clause (i), by striking “part-
17 time, and seasonal workers” and inserting
18 “part-time, contingent, and seasonal work-
19 ers, and workers engaged in alternative
20 employment arrangements”;

21 (iii) by redesignating clauses (iii) and
22 (iv) as clauses (iv) and (v), respectively;
23 and

24 (iv) by inserting after clause (ii), the
25 following:

1 “(iii) real-time trends in new and
2 emerging occupational roles, and in new
3 and emerging skills by occupation and in-
4 dustry, with particular attention paid to
5 State and local conditions;”;

6 (B) in subparagraph (B)(i), by inserting
7 “(including, to the extent practicable, real-
8 time)” after “current”; and

9 (C) in subparagraph (G), by striking
10 “user-friendly manner and” and inserting
11 “manner that is available on-demand and is
12 user-friendly,”;

13 (2) in subsection (b)(2)(F)—

14 (A) in clause (i), by striking “; and” and
15 inserting “(including, to the extent practicable,
16 provided in real time);”;

17 (B) by redesignating clause (ii) as clause
18 (iii); and

19 (C) by inserting after clause (i), as so
20 amended, the following:

21 “(ii) the capabilities of digital tech-
22 nology and modern data collection ap-
23 proaches are effectively utilized; and”;

24 (3) by amending subsection (g) to read as fol-
25 lows:

1 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 \$64,532,600 for each of the fiscal years 2025 through
4 2030.”.

5 **SEC. 302. JOB TRAINING GRANTS.**

6 Section 414(c) of the American Competitiveness and
7 Workforce Improvement Act of 1998 (29 U.S.C. 3224a)
8 is amended to read as follows:

9 “(c) JOB TRAINING GRANTS.—

10 “(1) ALLOTMENT.—

11 “(A) IN GENERAL.—Of the funds available
12 under section 286(s)(2) of the Immigration and
13 Nationality Act (8 U.S.C. 1356(s)(2)), the Sec-
14 retary of Labor shall—

15 “(i) return permanently 12 percent of
16 such amounts in each fiscal year to the
17 general fund of the Treasury; and

18 “(ii) of the remainder, make allot-
19 ments to each State that receives an allot-
20 ment under section 132(b) of the Work-
21 force Innovation and Opportunity Act (29
22 U.S.C. 3172) for the purpose of providing
23 training services through individual train-
24 ing accounts for eligible dislocated workers
25 as described in paragraph (2)(A).

1 “(B) RESERVATION; ALLOTMENT AMONG
2 STATES.—

3 “(i) RESERVATION.—From the
4 amount made available under subpara-
5 graph (A)(ii) for a fiscal year, the Sec-
6 retary shall reserve not more than $\frac{1}{4}$ of 1
7 percent of such amount to provide assist-
8 ance to the outlying areas for the purpose
9 described in paragraph (2)(A).

10 “(ii) ALLOTMENT AMONG STATES.—
11 The Secretary shall use the remainder of
12 the amount made available under subpara-
13 graph (A)(ii) for a fiscal year to make al-
14 lotments to States described in such sub-
15 paragraph on the following basis:

16 “(I) $33\frac{1}{3}$ percent shall be
17 allotted on the basis of the relative
18 number of unemployed individuals in
19 each such State, compared to the total
20 number of unemployed individuals in
21 all such States.

22 “(II) $33\frac{1}{3}$ percent shall be
23 allotted based on the relative number
24 of disadvantaged adults in each such
25 State, compared to the total number

1 of disadvantaged adults in all such
2 States.

3 “(III) 33 and $\frac{1}{3}$ percent shall be
4 allotted on the basis of the relative
5 number of individuals in the civilian
6 labor force in each such State, com-
7 pared to the total number in the civil-
8 ian labor force in all such States.

9 “(iii) DISADVANTAGED ADULT DE-
10 FINED.—For purposes of this subpara-
11 graph and subparagraph (C), the term
12 ‘disadvantaged adult’ has the meaning
13 given such term in section
14 132(b)(1)(B)(v)(IV) of the Workforce In-
15 novation and Opportunity Act (29 U.S.C.
16 3172(b)(1)(B)(v)(IV)).

17 “(iv) REALLOTMENT.—

18 “(I) IN GENERAL.—The Sec-
19 retary of Labor shall, in accordance
20 with this clause, reallocate to eligible
21 States amounts that are made avail-
22 able to States from allotments made
23 under this subparagraph (referred to
24 individually in this subsection as a

1 ‘State allotment’) and that are avail-
2 able for reallocation.

3 “(II) AMOUNT.—The amount
4 available for reallocation for a pro-
5 gram year is equal to the amount by
6 which the unobligated balance of the
7 State allotment, at the end of the pro-
8 gram year prior to the program year
9 for which the determination under
10 this subclause is made, exceeds 20
11 percent of such allotment for the prior
12 program year.

13 “(III) REALLOTMENT.—In mak-
14 ing reallocations to eligible States of
15 amounts available pursuant to sub-
16 clause (II) for a program year, the
17 Secretary shall allot to each eligible
18 State an amount based on the relative
19 amount of the State allotment for the
20 program year for which the deter-
21 mination is made, as compared to the
22 total amount of the State allotments
23 for all eligible States for such pro-
24 gram year.

1 “(IV) ELIGIBILITY.—For pur-
2 poses of this subsection, an eligible
3 State means a State that does not
4 have an amount available for reallocot-
5 ment under subclause (II) for the pro-
6 gram year for which the determina-
7 tion under subclause (II) is made.

8 “(C) WITHIN STATE ALLOCATIONS.—

9 “(i) IN GENERAL.—The Governor
10 shall allocate the funds allotted to the
11 State under subparagraph (B)(ii) for a fis-
12 cal year to the local areas in the State on
13 the following basis:

14 “(I) 33 and $\frac{1}{3}$ percent of the
15 funds on the basis described in sub-
16 paragraph (B)(ii)(I).

17 “(II) 33 and $\frac{1}{3}$ percent of the
18 funds on the basis described in sub-
19 paragraph (B)(ii)(II).

20 “(III) 33 and $\frac{1}{3}$ percent of the
21 funds on the basis described in sub-
22 paragraph (B)(ii)(III).

23 “(ii) APPLICATION.—For purposes of
24 carrying out clause (i)—

1 “(I) references in subparagraph
2 (B)(ii) to a State shall be deemed to
3 be references to a local area; and

4 “(II) references in subparagraph
5 (B)(ii) to all States shall be deemed to
6 be references to all local areas in the
7 State involved.

8 “(iii) REALLOCATION AMONG LOCAL
9 AREAS.—

10 “(I) IN GENERAL.—The Gov-
11 ernor may, in accordance with this
12 clause and after consultation with the
13 State board, reallocate to eligible local
14 areas within the State amounts that
15 are made available to local areas from
16 allocations made under this subpara-
17 graph (referred to individually in this
18 subsection as a ‘local allocation’) and
19 that are available for reallocation.

20 “(II) AMOUNT.—The amount
21 available for reallocation for a pro-
22 gram year is equal to the amount by
23 which the unobligated balance of the
24 local allocation, at the end of the pro-
25 gram year prior to the program year

1 for which the determination under
2 this subclause is made, exceeds 20
3 percent of such allocation for the
4 prior program year.

5 “(III) REALLOCATION.—In mak-
6 ing reallocations to eligible local areas
7 of amounts available pursuant to sub-
8 clause (II) for a program year, the
9 Governor shall allocate to each eligible
10 local area within the State an amount
11 based on the relative amount of the
12 local allocation for the program year
13 for which the determination is made,
14 as compared to the total amount of
15 the local allocations for all eligible
16 local areas in the State for such pro-
17 gram year.

18 “(IV) ELIGIBILITY.—For pur-
19 poses of this subsection, an eligible
20 local area means a local area that
21 does not have an amount available for
22 reallocation under subclause (II) for
23 the program year for which the deter-
24 mination under subclause (II) is
25 made.

1 “(2) USE OF FUNDS.—

2 “(A) IN GENERAL.—Funds allocated pur-
3 suant to paragraph (1) to a local area shall be
4 used to pay, through the use of an individual
5 training account in the accordance with section
6 134(c)(3)(F)(iii) of the Workforce Innovation
7 and Opportunity Act (29 U.S.C.
8 3174(c)(3)(F)(iii)), an eligible provider of train-
9 ing services from the list of eligible providers of
10 training services described in section 122(d) of
11 such Act (29 U.S.C. 3152(d)) for training serv-
12 ices provided to eligible dislocated workers in
13 the local area.

14 “(B) REQUIREMENTS FOR LOCAL
15 AREAS.—As a condition of receipt of funds
16 under paragraph (1), a local area shall agree to
17 each of the following:

18 “(i) REQUIRED NOTICE TO WORK-
19 ERS.—Prior to an eligible dislocated work-
20 er selecting a program of training services
21 from the list of eligible providers of train-
22 ing services under section 122(d) of the
23 Workforce Innovation and Opportunity Act
24 (29 U.S.C. 3152(d)), the local area shall
25 inform such dislocated worker of any op-

1 portunities the dislocated worker may have
2 to participate in on-the-job training or em-
3 ployer-directed skills development funded
4 through such local area.

5 “(ii) AMOUNTS AVAILABLE.—Except
6 as provided in clause (iv)(II), a local
7 area—

8 “(I) may not limit the maximum
9 amount available for an individual
10 training account for an eligible dis-
11 located worker under subparagraph
12 (A) to an amount that is less than
13 \$5,000; and

14 “(II) may not pay an amount,
15 through the use of an individual train-
16 ing account under subparagraph (A),
17 for training services provided to an el-
18 ible dislocated worker that exceeds
19 the costs of such services.

20 “(iii) WIOA FUNDS.—A local area
21 may not use funds made available to the
22 local area for a fiscal year pursuant to sec-
23 tion 134(c)(1)(B) of the Workforce Innova-
24 tion and Opportunity Act (29 U.S.C.
25 3174(c)(1)(B)) to make payments under

1 subparagraph (A) until the funds allocated
2 to the local area pursuant to paragraph (1)
3 of this subsection for such fiscal year have
4 been exhausted.

5 “(iv) EXHAUSTION OF ALLOCA-
6 TIONS.—Upon the exhaustion of the funds
7 allocated to the local area pursuant to
8 paragraph (1) of this subsection, for the
9 purpose of paying, through the use of indi-
10 vidual training accounts under subpara-
11 graph (A), the costs of training services for
12 eligible dislocated workers in the local area
13 seeking such services, the local area—

14 “(I) shall use any funds made
15 available to the local area pursuant to
16 section 134(c)(1)(B) of the Workforce
17 Innovation and Opportunity Act (29
18 U.S.C. 3174(c)(1)(B)) to pay for such
19 costs under subparagraph (A) (other
20 than any costs that exceed the limit
21 set by the local area pursuant to sub-
22 clause (II)); and

23 “(II) for any eligible dislocated
24 worker who is not a low-income indi-
25 vidual, may limit the maximum

1 amount available for the individual
2 training account under subparagraph
3 (A) for such worker to an amount
4 that is less than \$5,000.

5 “(3) ELIGIBLE DISLOCATED WORKER.—A dis-
6 located worker shall be an eligible dislocated worker
7 for purposes of this subsection if the dislocated
8 worker—

9 “(A) meets the requirements under section
10 134(c)(3)(A)(i) of the Workforce Innovation
11 and Opportunity Act (29 U.S.C.
12 3174(c)(3)(A)(i)) to be eligible for training
13 services;

14 “(B) has not received training services
15 through an individual training account under
16 this subsection or under section
17 134(c)(3)(F)(iii) of Workforce Innovation and
18 Opportunity Act (29 U.S.C. 3174(c)(3)(F)(iii))
19 during the preceding 5-year period or, if such
20 a worker has received such training services
21 during such period, the worker has been grant-
22 ed an exception by the local area due to an ex-
23 ceptional circumstance, as determined by the
24 local area; and

1 “(C) is not subject to any limitations es-
2 tablished by the local area or State involved
3 pursuant to paragraph (4), which would dis-
4 qualify such dislocated worker from being an el-
5 igible dislocated worker under this subsection.

6 “(4) STATE OR LOCAL AREA LIMITATIONS.—A
7 State or local area may establish limitations on the
8 eligibility of an otherwise eligible dislocated worker
9 who has previously received training services through
10 an individual training account under this subsection
11 or under section 134(c)(3)(F)(iii) of the Workforce
12 Innovation and Opportunity Act (29 U.S.C.
13 3174(c)(3)(F)(iii)) to receive a subsequent individual
14 training account under this subsection.

15 “(5) EXCESS DEMAND.—Upon the exhaustion
16 of the funds allocated to a local area pursuant to
17 paragraph (1) of this subsection and any funds that
18 may be available to such local area pursuant to sec-
19 tion 134(c)(1)(B) of the Workforce Innovation and
20 Opportunity Act (29 U.S.C. 3174(c)(1)(B)) for the
21 purpose described in paragraph (2)(A) of this sub-
22 section, the local area—

23 “(A) may request additional funds for such
24 purpose from the Governor under section
25 134(a)(2)(A)(i)(III) of the Workforce Innova-

1 tion and Opportunity Act (29 U.S.C.
2 3174(a)(2)(A)(i)(III)); and

3 “(B) shall not be required to pay for train-
4 ing services or establish an individual training
5 account for an eligible dislocated worker.

6 “(6) DEFINITIONS.—Except as otherwise speci-
7 fied, a term used in this subsection shall have the
8 meaning given such term in section 3 of the Work-
9 force Innovation and Opportunity Act (29 U.S.C.
10 3102).

11 “(7) RULE OF CONSTRUCTION.—Nothing in
12 this subsection shall be construed to provide an indi-
13 vidual with an entitlement to a service under this
14 subsection or under title I of the Workforce Innova-
15 tion and Opportunity Act (29 U.S.C. 3111 et seq.)
16 or to mandate a State or local area to provide a
17 service if Federal funds are not available for such
18 service.”.

19 **SEC. 303. ACCESS TO NATIONAL DIRECTORY OF NEW**
20 **HIRES.**

21 Section 453(j)(8) of the Social Security Act (42
22 U.S.C. 653(j)(8)) is amended—

23 (1) in paragraph (A)—

24 (A) by inserting “or administering the per-
25 formance accountability system required under

1 section 116 of the Workforce Innovation and
2 Opportunity Act (29 U.S.C. 3141)” after
3 “State law”; and
4 (B) by inserting “or such system” after
5 “such program”; and
6 (2) in paragraph (C)(i), by inserting “or sys-
7 tem” after “program”.