

Union Calendar No. 240

117TH CONGRESS
2^D SESSION

H. R. 7309

[Report No. 117–321]

To reauthorize the Workforce Innovation and Opportunity Act.

IN THE HOUSE OF REPRESENTATIVES

MARCH 31, 2022

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

MAY 12, 2022

Additional sponsors: Mr. DESAULNIER, Ms. LEGER FERNANDEZ, Ms. OMAR, Ms. JAYAPAL, Ms. ADAMS, Ms. MANNING, Mr. SUOZZI, Mr. DANNY K. DAVIS of Illinois, Mr. JOHNSON of Georgia, Mr. TRONE, Ms. ESCOBAR, Mr. SMITH of Washington, Ms. BASS, Mrs. LAWRENCE, Ms. SCANLON, Mrs. WATSON COLEMAN, Mrs. AXNE, Mr. CARSON, Mr. LANGEVIN, Ms. NORTON, Ms. SEWELL, Mr. SCHNEIDER, Mr. CARTER of Louisiana, Mr. EVANS, Ms. TITUS, Mr. HORSFORD, Mr. BISHOP of Georgia, Ms. TLAIB, Ms. BOURDEAUX, Mr. CASTEN, Mr. GALLEG0, Ms. WILLIAMS of Georgia, Mr. LARSEN of Washington, Ms. BLUNT ROCHESTER, Ms. BROWNLEY, Mr. KRISHNAMOORTHY, Mr. ESPAILLAT, and Mr. BUTTERFIELD

MAY 12, 2022

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on March 31, 2022]

A BILL

To reauthorize the Workforce Innovation and Opportunity
Act.

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

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. REFERENCES.**

7 *Except as otherwise expressly provided, whenever in*
 8 *this Act an amendment or repeal is expressed in terms of*
 9 *an amendment to, or repeal of, a section or other provision,*
 10 *the reference shall be considered to be made to a section or*
 11 *other provision of the Workforce Innovation and Oppor-*
 12 *tunity Act (29 U.S.C. 3101 et seq.).*

13 **SEC. 3. TRANSITION PROVISIONS.**

14 *(a) WORKFORCE DEVELOPMENT SYSTEMS AND IN-*
 15 *VESTMENT ACTIVITIES.—The Secretary of Labor and the*
 16 *Secretary of Education shall take such actions as the Secre-*
 17 *taries determine to be appropriate to provide for the orderly*
 18 *transition from any authority under subtitle A of title I*
 19 *of the Workforce Innovation and Opportunity Act (29*
 20 *U.S.C. 3111 et seq.), as in effect on the day before the date*
 21 *of enactment of this Act, to any authority under subtitle*
 22 *A of title I of such Act (29 U.S.C. 3111 et seq.), as amended*
 23 *by this Act. Such actions shall include the provision of*
 24 *guidance related to unified State planning, combined State*

1 *planning, and the performance accountability system de-*
 2 *scribed in such subtitle.*

3 (b) *WORKFORCE INVESTMENT ACTIVITIES.*—*The Sec-*
 4 *retary of Labor shall take such actions as the Secretary de-*
 5 *termines to be appropriate to provide for the orderly transi-*
 6 *tion from any authority under the subtitles B through E*
 7 *of title I of the Workforce Innovation and Opportunity Act*
 8 *(29 U.S.C. 3151 et seq.), as in effect on the day before the*
 9 *date of enactment of this Act, to any authority under sub-*
 10 *titles B through E of title I of such Act, as amended by*
 11 *this Act.*

12 (c) *ADULT EDUCATION AND LITERACY PROGRAMS.*—
 13 *The Secretary of Education shall take such actions as the*
 14 *Secretary determines to be appropriate to provide for the*
 15 *orderly transition from any authority under the Adult Edu-*
 16 *cation and Family Literacy Act (20 U.S.C. 9201 et seq.),*
 17 *as in effect on the day before the date of enactment of this*
 18 *Act, to any authority under the Adult Education and Fam-*
 19 *ily Literacy Act, as amended by this Act.*

20 (d) *EMPLOYMENT SERVICES ACTIVITIES.*—*The Sec-*
 21 *retary of Labor shall take such actions as the Secretary de-*
 22 *termines to be appropriate to provide for the orderly transi-*
 23 *tion from any authority under the Wagner-Peyser Act (29*
 24 *U.S.C. 49 et seq.), as in effect on the day before the date*

1 *of enactment of this Act, to any authority under the Wag-*
2 *ner-Peyser Act, as amended by this Act.*

3 *(e) REGULATIONS.—*

4 *(1) PROPOSED REGULATIONS.—Not later than*
5 *180 days after the date of enactment of this Act, the*
6 *Secretary of Labor and the Secretary of Education, as*
7 *appropriate, shall develop and publish in the Federal*
8 *Register proposed regulations relating to the transi-*
9 *tion to, and implementation of, the Workforce Innova-*
10 *tion and Opportunity Act, as amended by this Act,*
11 *and the Wagner-Peyser Act, as amended by this Act.*

12 *(2) FINAL REGULATIONS.—Not later than 18*
13 *months after the date of enactment of this Act, the*
14 *Secretaries described in paragraph (1), as appro-*
15 *priate, shall develop and publish in the Federal Reg-*
16 *ister final regulations relating to the transition to,*
17 *and implementation of, the Workforce Innovation and*
18 *Opportunity Act, as amended by this Act, and the*
19 *Wagner-Peyser Act, as amended by this Act.*

20 *(f) EXPENDITURE OF FUNDS DURING TRANSITION.—*

21 *(1) IN GENERAL.—Subject to paragraph (2) and*
22 *in accordance with regulations developed under sub-*
23 *section (f), States, grant recipients, administrative*
24 *entities, and other recipients of financial assistance*
25 *under the Workforce Innovation and Opportunity Act*

1 (29 U.S.C. 3101 *et seq.*), as in effect before the date
 2 of enactment of this Act, may expend funds received
 3 under such Act in order to plan and implement pro-
 4 grams and activities under the Workforce Innovation
 5 and Opportunity Act, as amended by this Act.

6 (2) *ADDITIONAL REQUIREMENTS.*—Not more
 7 than 2 percent of any allotment to any State from
 8 amounts appropriated under the Workforce Innova-
 9 tion and Opportunity Act (29 U.S.C. 3101 *et seq.*),
 10 as in effect on the day before the date of enactment
 11 of this Act, for fiscal year 2022 may be made avail-
 12 able to carry out activities authorized under para-
 13 graph (1) and not less than 50 percent of any amount
 14 used to carry out activities authorized under para-
 15 graph (1) shall be made available to local entities for
 16 the purposes of the activities described in such para-
 17 graph.

18 **SEC. 4. EFFECTIVE DATE.**

19 (a) *IN GENERAL.*—Except as otherwise provided in
 20 this Act, this Act, including the amendments made by this
 21 Act, shall take effect on the first day of the first full program
 22 year after the date of enactment of this Act.

23 (b) *EXCEPTIONS.*—Sections 102, 103, and 108 of the
 24 Workforce Innovation and Opportunity Act, as amended by
 25 this Act, shall apply to plans for the second full program

1 *year after the date of enactment of this Act, including the*
 2 *development, submission, and approval of such plans dur-*
 3 *ing the first full program year after such date.*

4 **SEC. 5. TABLE OF CONTENTS.**

5 *The table of contents for this Act is as follows:*

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

TITLE I—DEFINITIONS AND OTHER GENERAL MATTERS

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

TITLE II—WORKFORCE DEVELOPMENT ACTIVITIES

Subtitle A—System Alignment

CHAPTER 1—STATE PROVISIONS

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

CHAPTER 2—LOCAL PROVISIONS

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

CHAPTER 3—PERFORMANCE ACCOUNTABILITY

Sec. 211. Performance accountability system.

Subtitle B—Workforce Investment Activities and Providers

CHAPTER 1—WORKFORCE INVESTMENT ACTIVITIES AND PROVIDERS

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

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES

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

*CHAPTER 3—ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING
ACTIVITIES*

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

CHAPTER 4—GENERAL WORKFORCE INVESTMENT PROVISIONS

- Sec. 251. Authorization of appropriations.*

Subtitle C—Job Corps

- Sec. 261. Amendments relating to Job Corps.*

Subtitle D—National Programs

- Sec. 271. Native American Programs.*
Sec. 272. Migrant and seasonal farmworker programs.
Sec. 273. Technical assistance.
Sec. 274. Evaluations and research.
Sec. 275. National dislocated worker grants.
Sec. 276. YouthBuild program.
Sec. 277. Strengthening community colleges training grants program.
Sec. 278. Reentry employment opportunities.
*Sec. 279. Sectoral employment through career training for occupational readiness
(sector) program.*
Sec. 280. Workforce Data Quality Initiative Grants.
Sec. 281. Authorization of appropriations.

Subtitle E—Administration

- Sec. 291. Nondiscrimination.*
Sec. 292. Secretarial administrative authorities and responsibilities.
Sec. 293. Guard rails for program integrity.

TITLE III—ADULT EDUCATION AND FAMILY LITERACY

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

TITLE IV—GENERAL PROVISIONS

- Sec. 401. Prohibition of national database management.*
Sec. 402. Accessibility.

TITLE V—AMENDMENTS TO THE WAGNER-PEYSER ACT

- Sec. 501. Inclusion of Commonwealth of the Northern Mariana Islands and
American Samoa.*

Sec. 502. Workforce and labor market information system.

TITLE VI—AMENDMENTS TO THE REHABILITATION ACT OF 1973

Sec. 601. Authorization of appropriations.

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

3 *SEC. 101. DEFINITIONS.*

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

6 “(5) FOUNDATIONAL SKILL NEEDS.—The term
7 *‘foundational skill needs’ means, with respect to an*
8 *individual—*

9 “(A) who is a youth or adult, that the indi-
10 *vidual has English reading, writing, or com-*
11 *puting skills at or below the 8th grade level on*
12 *a generally accepted standardized test; or*

13 “(B) who is a youth or adult, that the indi-
14 *vidual is unable to compute or solve problems, or*
15 *read, write, or speak English, or does not possess*
16 *digital literacy, interpersonal communication,*
17 *time management, critical thinking, or financial*
18 *literacy skills at a level necessary to function on*
19 *the job, in the individual’s family, or in soci-*
20 *ety.”.*

21 *(b) CAREER PATHWAY.—Paragraph (7) of section 3*
22 *(29 U.S.C. 3102) is amended to read as follows:*

1 “(7) *CAREER PATHWAY*.—The term ‘career path-
2 way’ means a combination of rigorous and high-quality
3 education, training, and other services that—

4 “(A) are designed to support progression to-
5 wards attainment of a recognized postsecondary
6 credential;

7 “(B) align with the skill needs of industries
8 in the economy of the State or regional economy
9 involved;

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

11 “(D) prepare an individual to be successful
12 in any of a full range of secondary or postsec-
13 ondary education options, including apprentice-
14 ship programs;

15 “(E) provide career services, including
16 counseling to support an individual in achieving
17 the individual’s education and career goals, and
18 helping the individual to identify and access a
19 path to skills and credentials that are needed for
20 the educational and career advancement of the
21 individual;

22 “(F) include supportive services or provides
23 assistance in applying for and accessing direct
24 support services, means-tested Federal benefit

1 *programs, or similar State, tribal, or local ben-*
2 *efit programs;*

3 *“(G) include, as appropriate, education of-*
4 *fered concurrently with and in the same context*
5 *as workforce preparation activities and training*
6 *for a specific occupation or occupational cluster*
7 *(such as through work-based learning opportuni-*
8 *ties);*

9 *“(H) organize education, training, and*
10 *other services to meet the particular needs of an*
11 *individual in a manner that accelerates the edu-*
12 *cational and career advancement of the indi-*
13 *vidual to the extent practicable;*

14 *“(I) enable an individual to attain a sec-*
15 *ondary school diploma or its recognized equiva-*
16 *lent as applicable, and at least 1 recognized post-*
17 *secondary credential; and*

18 *“(J) help an individual enter or advance*
19 *within a specific occupation or occupational*
20 *cluster.”;*

21 *(c) DISLOCATED WORKER.—Paragraph (15) of section*
22 *3 (29 U.S.C. 3102) is amended—*

23 *(1) in subparagraph (A)—*

24 *(A) in clause (i), by adding “and” at the*
25 *end;*

1 *(B) in clause (ii)—*
2 *(i) in subclause (I), by striking “or” at*
3 *the end;*
4 *(ii) in subclause (II), by striking*
5 *“and” at the end and inserting “or”; and*
6 *(iii) by adding at the end the fol-*
7 *lowing:*
8 *“(III) has been an unemployed individual*
9 *for 27 weeks or more;”; and*
10 *(C) by striking clause (iii);*
11 *(2) by redesignating subparagraphs (D) and (E)*
12 *as subparagraphs (E) and (F), respectively; and*
13 *(3) by adding after subparagraph (C) the fol-*
14 *lowing:*
15 *“(D)(i) is currently underemployed and en-*
16 *gaged in the occasional performance of services*
17 *for remuneration; and*
18 *“(ii) is self-employed, is seeking part-time*
19 *employment, and does not have sufficient work*
20 *history to qualify, or otherwise would not qualify*
21 *for regular unemployment or extended benefits*
22 *under State or Federal law;”; and*
23 *(4) in subparagraph (E), as so redesignated, by*
24 *striking “homemaker” and inserting “caregiver”.*

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

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

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

6 (A) by striking “homemaker” and inserting
 7 “caregiver”;

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

10 (3) in subparagraph (A)—

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

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

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

16 “(iii) has involuntarily left the labor mar-
 17 ket to provide care for a relative or dependent,
 18 which may be validated through self-attestation
 19 in a manner consistent with section 402A(e) of
 20 the Higher Education Act of 1965 (20 U.S.C.
 21 1070a–11(e)); and”.

22 (e) *ELIGIBLE YOUTH*.—Paragraph (18) of section 3
 23 (29 U.S.C. 3102) is amended to read as follows:

1 “(18) *ELIGIBLE YOUTH*.—*Except as provided in*
2 *subtitles C and D of title I, the term ‘eligible youth’*
3 *means—*

4 “(A) *an opportunity youth; or*

5 “(B) *a youth who is not younger than 14*
6 *years of age and not older than 24 years of age,*
7 *who can self-attest, in a manner consistent with*
8 *section 402A(e) of the Higher Education Act of*
9 *1965 (20 U.S.C. 1070a–11(e)), that the youth—*

10 “(i) *is attending school (as defined by*
11 *State law);*

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

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

14 “(I) *An English learner.*

15 “(II) *An individual impacted by*
16 *the juvenile or adult justice system.*

17 “(III) *A homeless individual (as*
18 *defined in section 41403(6) of the Vio-*
19 *lence Against Women Act of 1994 (42*
20 *U.S.C. 14043e–2(6))), a homeless child*
21 *or youth (as defined in section 725(2)*
22 *of the McKinney-Vento Homeless As-*
23 *stance Act (42 U.S.C. 11434a(2))), a*
24 *runaway, a child or youth in foster*
25 *care or who has aged out of the foster*

1 *care system, a child or youth eligible*
 2 *for assistance under section 477 of the*
 3 *Social Security Act (42 U.S.C. 677), or*
 4 *a child or youth in an out-of-home*
 5 *placement.*

6 *“(IV) An individual who is preg-*
 7 *nant or parenting.*

8 *“(V) An individual with a dis-*
 9 *ability.”.*

10 *(f) ENGLISH LEARNER.—Paragraph (21) of section 3*
 11 *(29 U.S.C. 3102) is amended—*

12 *(1) in the heading, by striking “LANGUAGE”; and*
 13 *(2) by striking “language”.*

14 *(g) INDIVIDUAL WITH A BARRIER TO EMPLOYMENT.—*
 15 *Paragraph (24) of section 3 (29 U.S.C. 3102) is amended*
 16 *to read as follows:*

17 *“(24) INDIVIDUAL WITH A BARRIER TO EMPLOY-*
 18 *MENT.—The term ‘individual with a barrier to em-*
 19 *ployment’ means a member of 1 or more of the fol-*
 20 *lowing populations:*

21 *“(A) Displaced caregivers.*

22 *“(B) Low-income individuals.*

23 *“(C) Indians, Alaska Natives, and Native*
 24 *Hawaiians, as such terms are defined in section*
 25 *166.*

1 “(D) *Individuals with disabilities, includ-*
2 *ing youth who are individuals with disabilities.*

3 “(E) *Older individuals.*

4 “(F) *Justice-involved individuals.*

5 “(G) *Homeless individuals (as defined in*
6 *section 41403(6) of the Violence Against Women*
7 *Act of 1994 (42 U.S.C. 14043e–2(6))), or home-*
8 *less children and youths (as defined in section*
9 *725(2) of the McKinney-Vento Homeless Assist-*
10 *ance Act (42 U.S.C. 11434a(2))).*

11 “(H) *Youth who are in or have aged out of*
12 *the foster care system.*

13 “(I) *Individuals who are English learners,*
14 *individuals who have low levels of literacy in-*
15 *cluding digital literacy, or individuals facing*
16 *substantial cultural barriers.*

17 “(J) *Eligible migrant and seasonal farm-*
18 *workers, as defined in section 167(i).*

19 “(K) *Individuals who exhausted lifetime eli-*
20 *gibility under part A of title IV of the Social Se-*
21 *curity Act (42 U.S.C. 601 et seq.).*

22 “(L) *Single parents (including single preg-*
23 *nant women).*

24 “(M) *Long-term unemployed individuals.*

1 “(N) *The spouse of, or youth with a parent*
 2 *who is—*

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

6 “(ii) *on active duty (as such term is*
 7 *defined in section 101(d)(1) of such title);*
 8 *and*

9 “(iii) *deployed or recently transferred.*

10 “(O) *Individuals who have been historically*
 11 *underserved and marginalized as a result of*
 12 *race, color, national origin, sexual orientation,*
 13 *or gender identity.*

14 “(P) *Such other groups as the Governor in-*
 15 *volved determines to have barriers to employ-*
 16 *ment.”.*

17 (h) *LABOR MARKET AREA.—Paragraph (30) of section*
 18 *3 (29 U.S.C. 3102) is amended by inserting “and the eco-*
 19 *nomic development agency” after “Department of Labor”.*

20 (i) *LOW-INCOME INDIVIDUAL.—Paragraph (36) of sec-*
 21 *tion 3 (29 U.S.C. 3102) is amended—*

22 (1) *in subparagraph (A)—*

23 (A) *by amending subclause (I) of clause (ii)*
 24 *to read as follows:*

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

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

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

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

14 “(vii) is an individual who is—

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

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

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

24 (j) NONTRADITIONAL EMPLOYMENT.—Paragraph (37)
 25 of section 3 (29 U.S.C. 3102) is amended to read as follows:

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

6 *“(A) comprise less than 25 percent of the*
 7 *individuals employed in each such occupation or*
 8 *field of work; or*

9 *“(B) comprise a percentage of individuals*
 10 *employed in such occupation that is lower than*
 11 *the percentage of the total population comprised*
 12 *by such members, based on the most recent data*
 13 *from the Bureau of the Census.”.*

14 *(k) JUSTICE-INVOLVED INDIVIDUAL.*—*Paragraph (38)*
 15 *of section 3 (29 U.S.C. 3102) is amended—*

16 *(1) in the heading, by striking “OFFENDER” and*
 17 *inserting “JUSTICE-INVOLVED INDIVIDUAL”; and*

18 *(2) by striking “offender” and inserting “justice-*
 19 *involved individual”.*

20 *(l) OPPORTUNITY YOUTH.*—*Paragraph (46) of section*
 21 *3 (29 U.S.C. 3102) is amended to read as follows:*

22 *“(46) OPPORTUNITY YOUTH.*—*The term ‘oppor-*
 23 *tunity youth’—*

24 *“(A) means an individual—*

1 “(i) who is not younger than 16 years
2 of age and not older than 24 years of age;
3 and

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

9 “(I) not attending any school (as
10 defined under State law); and

11 “(II) not employed; and

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

17 (m) *RAPID RESPONSE ACTIVITY*.—Paragraph (51) of
18 section 3 (29 U.S.C. 3102) is amended by inserting “in a
19 job position of similar wages and benefits, to the greatest
20 extent possible, or on the job training for a new occupation
21 or industry,” after “reemployment”.

22 (n) *STATE*.—Paragraph (56) of section 3 (29 U.S.C.
23 3102) is amended by striking “the Commonwealth of”.

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

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

11 (p) *ADDITIONAL DEFINITIONS*.—Section 3 (29 U.S.C.
12 3102), as amended by this section, is further amended—

13 (1) by adding at the end the following new para-
14 graphs:

15 “(72) *APPRENTICESHIP PROGRAM*.—The term
16 ‘apprenticeship program’ means a program registered
17 under the Act of August 16, 1937 (commonly known
18 as the ‘National Apprenticeship Act’; 50 Stat. 664,
19 chapter 663; 29 U.S.C. 50 et seq.).

20 “(73) *COENROLLMENT*.—The term ‘coenrollment’
21 means simultaneous enrollment in more than one of
22 the programs or activities carried out by a one-stop
23 partner in section 121(b)(1)(B).

24 “(74) *COMPETENCY*.—The term ‘competency’
25 means the attainment of knowledge, skills, and abili-

ties in a subject area, as specified by an occupational skill standard and demonstrated by an appropriate written, oral, hands-on, or other appropriate proficiency measurement.

“(75) *DIGITAL LITERACY SKILLS*.—The term ‘digital literacy skills’ has the meaning given the term in section 202(A) of the Museum and Library Services Act (20 U.S.C. 9101(2)).

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

“(A) demonstrates a statistically significant effect on improving participant outcomes or other relevant outcomes based on—

“(i) strong evidence from at least 1 well-designed and well-implemented experimental study;

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

“(iii) promising evidence from at least 1 well-designed and well-implemented correlational study with statistical controls for selection bias; or

1 “(B)(i) demonstrates a rationale based on
2 high-quality research findings or positive evalua-
3 tion that such activity, strategy, or intervention
4 is likely to improve student outcomes or other
5 relevant outcomes; and

6 “(ii) includes ongoing efforts to examine the
7 effects of such activity, strategy, or intervention.

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

13 “(A) any organization composed of labor
14 organizations, such as a labor union federation
15 or a State or municipal labor body; and

16 “(B) any organization which would be in-
17 cluded in the definition for such term under such
18 section 2(5) but for the fact that the organization
19 represents—

20 “(i) individuals employed by the
21 United States, any wholly owned Govern-
22 ment corporation, any Federal Reserve
23 Bank, or any State or political subdivision
24 thereof;

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

4 “(iii) individuals employed as agricul-
 5 tural laborers.

6 “(78) *PERKINS-ELIGIBLE AGENCY*.—The term
 7 ‘Perkins-eligible agency’ has the meaning given the
 8 term ‘eligible agency’ in section 3 of the Carl D. Per-
 9 kins Career and Technical Education Act of 2006 (20
 10 U.S.C. 2302).

11 “(79) *PRE-APPRENTICESHIP PROGRAM*.—The
 12 term ‘pre-apprenticeship program’ means a training
 13 model or program that—

14 “(A) is designed to prepare participants to
 15 enter an apprenticeship program;

16 “(B) has a written agreement with 1 or
 17 more sponsors of apprenticeship programs that
 18 would enable participants who successfully com-
 19 plete the pre-apprenticeship program—

20 “(i) to enter into the apprenticeship
 21 program if a place in the program is avail-
 22 able and if the participant meets the quali-
 23 fications of the apprenticeship program;
 24 and

1 “(ii) to earn credits towards the ap-
2 prenticeship program;

3 “(C) includes skills development (including
4 a curriculum for the skills development) aligned
5 with industry standards related to an appren-
6 ticeship program created in consultation with
7 sponsors of the apprenticeship program that are
8 parties to the written agreement under subpara-
9 graph (B), and that will prepare participants by
10 teaching the skills and competencies needed to
11 enter 1 or more apprenticeship programs; and

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

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

17 “(81) *WORKFORCE AGENCY*.—The term ‘work-
18 force agency’ means the State agency or local agency
19 responsible for administering workforce development
20 activities or the workforce development system.”;

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

22 (3) by reordering paragraphs (1) through (71),
23 as amended by this section, and the paragraphs
24 added by paragraph (1) of this subsection in alpha-

4 *The table of contents in section 1(b) of the Workforce*
5 *Innovation and Opportunity Act is amended—*

6 (1) by adding at the end of the items relating to
7 chapter 2 of subtitle B of title I the following:

8 (2) *by striking the item relating to section 172*
9 *and inserting the following:*

“Sec. 176. Authorization of appropriations.”; and

10 (3) by adding at the end of the item relating to
11 subtitle A of title V, the following:

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

17 (a) *MEMBERSHIP*.—Section 101(b)(1)(C) of the Work-
18 force Innovation and Opportunity Act (29 U.S.C.
19 3111(b)(1)(C)) is amended—
20 (1) in clause (ii)—

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

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

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

8 (2) in clause (iii)—

9 (A) in subclause (I)—

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

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

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

23 (B) in subclause (II)—

24 (i) by amending item (bb) to read as
25 follows:

1 “(bb) State agency officials
 2 responsible for adult or juvenile
 3 justice programs in the State;”;
 4 (ii) by striking “and” at the end of
 5 item (cc); and
 6 (iii) by striking item (dd); and
 7 (iv) by adding at the end the following:
 8 “(dd) State agency officials
 9 responsible for vocational rehabili-
 10 tation; and
 11 “(ee) State agency officials
 12 responsible for economic develop-
 13 ment.”.

14 (b) *DIVERSE AND DISTINCT REPRESENTATION*.—Sec-
 15 tion 101(b)(2) (29 U.S.C. 3111(b)(2)) is amended by insert-
 16 ing before the period at the end the following: “, and diverse
 17 demographic populations of the State”.

18 (c) *FUNCTIONS*.—Section 101(d) (29 U.S.C. 3111(d))
 19 is amended—

20 (1) in paragraph (3)—

21 (A) in subparagraph (A), strike “and avoid
 22 duplication” and insert “avoid duplication, and
 23 leverage resources and expertise”;

24 (B) in subparagraph (B)—

1 (i) by inserting “and expand” after
2 “support”; and

3 (ii) by striking “enter or retain em-
4 ployment” and inserting “enter in, retain,
5 or progress in employment”;

6 (C) in subparagraph (C)—

7 (i) by inserting “and equitable” after
8 “effective”; and

9 (ii) by inserting “, including individ-
10 uals with barriers to employment” after
11 “system”;

12 (D) in subparagraph (E), by striking
13 “identification of” and inserting “continued
14 identification of and support for”;

15 (E) in subparagraph (F)—

16 (i) by inserting “affiliated sites,” after
17 “partners,”; and

18 (ii) by striking “services and sup-
19 portive” and inserting “services, career
20 services, and supportive”; and

21 (F) in subparagraph (G), by inserting “on-
22 going” after “support”;

23 (2) in paragraph (5)—

24 (A) in subparagraph (A), by striking “cen-
25 ters, relating to the use of business outreach,

1 *partnerships, and service delivery strategies, in-*
2 *cluding” and inserting “centers, including the*
3 *use of evidence-based strategies for such oper-*
4 *ations, the latest in digital technology and tools,*
5 *and the use of partnerships to expand and im-*
6 *prove services to jobseekers and workers, includ-*
7 *ing”;*

8 *(B) by redesignating subparagraphs (B)*
9 *and (C) as subparagraphs (C) and (D), respec-*
10 *tively;*

11 *(C) by inserting after subparagraph (A) the*
12 *following:*

13 *“(B) local boards and one-stop centers on*
14 *effective outreach and enhanced services to busi-*
15 *nesses, joint labor-management partnerships, in-*
16 *dustry associations, and industry or sector part-*
17 *nerships, to provide employment and training*
18 *activities reflective of regional economic prior-*
19 *ities and the skill and competency needs of in-*
20 *demand industry sectors and occupations;”;* and

21 *(D) in subparagraph (D), as so redesign-*
22 *ated, by striking “adaptability, to” and insert-*
23 *ing “adaptability to reduce the time required for*
24 *attainment of a recognized postsecondary creden-*
25 *tial or reskilling, and”;* and

1 (3) in paragraph (7)—

2 (A) in the matter preceding subparagraph
3 (A), by striking “technological improvements to
4 facilitate access” and inserting “improvements
5 in the use of digital technology to facilitate and
6 expand access”;

7 (B) by amending subparagraphs (B) and
8 (C) to read as follows:

9 “(B) accelerate—

10 “(i) the acquisition of skills, com-
11 petencies, and recognized postsecondary cre-
12 dentials by participants with respect to an
13 in-demand industry sector or occupation in
14 a State or local area; and

15 “(ii) the matching of participants to
16 career pathways and employment opportu-
17 nities based on the skills, competencies, and
18 recognized postsecondary credentials at-
19 tained by such participants;

20 “(C) strengthen the professional develop-
21 ment of providers and workforce professionals,
22 ensuring professional development activities in-
23 clude—

1 “(i) trauma-informed practices and
 2 human-centered design that serve individ-
 3 uals with barriers to employment;

4 “(ii) preparing providers and work-
 5 force professionals to use the latest tech-
 6 nology;

7 “(iii) accessing and understanding
 8 labor market data; and

9 “(iv) ensuring equitable access and
 10 service delivery for individuals who have
 11 been historically underserved, marginalized,
 12 and adversely affected as a result of race,
 13 ethnicity, or gender, including training on
 14 customer-centered service delivery, racial
 15 bias, cultural competence, occupational
 16 stereotyping, and strategies for increasing
 17 participant and worker voices; and”;

18 (C) in subparagraph (D), by striking “with
 19 disabilities and individuals” and inserting
 20 “with barriers to employment, including indi-
 21 viduals with disabilities, and to individuals”.

22 **SEC. 202. UNIFIED STATE PLAN.**

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

24 *(1) in subsection (b)—*

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

3 “(1) *STRATEGIC PLANNING ELEMENTS.*—The
4 unified State plan shall include strategic planning
5 elements consisting of a strategic vision and goals for
6 preparing an educated and skilled workforce, that in-
7 clude—

8 “(A) a summary and conclusions of anal-
9 ysis conducted of the economic conditions in the
10 State using labor market information, includ-
11 ing—

12 “(i) existing and emerging in-demand
13 industry sectors and occupations;

14 “(ii) the industry or sector partner-
15 ships within the State and the opportunities
16 for expansion of such partnerships to sup-
17 port sector-specific initiatives;

18 “(iii) projected industries or sectors
19 within the State expected to decline or face
20 significant changes in employment opportu-
21 nities; and

22 “(iv) the employment needs of employ-
23 ers, including a description of the knowl-
24 edge, skills, competencies, and abilities cur-

rently needed and projected to be needed, in those industries and occupations;

“(B) a summary and conclusions of analysis conducted of the current workforce using labor market information, employment and unemployment data, labor market trends, and the educational and skill levels of the workforce, including individuals with barriers to employment, in the State;

“(C) an analysis of the workforce development activities (including supportive services, career services, education, and training) in the State, in coordination with the Perkins-eligible agency in the State, in order to address the identified education and skill needs of the workforce and the employment needs of employers in the State, including—

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

“(ii) the capacity of State entities to provide such activities that meet the specific needs of youth, including opportunity youth, and individuals with barriers to employment;

1 “(iii) an analysis of educational, skill,
2 and competency levels of individuals served
3 by the workforce system as compared to
4 such levels required to address the employ-
5 ment needs in the State; and

6 “(iv) an analysis of the career path-
7 ways offered within the State, including an
8 analysis of how such pathways are aligned
9 to the education and training needs of the
10 current and future workforce within the
11 State, and the development and expansion
12 of career pathways to meet current and fu-
13 ture workforce needs;

14 “(D) a description of—

15 “(i) the State’s strategic vision and
16 goals for preparing an educated and skilled
17 workforce, including preparing youth (in-
18 cluding opportunity youth), and individ-
19 uals with barriers to employment and for
20 meeting the skilled workforce needs of em-
21 ployers (including in existing and emerging
22 in-demand industry sectors and occupations
23 as identified by the State), and goals of the
24 State relating to performance accountability
25 measures based on primary indicators of

1 *performance described in section*
2 *116(b)(2)(A), in order to support economic*
3 *growth and economic self-sufficiency;*

4 *“(ii) how the State will assess the over-*
5 *all effectiveness of the workforce investment*
6 *system in the State;*

7 *“(iii) the career pathways offered with-*
8 *in the State, including an analysis of how*
9 *such pathways are aligned to the education*
10 *and training needs of the current and fu-*
11 *ture workforce within the State, and the de-*
12 *velopment and expansion of career path-*
13 *ways to meet current and future workforce*
14 *needs; and*

15 *“(iv) how the State will work with*
16 *local areas to achieve equitable service deliv-*
17 *ery and outcomes for individuals with bar-*
18 *riers to employment, including employment*
19 *and earnings outcomes by applying the in-*
20 *formation provided in the State equity re-*
21 *port, for such State under section 116(f);*

22 *“(E) a description of strategies the State in-*
23 *tends to adopt to achieve the vision and each*
24 *goal described in subparagraph (D) through—*

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

3 “(I) core programs under this Act;
4 and

5 “(II) other Federal programs, as
6 determined appropriate by the State,
7 such as—

8 “(aa) programs and activi-
9 ties under the Carl D. Perkins
10 Career and Technical Education
11 Act of 2006 (20 U.S.C. 2301 et
12 seq.);

13 “(bb) programs under the El-
14 elementary and Secondary Edu-
15 cation Act of 1965 (20 U.S.C.
16 6301 et seq.);

17 “(cc) programs under the In-
18 dividuals with Disabilities Edu-
19 cation Act (20 U.S.C. 1400 et
20 seq.);

21 “(dd) programs under the
22 Higher Education Act of 1965 (20
23 U.S.C. 1001 et seq.);

24 “(ee) apprenticeship pro-
25 grams; and

1 “(ff) the Medicaid program
2 under title XIX of the Social Se-
3 curity Act (42 U.S.C. 1396 et
4 seq.); and

5 “(ii) the provision of information
6 about access to available State assistance or
7 assistance under related Federal programs,
8 including such assistance under—

9 “(I) section 6(d) of the Food and
10 Nutrition Act of 2008 (7 U.S.C.
11 2015(d));

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

14 “(III) section 231 of the Second
15 Chance Act of 2007 (34 U.S.C. 60541);
16 and

17 “(IV) the State Temporary Assist-
18 ance for Needy Families programs
19 under part A of title IV of the Social
20 Security Act.”;

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

23 (C) by inserting after paragraph (1) the fol-
24 lowing:

25 “(2) PLAN DEVELOPMENT.—

1 “(A) *IN GENERAL.*—*The Governor and*
2 *State board shall—*

3 “(i) *develop the unified State plan in*
4 *consultation with—*

5 “(I) *representatives of local boards*
6 *and chief elected officials;*

7 “(II) *the community colleges in*
8 *the State;*

9 “(III) *eligible providers of train-*
10 *ing services, including eligible pro-*
11 *viders of nontraditional training serv-*
12 *ices and eligible providers of appren-*
13 *ticeship programs and pre-apprentice-*
14 *ship programs, and eligible providers*
15 *of on-the-job training, customized*
16 *training, incumbent worker training,*
17 *internships, paid or unpaid work expe-*
18 *rience opportunities, or transitional*
19 *jobs, secondary schools and institutions*
20 *of higher education (including institu-*
21 *tions offering career and technical edu-*
22 *cation programs, minority-serving in-*
23 *stitutions, and historically Black col-*
24 *leges and universities), and providers*
25 *of supported employment services;*

1 “(IV) *interested community rep-*
2 *resentatives, including community-*
3 *based organizations;*

4 “(V) *individuals with barriers to*
5 *employment or organizations rep-*
6 *resenting such individuals;*

7 “(VI) *representatives of business*
8 *and industry, including representatives*
9 *of small business and representatives of*
10 *industry and sector partnerships in the*
11 *State;*

12 “(VII) *representatives of labor or-*
13 *ganizations and joint labor-manage-*
14 *ment organizations in the State;*

15 “(VIII) *representatives of agencies*
16 *serving opportunity youth, and home-*
17 *less children and youth, including the*
18 *State Coordinator for Education of*
19 *Homeless Children and Youths estab-*
20 *lished or designated under section*
21 *722(d)(3) of the McKinney-Vento*
22 *Homeless Assistance Act (42 U.S.C.*
23 *11432(d)(3));*

1 “(IX) representatives of Indian
2 tribes and tribal organizations located
3 in, or providing services in, the State;

4 “(X) representatives of the Per-
5 kins-eligible agency;

6 “(XI) representatives of the adult
7 education and literacy community;
8 and

9 “(XII) other primary stakeholders;
10 and

11 “(ii) consult the heads of other State
12 agencies with respect to the development of
13 the unified State plan, including the State
14 designated unit under subparagraph (A) of
15 section 101(a)(11) of the Rehabilitation Act
16 of 1973.

17 “(B) PUBLIC COMMENT.—

18 “(i) WRITTEN COMMENTS.—Not less
19 than 60 days prior to submission of the
20 unified State plan, the Governor shall pro-
21 vide stakeholders described in subparagraph
22 (A)(i) with the opportunity to provide writ-
23 ten comments on the unified State plan that
24 shall—

1 “(I) be included in the final uni-
2 fied State plan; and

3 “(II) include comments on wheth-
4 er and how the unified State plan—

5 “(aa) meets the requirements
6 of this Act;

7 “(bb) supports the improve-
8 ment of performance of individ-
9 uals with barriers to employment;

10 “(cc) supports the employ-
11 ment needs of the State (including
12 the business community, labor or-
13 ganizations, education and train-
14 ing providers, and other relevant
15 parties), including in the design
16 and content of the training, work
17 experience, career exploration, on-
18 the-job training, and other career
19 and training activities (including
20 information related to employ-
21 ment opportunities, wage rates,
22 benefits, career pathways, and in-
23 demand industry sectors and oc-
24 cupations); and

1 “(dd) takes into account col-
 2 lective bargaining agreements that
 3 include training or subsidized em-
 4 ployment, including how the ele-
 5 ments of such training or employ-
 6 ment may affect the bargaining
 7 agreement (such as wages, bene-
 8 fits, and other factors).

9 “(ii) STATE WORKFORCE AGENCY RE-
 10 SPONSE.—Each unified State plan shall in-
 11 clude a written response to the comments
 12 provided by stakeholders under clause (i).”;
 13 (D) in paragraph (3), as so redesignated—
 14 (i) in subparagraph (B)—

15 (I) in clause (iv), by striking “col-
 16 leges and area career and technical
 17 education schools” and inserting “col-
 18 leges, secondary schools and area ca-
 19 reer and technical education schools,
 20 and adult education providers under
 21 title II”;

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

24 (III) by amending clause (vi) to
 25 read as follows:

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

2 “(I) improve access to activities
3 leading to a recognized postsecondary
4 credential (including credentials that
5 are portable, stackable, and aligned to
6 high-skill, high-wage, or in-demand in-
7 dustry sectors and occupations); and

8 “(II) assess and validate the skills
9 and competencies of such credentials
10 and alignment to new or existing ca-
11 reer pathways; and”; and

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

14 “(vii) how the State will work with
15 local areas to achieve equitable service deliv-
16 ery and outcomes for individuals with bar-
17 riers to employment by applying the infor-
18 mation provided in the State equity report
19 for such State under section 116(f).”;

20 (ii) in subparagraph (D)—

21 (I) in clause (i)(II), by striking
22 “local boards and chief elected officials
23 in determining the planning regions”
24 and inserting “State economic develop-
25 ment agency to support alignment to

1 *the extent practicable, local boards and*
2 *chief elected officials in determining*
3 *the planning regions and work of such*
4 *regions”; and*

5 *(II) in clause (ii)—*

6 *(aa) in subclause (V), by in-*
7 *serting “and” at the end; and*

8 *(bb) by adding at the end the*
9 *following:*

10 *“(VI) how the eligible agency will*
11 *promote the professionalization of*
12 *adult education through the adoption*
13 *of full-time staffing models, including,*
14 *at the eligible agency’s discretion, how*
15 *the eligible agency will give funding*
16 *priority to local providers that have*
17 *adopted such models;”; and*

18 *(iii) in subparagraph (E)—*

19 *(I) in clause (iii)—*

20 *(aa) in subclause (I), by in-*
21 *serting “, ensuring that services*
22 *and resources are accessible*
23 *throughout the State and local*
24 *areas, including in urban, rural*

1 *and suburban areas” after “such*
2 *programs”; and*

3 *(bb) by amending subclause*
4 *(II) to read as follows:*

5 *“(II) that the State obtained input*
6 *into the development of the unified State*
7 *plan and provided an opportunity for com-*
8 *ment on the plan by the individuals listed*
9 *in subsection (b)(2)(A)(i), and that the uni-*
10 *fied State plan is published on a publicly*
11 *accessible website;”;* and

12 *(II) by striking “and” at the end*
13 *of clause (ix);*

14 *(III) in clause (x), by striking the*
15 *period at the end and inserting a semi-*
16 *colon; and*

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

19 *“(xi) that the employment services au-*
20 *thorized under sections 1 through 13 of the*
21 *Wagner-Peyser Act (29 U.S.C. 49 et seq.)*
22 *are performed by public employees under a*
23 *merit system; and*

24 *“(xii) that the State will not prohibit*
25 *self-attestation in a manner consistent with*

1 *section 402A(e) of the Higher Education Act*
 2 *of 1965 (20 U.S.C. 1070a–11(e)) as a*
 3 *means for determining eligibility for a pro-*
 4 *gram or service under this Act of any indi-*
 5 *vidual who is so self-attesting.”; and*

6 *(2) in subsection (c)—*

7 *(A) in paragraph (1)(A), by striking “the*
 8 *Workforce Innovation and Opportunity Act” and*
 9 *inserting “the Workforce Innovation and Oppor-*
 10 *tunity Act of 2022”; and*

11 *(B) by striking paragraph (4)*

12 **SEC. 203. COMBINED STATE PLAN.**

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

15 *“(L) State Apprenticeship Agencies, as ap-*
 16 *plicable.”.*

17 **CHAPTER 2—LOCAL PROVISIONS**

18 **SEC. 206. WORKFORCE DEVELOPMENT AREAS.**

19 *(a) REGIONS.—Section 106(a)(1) (29 U.S.C.*
 20 *3121(a)(1)) is amended—*

21 *(1) by striking “this Act” and inserting “the*
 22 *Workforce Innovation and Opportunity Act of 2022”*
 23 *; and*

1 (2) by inserting “, the State economic develop-
 2 ment agency, the State apprenticeship agency, as ap-
 3 plicable,” after “local boards”.

4 (b) *LOCAL AREAS*.—Section 106(b) (29 U.S.C.
 5 3121(b)) is amended—

6 (1) in paragraph (1)—

7 (A) by amending subparagraph (A)(ii) to
 8 read as follows:

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

15 (B) in subparagraph (B)—

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

18 (ii) in clause (iii)—

19 (I) by striking “higher education
 20 and” and inserting “higher edu-
 21 cation,”; and

22 (II) by striking the period at the
 23 end and inserting “, and apprentice-
 24 ship and pre-apprenticeship programs;
 25 and”;

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

3 “(iv) improve service delivery and effi-
4 ciency under the workforce development sys-
5 tem, and provide for sufficient access to
6 comprehensive one-stop centers and affili-
7 ated sites.”; and

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

9 “(C) CONSULTATIONS.—The State economic
10 development agency, chief elected officials, and
11 local boards shall provide such consultations as
12 requested by the Governor in a timely manner.”;
13 (2) by amending paragraph (2) to read as fol-
14 lows:

15 “(2) INITIAL DESIGNATION.—During the first 2
16 full program years following the date of enactment of
17 the Workforce Innovation and Opportunity Act of
18 2022, the Governor shall approve a request for initial
19 designation as a local area from any area that—

20 “(A) was designated as a local area for pur-
21 poses of this Act for the 2-year period preceding
22 the date of enactment of the Workforce Innova-
23 tion and Opportunity Act of 2022;

24 “(B) performed successfully; and

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

1 (3) in paragraph (4), by adding at the end the
 2 following: “Such designation may include the com-
 3 bining of areas that were designated as local areas
 4 under this subsection before the date of enactment of
 5 the Workforce Innovation and Opportunity Act of
 6 2022 within a region described in subsection (a), to
 7 form a new, redesignated local area under this sub-
 8 section, if all chief elected officials and local boards
 9 in the affected areas agree to such a redesignation.”.

10 (c) *REGIONAL COORDINATION*.—Section 106(c)(1) (29
 11 U.S.C. 3121(c)(1)) is amended—

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

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

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

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

20 “(I) the analysis of in-demand skills and
 21 competencies within the region, and cor-
 22 responding wages offered for jobs requiring such
 23 skills and competencies.”.

24 (d) *DEFINITIONS*.—Section 106(e) (29 U.S.C. 3121(e))
 25 is amended—

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

(2) in paragraph (2), by striking “(or, if applicable, title I of the Workforce Investment Act of 1998 as in effect prior to the effective date of such subtitle B)”.

SEC. 207. LOCAL WORKFORCE DEVELOPMENT BOARDS.

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

(1) in paragraph (2)—

(A) in subparagraph (B)—

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

(ii) in clause (iv)—

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

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

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

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

1 (D) by striking the period at the end of sub-
2 paragraph (E) and inserting “; and”; and

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

4 “(F) the members of each local board shall
5 represent diverse demographic populations of the
6 local area.”;

7 (2) in paragraph (3), by adding at the end the
8 following: “Each chairperson shall ensure that each
9 new board member is provided with information on
10 the local area, employment opportunities (including
11 youth employment opportunities), industry or sector
12 partnerships, eligible providers or training services,
13 and demographic information of participants served
14 including individuals with barriers to employment.”;
15 and

16 (3) in paragraph (4)(A)—

17 (A) in clause (ii), by inserting “, if applica-
18 ble, YouthBuild operators, and” after “include”;

19 (B) in clause (iii), by inserting before the
20 period at the end the following: “, which include
21 individuals with disabilities or representatives of
22 organizations serving individuals with disabili-
23 ties” ; and

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

1 “(iv) *A standing committee to provide*
2 *information to assist with planning, oper-*
3 *ational, and other issues relating to the pro-*
4 *vision of adult education services, which*
5 *shall include providers of adult education*
6 *carried out under title II of this Act.*

7 “(v) *A standing committee to provide*
8 *information related to work-based learning*
9 *opportunities, which shall include a rep-*
10 *resentative from a provider of work-based*
11 *learning, including a provider of related in-*
12 *struction under an apprenticeship.*

13 “(vi) *A standing committee, which*
14 *shall include representatives of workers and*
15 *their communities (including labor and*
16 *community-based organizations), to provide*
17 *information to assist with responding to*
18 *rapid changes in the economy such as—*

19 “(I) *mass layoffs;*

20 “(II) *unexpected increases in un-*
21 *employment; and*

22 “(III) *introduction of new em-*
23 *ployment opportunities, including the*
24 *assessment of the in-demand skills and*
25 *competencies of the local area.”.*

1 (b) *APPOINTMENT AND CERTIFICATION OF BOARD.*—

2 *Section 107(c) (29 U.S.C. 3122(c)) is amended—*

3 (1) *in paragraph (1), by adding at the end the*
4 *following:*

5 “(D) *PUBLICATION.*—*The chief elected offi-*
6 *cial or officials appointing the board for a local*
7 *area shall make publicly available the member-*
8 *ship of the board (including information identi-*
9 *fying how the membership composition require-*
10 *ments of subsection (b) have been met (other than*
11 *the requirements of paragraph (2)(F) of such*
12 *subsection)), including by posting that informa-*
13 *tion on the website of the appropriate unit of*
14 *local government included in the local area.”;*
15 *and*

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

18 (c) *FUNCTIONS OF LOCAL BOARD.*—*Section 107(d) (29*
19 *U.S.C. 3122(d)) is amended—*

20 (1) *in paragraph (2)(A), by striking “skills” and*
21 *inserting “, skills, and competencies”;*

22 (2) *in paragraph (3), in the first sentence, by in-*
23 *serting “, including supportive services offered by*
24 *community-based organizations,” after “resources”;*

25 (3) *in paragraph (4)—*

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

3 (B) by amending subparagraph (C) to read
4 as follows:

5 “(C) to ensure that workforce investment ac-
6 tivities meet the skilled workforce needs of em-
7 ployers and support economic growth in the re-
8 gion by enhancing communication, coordination,
9 and collaboration among employers, economic
10 development entities, and service providers, in-
11 cluding by developing and implementing proven
12 or promising strategies for—

13 “(i) meeting the employment, skill, and
14 competency needs of workers and employers
15 (including the establishment of industry
16 and sector partnerships) and supporting
17 skill and competency-based hiring;

18 “(ii) improving access to jobs in high-
19 skill, high-wage, or in-demand industry sec-
20 tors and occupations, to expand employ-
21 ment and career advancement opportunities
22 for workforce development system partici-
23 pants in in-demand industry sectors or oc-
24 cupations; and

1 “(iii) recruiting a more diverse work-
2 force.”; and

3 (C) by striking subparagraph (D);

4 (4) in paragraph (5)—

5 (A) by striking “and postsecondary” and
6 inserting “, postsecondary, and adult”;

7 (B) by inserting “, systems, and programs”
8 after “pathways”; and

9 (C) by inserting “and opportunity youth”
10 after “to employment”;

11 (5) by amending subparagraph (A) of paragraph
12 (6) to read as follows:

13 “(A) identify and promote strategies and
14 initiatives to the one-stop delivery system for
15 meeting the needs of employers, workers, and job-
16 seekers (including individuals with barriers to
17 employment) in the local workforce development
18 system, including—

19 “(i) providing physical and pro-
20 grammatic accessibility, in accordance with
21 section 188, if applicable, and applicable
22 provisions of the Americans with Disabil-
23 ities Act of 1990 (42 U.S.C. 12101 et seq.);
24 and

1 “(ii) identifying and implementing
2 strategies to assure service delivery is acces-
3 sible to all eligible individuals, including
4 individuals with barriers to employment;
5 and”;

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

8 “(7) *TECHNOLOGY.*—The local board shall de-
9 velop strategies for using technology to maximize the
10 accessibility and effectiveness of the local workforce
11 development system, including in remote areas, for
12 employers, workers, and jobseekers, by—

13 “(A) identifying and integrating new dig-
14 ital technologies into business services, career
15 navigation, and employment and training ac-
16 tivities, and working with the State to offer serv-
17 ices virtually or through in-person service deliv-
18 ery strategies that are augmented through the use
19 of technology;

20 “(B) facilitating connections among the in-
21 take and case management information systems
22 of the one-stop partner programs to support a
23 comprehensive workforce development system in
24 the local area, including through coordination
25 and collaboration with one-stop partner pro-

1 *grams to support coenrollment of programs, as*
 2 *applicable;*

3 *“(C) identifying strategies for better meet-*
 4 *ing the needs of individuals with barriers to em-*
 5 *ployment, including strategies that augment tra-*
 6 *ditional service delivery, and increase access to*
 7 *services and programs of the one-stop delivery*
 8 *system, such as improving digital literacy skills,*
 9 *assessments of skills and competencies, and prior*
 10 *learning assessments assisted through the use of*
 11 *technology; and*

12 *“(D) leveraging resources and capacity*
 13 *within the local workforce development system,*
 14 *including resources and capacity for services for*
 15 *individuals with barriers to employment.”;*

16 *(7) in paragraph (10)—*

17 *(A) in subparagraph (B)(ii), by inserting*
 18 *“as described in section 122” after “providers”;*

19 *(B) in subparagraph (C), by inserting “and*
 20 *make information about such providers publicly*
 21 *available, including to community-based organi-*
 22 *zations” after “local area”; and*

23 *(C) in subparagraph (D), by inserting “and*
 24 *make information about such providers publicly*

1 *available, including to community-based organi-*
 2 *zations” after “contracts”;*

3 *(8) in paragraph (11)(A), by inserting “, local*
 4 *educational agencies, institutions of higher education*
 5 *located in the local area, including minority-serving*
 6 *institutions, historically Black colleges and univer-*
 7 *sities, and Tribally controlled colleges or universities,*
 8 *as appropriate,” after “(2302))”; and*

9 *(9) in paragraph (12)(A), by striking “for the”*
 10 *and inserting “for all funds not otherwise reserved by*
 11 *the State allocated to local areas under section 128(b)*
 12 *and section 133(b), for local youth workforce activities*
 13 *authorized under section 129(c), and for local employ-*
 14 *ment and training activities authorized under sub-*
 15 *section (b) of section 134, and”.*

16 *(d) SUNSHINE PROVISION.—Section 107(e) (29 U.S.C.*
 17 *3122(e)) is amended by inserting “that conforms at a min-*
 18 *imum, to Level AA of the Web Content Accessibility Guide-*
 19 *lines 2.0 of the Web Accessibility Initiative (or any suc-*
 20 *cessor guidelines)” after “means”.*

21 *(e) STAFF.—Section 107(f) (29 U.S.C. 3122(f)) is*
 22 *amended—*

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

1 “(2) *QUALIFICATIONS.*—*The local board shall es-*
 2 *tablish and apply a set of qualifications for the posi-*
 3 *tion of director that ensures that the individual se-*
 4 *lected has the requisite knowledge, skills, and abilities,*
 5 *to meet identified benchmarks and effectively carry*
 6 *out the functions of the local board.*”; and

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

8 “(4) *PROFESSIONAL DEVELOPMENT.*—*The local*
 9 *board shall ensure the provision of training to local*
 10 *board and one-stop delivery system staff on—*

11 “(A) *the expanded use of digital technology*
 12 *and tools for augmenting and improving the de-*
 13 *livery of services to participants and employers;*

14 “(B) *the implementation of evidence-based*
 15 *strategies, such as career pathways and sector*
 16 *initiatives, and trauma-informed and gender-re-*
 17 *sponsive counseling for meeting the needs of indi-*
 18 *viduals with barriers to employment; and*

19 “(C) *how to improve and ensure equitable*
 20 *service delivery and outcomes for individuals*
 21 *who have been historically underserved,*
 22 *marginalized, and adversely affected as a result*
 23 *of race, ethnicity, or gender, including training*
 24 *on customer-centered service delivery, gender and*
 25 *racial bias, cultural competence, occupational*

1 *stereotyping, and strategies for increasing par-*
 2 *ticipant and worker voice.”.*

3 **SEC. 208. LOCAL PLAN.**

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

5 *(1) in paragraph (1)—*

6 *(A) in subparagraph (A)—*

7 *(i) in clause (i), by striking “and” at*
 8 *the end;*

9 *(ii) in clause (ii), by inserting “and”*
 10 *at the end; and*

11 *(iii) by adding at the end the fol-*
 12 *lowing:*

13 *“(iii) projected industries or sectors*
 14 *within the local area expected to decline or*
 15 *face significant changes in employment op-*
 16 *portunities;”;*

17 *(B) in subparagraph (B), by striking “and*
 18 *skills” and inserting “, skills, and competencies”;*
 19 *and*

20 *(C) in subparagraph (C), by striking “(and*
 21 *unemployment)” and inserting “(unemployment,*
 22 *and underemployment)”;*

23 *(2) by amending paragraph (2) to read as fol-*
 24 *lows:*

1 “(2) a description and assessment of the work-
2 force development system in the local area that identi-
3 fies the programs that are included in that system
4 and how the local board will work with the entities
5 carrying out core programs and other workforce devel-
6 opment programs to support alignment of services,
7 including—

8 “(A) services provided under programs that
9 support the strategies identified in the State
10 plan under section 102(b)(1)(E), including—

11 “(i) programs of study authorized
12 under the Carl D. Perkins Career and Tech-
13 nical Education Act of 2006 (20 U.S.C.
14 2301 et seq.);

15 “(ii) title II (relating to adult edu-
16 cation and family literacy activities), in-
17 cluding a description of how the local board
18 will carry out, consistent with subpara-
19 graphs (A) and (B)(i) of section 107(d)(11)
20 and section 232, the review of local applica-
21 tions submitted under title II;

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

24 “(iv) apprenticeship programs; and

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

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

5 (4) in paragraph (4)—

6 (A) in subparagraph (A)—

7 (i) in clause (i), by striking “, includ-
8 ing small employers and employers in in-
9 demand industry sectors and occupations,
10 in workforce development programs” and
11 inserting “in workforce development pro-
12 grams, including small employers, employ-
13 ers in high-skill, high-wage, or in-demand
14 industry sectors and occupations, and em-
15 ployers in industry or sector partnerships”;

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

18 (iii) in clause (iv), by inserting “, and
19 benefits, such as food and housing security”
20 after “unemployment insurance programs”;
21 and

22 (iv) by adding at the end the following:

23 “(v) improve the ability of individuals
24 to make informed decisions about career
25 pathways and training services, employ-

1 *ment opportunities and job quality, and*
 2 *workplace rights and responsibilities; and”;*
 3 *and*

4 *(B) in subparagraph (B), by inserting “and*
 5 *individuals” after “employers”;*

6 *(5) in paragraph (6)—*

7 *(A) in subparagraph (B), by inserting “,*
 8 *including digital technology,” after “technology”;*

9 *(B) in subparagraph (C), by striking “and”*
 10 *at the end; and*

11 *(C) by adding at the end the following:*

12 *“(E) a description of how the one-stop de-*
 13 *livery system, including one-stop operators and*
 14 *one-stop partners, will work with employers to*
 15 *support the hiring of individuals with barriers*
 16 *to employment to ensure equitable service deliv-*
 17 *ery and participant outcomes; and*

18 *“(F) a description of how one-stop centers*
 19 *are implementing and transitioning to an inte-*
 20 *grated, technology-enabled intake and case man-*
 21 *agement information system for programs car-*
 22 *ried out under this Act and programs carried*
 23 *out by one-stop partners;”;*

24 *(6) by striking paragraphs (7) and (8);*

1 (7) by redesignating paragraphs (9) through (12)
2 as paragraphs (7) through (10), respectively;

3 (8) in paragraph (7), as so redesignated, by
4 striking “assessment of” and inserting “comprehen-
5 sive local needs assessment, as described in section
6 129(a)(2) of”;

7 (9) by striking paragraph (13);

8 (10) by redesignating paragraphs (14) through
9 (20) as paragraphs (11) through (17), respectively;

10 (11) by inserting after paragraph (17), as so re-
11 designated, the following:

12 “(18) that the local area will not prohibit self-
13 attestation in a manner consistent with section
14 402A(e) of the Higher Education Act of 1965 (20
15 U.S.C. 1070a–11(e)) as a means for determining eli-
16 gibility for a program or service under this Act of
17 any individual who is so self-attesting; and”;

18 (12) by striking paragraph (21); and

19 (13) by redesignating paragraph (22) as para-
20 graph (19).

21 **CHAPTER 3—PERFORMANCE**

22 **ACCOUNTABILITY**

23 **SEC. 211. PERFORMANCE ACCOUNTABILITY SYSTEM.**

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

1 (1) *in subsection (b)*—

2 (A) *in paragraph (2)*—

3 (i) *in subparagraph (A)*—

4 (I) *by amending clause (i) to read*

5 *as follows:*

6 “(i) *IN GENERAL.—The State primary*
7 *indicators of performance for activities pro-*
8 *vided under the adult and dislocated worker*
9 *programs authorized under chapter 3 of*
10 *subtitle B, the program of adult education*
11 *and family literacy activities authorized*
12 *under title II, the employment services pro-*
13 *gram authorized under sections 1 through*
14 *13 of the Wagner-Peyser Act (29 U.S.C. 49*
15 *et seq.) (except that subclauses (V) and (VI)*
16 *shall not apply to such program), and the*
17 *program authorized under title I of the Re-*
18 *habilitation Act of 1973 (29 U.S.C. 720 et*
19 *seq.) (other than section 112 or part C of*
20 *that title (29 U.S.C. 732, 741)), shall con-*
21 *sist of—*

22 “(I) *the percentage of program*
23 *participants who are in unsubsidized*
24 *employment during the second quarter*
25 *after exit from the program;*

1 “(II) the percentage of program
2 participants who are in unsubsidized
3 employment during the fourth quarter
4 after exit from the program;

5 “(III) the median earnings of pro-
6 gram participants who are in unsub-
7 sidized employment during the second
8 quarter after exit from the program;

9 “(IV) the median earnings of pro-
10 gram participants who are in unsub-
11 sidized employment during the fourth
12 quarter after exit from the program;

13 “(V) the percentage of program
14 participants who obtain a recognized
15 postsecondary credential, or a sec-
16 ondary school diploma or its recog-
17 nized equivalent (subject to clause
18 (iii)), during participation in or with-
19 in 1 year after exit from the program;
20 and

21 “(VI) the percentage of program
22 participants who are in an education
23 or training program that leads to a
24 recognized postsecondary credential or
25 employment, and who are achieving

1 *measurable skill gains toward such a*
2 *credential or employment.”;*

3 *(II) in clause (iii), by inserting*
4 *before the period at the end the fol-*
5 *lowing: “, unless such participants are*
6 *enrolled in services under title II”; and*

7 *(III) by striking clause (iv);*

8 *(ii) by amending subparagraph (B) to*
9 *read as follows:*

10 *“(B) ADDITIONAL INDICATORS.—*

11 *“(i) STATE IDENTIFIED.—A State may*
12 *identify in the State plan additional per-*
13 *formance accountability indicators.*

14 *“(ii) SECRETARY IDENTIFIED.—The*
15 *Secretary may identify additional indica-*
16 *tors related to the quality of participants’*
17 *unsubsidized employment after exit from a*
18 *program, including factors such as avail-*
19 *ability of paid time off, health, and retire-*
20 *ment benefits, workplace safety and non-dis-*
21 *crimination standards, predictable and sta-*
22 *ble work schedule, stackable credentials, and*
23 *advancement opportunities.”; and*

24 *(B) in paragraph (3)(A)—*

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

3 “*(iii) IDENTIFICATION IN STATE*
 4 *PLAN.—The Secretary of Labor in conjunc-*
 5 *tion with the Secretary of Education*
 6 *shall—*

7 “*(I) propose expected levels of per-*
 8 *formance for each of the corresponding*
 9 *primary indicators of performance for*
 10 *each of the programs described in*
 11 *clause (ii) for each State for the first*
 12 *2 program years covered by the State*
 13 *plan, and for the third and fourth pro-*
 14 *gram years covered by the State plan,*
 15 *which shall be consistent with the fac-*
 16 *tors listed under clause (v); and*

17 “*(II) publish on a publicly acces-*
 18 *sible website—*

19 “*(aa) the statistical model*
 20 *developed under clause (viii), and*
 21 *the methodology used to develop*
 22 *each such proposed expected level*
 23 *of performance; and*

24 “*(bb) each such proposal.*”;
 25 *(ii) in clause (v)—*

1 (I) in subclause (II)(bb)—

2 (aa) by striking “ex-offender
3 status, and welfare dependency”
4 and inserting “justice involve-
5 ment, and receipt of public assist-
6 ance”; and

7 (bb) by inserting before the
8 semicolon at the end “, and other
9 factors the Secretary determines
10 relevant”;

11 (II) by amending subclause (III)
12 to read as follows:

13 “(III) take into account the extent
14 to which the levels involved promote
15 continuous improvement, which may
16 reflect an increase in the level of per-
17 formance accountability measures, a
18 change in service strategy and delivery,
19 or a change in the participants served
20 by such State and ensure optimal re-
21 turn on the investment of Federal
22 funds; and”; and

23 (iii) by amending clause (viii) to read
24 as follows:

1 “(viii) *STATISTICAL ADJUSTMENT*
 2 *MODEL.—The Secretary of Labor and the*
 3 *Secretary of Education, after consultation*
 4 *with the representatives described in para-*
 5 *graph (4)(B), shall—*

6 “(I) *develop and disseminate an*
 7 *objective statistical model that will be*
 8 *used to make the adjustments in the*
 9 *State adjusted levels of performance for*
 10 *actual economic conditions and charac-*
 11 *teristics of participants under clauses*
 12 *(v) and (vii); and*

13 “(II) *publicly disclose the factors*
 14 *included in the statistical adjustment*
 15 *model in a report describing the model*
 16 *used to determine the adjusted levels of*
 17 *performance.”;*

18 (2) *in subsection (d)—*

19 (A) *in paragraph (2)—*

20 (i) *in subparagraph (F), by inserting*
 21 *“, supportive,” after “career”;*

22 (ii) *in subparagraph (H), by inserting*
 23 *“and percentage” after “number”; and*

24 (iii) *by redesignating subparagraph*
 25 *(L) as subparagraph (M); and*

1 (iv) by inserting after subparagraph
2 (K) the following:

3 “(L) information on earnings of partici-
4 pants 4 quarters prior to receiving career and
5 training services and, to the extent data is avail-
6 able, in years 2 and 3 after exit from career and
7 training services;”;

8 (B) in paragraph (6)—

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

11 “(A) STATE PERFORMANCE REPORTS.—The
12 Secretary of Labor and the Secretary of Edu-
13 cation shall annually make available the per-
14 formance reports for States containing the infor-
15 mation described in paragraph (2), which shall
16 include making such reports available—

17 “(i) digitally using transparent,
18 linked, open, and interoperable data for-
19 mats that are human readable and machine
20 actionable such that the data from these re-
21 ports can be easily included in web-based
22 tools and services supporting search, dis-
23 covery, comparison, analysis, navigation,
24 and guidance;

1 “(ii) *electronically in easily under-*
2 *standable formats; and*

3 “(iii) *in paper-based formats, as nec-*
4 *essary.*”;

5 (ii) *by amending subparagraph (B) to*
6 *read as follows:*

7 “(B) *LOCAL AREA AND ELIGIBLE TRAINING*
8 *PROVIDER PERFORMANCE REPORTS.—The State*
9 *shall, on an annual basis, make available the*
10 *performance reports for the local areas con-*
11 *taining the information described in paragraph*
12 *(3) and the performance reports for eligible pro-*
13 *viders of training services containing the infor-*
14 *mation described in paragraph (4), which shall*
15 *include making such reports available in each of*
16 *the formats described in clauses (i) through (iii)*
17 *of subparagraph (A).*”; and

18 (iii) *in subparagraph (D), by striking*
19 *“the Workforce” and inserting “Labor”;*

20 (3) *by redesignating subsections (f), (g), (h), and*
21 *(i) as subsections (g), (h), (i), and (j), respectively;*

22 (4) *by inserting the following after subsection (e):*
23 “(f) *STATE EQUITY REPORTS.—*

24 “(1) *IN GENERAL.—Using funds authorized*
25 *under a core program and made available to carry*

1 *out this section, the State, in coordination with local*
 2 *boards in the State and the State agencies responsible*
 3 *for the administration of the core programs, shall an-*
 4 *nually prepare and submit to the Secretary a report*
 5 *on the progress of the State in achieving equitable*
 6 *outcomes in the State levels of performance relating to*
 7 *indicators described in subsection (b)(2)(A) for a pro-*
 8 *gram for any program year, which shall—*

9 *“(A) identify and quantify any disparities*
 10 *or gaps in performance on such levels of perform-*
 11 *ance for each such indicator between—*

12 *“(i) individuals with barriers to em-*
 13 *ployment; and*

14 *“(ii) individuals without such barriers*
 15 *to employment; and*

16 *“(B) include a quantifiable description of*
 17 *the progress that individuals with barriers to*
 18 *employment have made in meeting such levels of*
 19 *performance.*

20 *“(2) INFORMATION DISAGGREGATION.—The in-*
 21 *formation provided in subparagraphs (A) and (B) of*
 22 *paragraph (1) shall be disaggregated—*

23 *“(A) by industry sector; and*

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

4 “(3) *INFORMATION DISSEMINATION.*—The Sec-
5 retary shall make the information contained in such
6 reports available to the general public in a manner
7 consistent with the requirements described in sub-
8 section (d)(6)(A).”.

9 ***Subtitle B—Workforce Investment***
10 ***Activities and Providers***

11 ***CHAPTER 1—WORKFORCE INVESTMENT***

12 ***ACTIVITIES AND PROVIDERS***

13 ***SEC. 221. ESTABLISHMENT OF ONE-STOP DELIVERY SYS-***
14 ***TEMS.***

15 (a) *ONE-STOP PARTNERS.*—Section 121(b) of the
16 Workforce Innovation and Opportunity Act (29 U.S.C.
17 3151(b)) is amended—

18 (1) in paragraph (1)—

19 (A) in subparagraph (A)(ii), by striking “,
20 including payment of the infrastructure costs of
21 one-stop centers in accordance with subsection
22 (h)” and inserting “(other than payment of the
23 physical and virtual infrastructure costs of one-
24 stop centers in accordance with subsection (h),
25 except as provided under subsection

1 (c)(2)(A)(ii)(II) in the memorandum of under-
2 standing)’’;

3 (B) in subparagraph (B)—

4 (i) by inserting “and” at the end of
5 clause (xi);

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

7 (iii) by redesignating clause (xiii) as
8 clause (xii); and

9 (C) in subparagraph (C)(ii)(II), by striking
10 “and the Secretary of Health and Human Serv-
11 ices” and inserting “, the Secretary of Edu-
12 cation, and the Secretary of Health and Human
13 Services”; and

14 (2) in paragraph (2)(B)—

15 (A) by redesignating clause (vii) as clause
16 (viii);

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

19 (C) by inserting after clause (vi) the fol-
20 lowing:

21 “(vii) employment and training pro-
22 grams carried out by the Economic Devel-
23 opment Administration; and”.

1 (b) *MEMORANDUM OF UNDERSTANDING.—Section*
2 *121(c)(2)(A) of the Workforce Innovation and Opportunity*
3 *Act (29 U.S.C. 3151(c)(2)(A)) is amended—*

4 *(1) in clause (ii)—*

5 *(A) in subclause (I) by striking “and” after*
6 *the semicolon;*

7 *(B) by amending subclause (II) to read as*
8 *follows:*

9 *“(II) funding of physical and vir-*
10 *tual infrastructure costs of one-stop*
11 *centers in accordance with subsection*
12 *(h)(3), if funding received by the local*
13 *area under subsection (h)(2) is insuffi-*
14 *cient to cover such costs;”;* and

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

16 *“(iv) methods to provide appropriate*
17 *access of services (including access to tech-*
18 *nology and materials) to workers, youth,*
19 *and individuals with barriers to employ-*
20 *ment through the one-stop delivery system*
21 *to address the needs of such workers and*
22 *youth, and to increase access, particularly*
23 *in underserved and rural communities;*
24 *and”.*

1 (c) *ONE-STOP OPERATORS*.—Section 121(d) of the
 2 *Workforce Innovation and Opportunity Act* (29 U.S.C.
 3 3151(d)) is amended—

4 (1) in paragraph (2)—

5 (A) in subparagraph (A), by striking “proc-
 6 ess; and” and inserting “process, except as au-
 7 thorized by paragraph (4); and”; and

8 (B) in subparagraph (B)—

9 (i) by amending clause (i) to read as
 10 follows:

11 “(i) a secondary school, an area career
 12 and technical education school, or an insti-
 13 tution of higher education;”;

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

16 (iii) by redesignating clause (vi) as
 17 clause (vii);

18 (iv) by inserting after clause (v) the
 19 following:

20 “(vi) a public library; and”; and

21 (v) in clause (vii), as so redesignated,
 22 by inserting “or joint labor-management”
 23 after “a labor”;

24 (2) by redesignating paragraphs (3) and (4) as
 25 paragraphs (5) and (6);

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

3 “(3) *RESPONSIBILITIES.*—*The responsibilities of*
 4 *the one-stop operator—*

5 “(A) *shall include managing the physical*
 6 *and virtual infrastructure and operations of the*
 7 *one-stop system in the local area, and facili-*
 8 *tating coordination among the partners in the*
 9 *one-stop system; and*

10 “(B) *may include the provision of direct*
 11 *services to job seekers and employers.*

12 “(4) *LOCAL BOARD AS ONE-STOP OPERATOR.*—
 13 *Subject to approval from the Governor and in accord-*
 14 *ance with any other eligibility criteria established by*
 15 *the State, a local board may serve as a one-stop oper-*
 16 *ator consistent with the requirements of this sub-*
 17 *section.”; and*

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

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

23 (1) in subparagraph (A)—

24 (A) by inserting “in person or virtually”
 25 after “accessible”; and

1 (B) by inserting “and virtually in a man-
 2 ner that improves efficiency, coordination, and
 3 quality in the delivery of one-stop partner serv-
 4 ices” after “State”;

5 (2) in subparagraph (B)—

6 (A) in clause (i), by inserting “(such as a
 7 community college campus, a secondary school,
 8 an area career and technical education school, or
 9 a public library) and through community-based
 10 organizations” after “affiliated sites”; and

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

13 (3) in subparagraph (C)—

14 (A) by inserting “virtual or physical” after
 15 “may have”; and

16 (B) by striking “; and” and inserting a pe-
 17 riod; and

18 (4) by striking subparagraph (D).

19 (e) *CERTIFICATION AND CONTINUOUS IMPROVEMENT*
 20 *OF ONE-STOP CENTERS.*—Section 121(g)(2)(A) of the
 21 Workforce Innovation and Opportunity Act (29 U.S.C.
 22 3151(g)(2)(A)) is amended by striking “subsections (h)(1)”
 23 and inserting “subsections (h)(3)”.

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

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

5 “(1) *IN GENERAL.—For any program year, not*
 6 *more than 10 percent of the funds allotted under sec-*
 7 *tions 127, 132, and 211, and section 6 of the Wagner-*
 8 *Peyser Act (29 U.S.C. 49e) shall be used to fund the*
 9 *costs of infrastructure of one-stop centers in local*
 10 *areas.*

11 “(2) *ALLOCATION BY GOVERNOR.—*

12 “(A) *IN GENERAL.—From the funds pro-*
 13 *vided under paragraph (1), the Governor shall*
 14 *allocate the funds to local areas in accordance*
 15 *with the formula established under subparagraph*
 16 *(B) for the purposes of paying the costs of infra-*
 17 *structure of one-stop centers.*

18 “(B) *ALLOCATION FORMULA.—The State*
 19 *board shall develop a formula to be used by the*
 20 *Governor to allocate the funds provided under*
 21 *paragraph (1) to local areas. The formula shall*
 22 *be based on factors including the number of one-*
 23 *stop centers in a local area, the intensity of serv-*
 24 *ices provided by such centers, the population*
 25 *served by such centers, the services provided by*

1 *such centers, and other factors relating to the*
 2 *performance of such centers that the State board*
 3 *determines are appropriate.*

4 *“(C) COSTS OF INFRASTRUCTURE.—In this*
 5 *subsection, the term “costs of infrastructure”,*
 6 *used with respect to a one-stop center, means the*
 7 *nonpersonnel costs that are necessary for the gen-*
 8 *eral operation of the one-stop center (whether for*
 9 *in-person or virtual service delivery), including*
 10 *the rental costs of the facilities, the costs of utili-*
 11 *ties and maintenance, equipment (including as-*
 12 *essment-related products and assistive tech-*
 13 *nology for individuals with disabilities), and*
 14 *technology to facilitate access to the one-stop cen-*
 15 *ter, including the center’s planning and outreach*
 16 *activities.*

17 *“(3) ADDITIONAL FUNDING.—*

18 *“(A) IN GENERAL.—In the case of a local*
 19 *area for which funds allocated under paragraph*
 20 *(2) are insufficient to cover the total costs of in-*
 21 *frastructure of one-stop centers in such local*
 22 *area, the local board, chief elected officials, and*
 23 *one-stop partners described in subsection (b)(1)*
 24 *in such local area may fund such costs through*
 25 *methods agreed on by the local board, chief elect-*

1 *ed officials, and one-stop partners (and described*
2 *in the memorandum of understanding described*
3 *in subsection (c)).*

4 “(B) *GUIDANCE FOR INFRASTRUCTURE*
5 *FUNDING.—The Governor, after consultation*
6 *with chief elected officials, local boards, and the*
7 *State board, and consistent with the guidance*
8 *and policies provided by the State board under*
9 *subparagraphs (B) and (C)(i) of section*
10 *101(d)(7), shall provide, for the use of local areas*
11 *under subparagraph (A)—*

12 “(i) *guidelines for State-administered*
13 *one-stop partner programs, for determining*
14 *such programs’ contributions to a one-stop*
15 *delivery system, based on such programs’*
16 *proportionate use of such system consistent*
17 *with chapter II of title 2, Code of Federal*
18 *Regulations (or any corresponding similar*
19 *regulation or ruling), including deter-*
20 *mining funding for the costs of infrastruc-*
21 *ture, which contributions shall be negotiated*
22 *pursuant to the memorandum of under-*
23 *standing under subsection (c); and*

24 “(ii) *guidance to assist local boards,*
25 *chief elected officials, and one-stop partners*

1 *in local areas in determining equitable and*
 2 *stable methods of funding the costs of infra-*
 3 *structure of one-stop centers in such areas.”.*

4 (g) *OTHER FUNDS.*—Section 121(i)(2) (29 U.S.C.
 5 3151(i)(2)) *is amended by striking “basic skills” and in-*
 6 *serting “foundational skill needs”.*

7 **SEC. 222. IDENTIFICATION OF ELIGIBLE PROVIDERS OF**
 8 **TRAINING SERVICES.**

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

11 “(4) *CONSUMER CHOICE.*—*In establishing cri-*
 12 *teria, information requirements, and procedures*
 13 *under this subsection, the Governor shall not limit the*
 14 *provision of consumer choice under section*
 15 *134(c)(3)(F).”.*

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

18 (1) *in paragraph (1)—*

19 (A) *by amending the matter preceding sub-*
 20 *paragraph (A) to read as follows: “The criteria*
 21 *established pursuant to subsection (a) shall in-*
 22 *clude criteria on each of the following:”; and*

23 (B) *in subparagraph (A)(i), striking “per-*
 24 *formance accountability measures” and inserting*

1 *“levels of performance achieved on the indicators*
2 *described in section 116”;*

3 *(C) in subparagraph (B)—*

4 *(i) by striking “The need to ensure”*
5 *and inserting “Ensuring”; and*

6 *(ii) by inserting “and online learning*
7 *platforms” after “technology”;*

8 *(D) by amending subparagraph (D) to read*
9 *as follows:*

10 *“(D)(i) With respect to each training pro-*
11 *gram of each such provider—*

12 *“(I) the degree to which the training*
13 *program—*

14 *“(aa) relates to in-demand indus-*
15 *try sectors and occupations in the*
16 *State or local areas within the State,*
17 *based on analysis of labor market data*
18 *and direct engagement with local em-*
19 *ployers; and*

20 *“(bb) satisfies any applicable edu-*
21 *cational requirements for professional*
22 *licensure or certification, including li-*
23 *censure or certification examinations*
24 *needed to practice or find employment*
25 *in the sectors or occupations for which*

1 *the program prepares the individual in*
2 *the State; and*

3 “(II) *the expected—*

4 “(aa) *recognized postsecondary*
5 *credentials earned as part of such pro-*
6 *gram;*

7 “(bb) *employment opportunities*
8 *upon program completion;*

9 “(cc) *median earnings of individ-*
10 *uals during the fourth quarter after*
11 *exit from the program, as compared to*
12 *median earnings of occupations for*
13 *which the program prepares the indi-*
14 *vidual in the State and local area;*

15 “(dd) *program cost of such pro-*
16 *gram;*

17 “(ee) *competencies taught as part*
18 *of such program that align to expected*
19 *job opportunities;*

20 “(ff) *time to completion of such*
21 *program; and*

22 “(gg) *alignment of such program*
23 *to career pathways; and*

24 “(ii)(I) *Subject to subclauses (II) and (III),*
25 *the information described in clause (i) shall be*

1 *validated in accordance with guidance issued by*
 2 *the Secretary with respect to each training pro-*
 3 *gram of each such provider, which may include*
 4 *validation, by at least one of the following enti-*
 5 *ties:*

6 “(aa) 3 or more employers.

7 “(bb) An industry association.

8 “(cc) A labor organization or joint
 9 *labor-management organization, or an in-*
 10 *dustry or sector partnership.*

11 “(II) The requirements of subclause (I) shall
 12 *not apply to any program that is—*

13 “(aa) offered by a public institution of
 14 *higher education; or*

15 “(bb) accredited by a programmatic
 16 *accrediting agency (as defined in section*
 17 *602.3 of title 34, Code of Federal Regula-*
 18 *tions (or successor regulations)).*

19 “(III) An entity listed in item (aa), (bb), or
 20 *(cc) of subclause (I) that is providing validation*
 21 *under this clause with respect to a training pro-*
 22 *gram may not be the provider of such training*
 23 *program.”;*

24 (E) by striking subparagraphs (E), (F),
 25 (G), and (H);

1 *(F) by redesignating subparagraphs (I) and*
2 *(J) as subparagraphs (E) and (F), respectively;*
3 *and*

4 *(G) in subparagraph (F), as so redesign-*
5 *nated—*

6 *(i) by amending clause (i) to read as*
7 *follows:*

8 *“(i) the accountability of the providers,*
9 *including in the case of a training program*
10 *that is offered by an institution of higher*
11 *education, that such institution has not*
12 *been subject, during the 5 years preceding*
13 *the date of the determination of whether*
14 *such a provider meets such criteria, to—*

15 *“(I) any suspension, emergency*
16 *action, or termination of programs*
17 *under title IV of the Higher Education*
18 *Act of 1965;*

19 *“(II) any adverse action by the*
20 *accrediting agency or association of the*
21 *institution of higher education; or*

22 *“(III) any action by the State to*
23 *revoke a license or other authority to*
24 *operate;”;* and

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

3 (2) in paragraph (2)—

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

6 “(A) PROVIDERS OF TRAINING SERVICES.—
7 The information”

8 (B) by redesignating subparagraphs (A)
9 through (E) as clauses (i) through (v), respec-
10 tively; and

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

12 “(B) STATES.—The State shall make avail-
13 able on a publicly accessible website and in a
14 manner that does not reveal personally identifi-
15 able information—

16 “(i) the criteria, information require-
17 ments, and procedures regarding the eligi-
18 bility of providers of training services estab-
19 lished pursuant to subsection (a); and

20 “(ii) the appropriate, accurate, and
21 timely information each provider of train-
22 ing services submits to the State in accord-
23 ance with subparagraph (A) of this para-
24 graph.”;

25 (3) in paragraph (4)—

1 (A) in subparagraph (B)—

2 (i) by striking “section 122 of the
3 Workforce Investment Act of 1998, as in ef-
4 fect on the day before the date of enactment
5 of this Act” and inserting “section 122, as
6 in effect on the date before the date of enact-
7 ment of the Workforce Innovation and Op-
8 portunity Act of 2022”; and

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

15 (B) in subparagraph (C) by inserting “, in-
16 cluding to the extent practicable for the 2-year
17 period preceding the date of the provider’s appli-
18 cation under this paragraph” after “subtitle”;
19 and

20 (C) in subparagraph (D)—

21 (i) in clause (i), by striking “a factor”
22 and inserting “the levels of performance
23 achieved”;

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

1 (iii) in clause (iv), by striking the pe-
 2 riod at the end and inserting “; and”; and
 3 (iv) by adding at the end the following:
 4 “(v) a factor related to serving individ-
 5 uals with barriers to employment.”.

6 (c) *PROCEDURES*.—Section 122(c)(2) (29 U.S.C.
 7 3152(c)(2)), by striking “biennial” and inserting “annual”.

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

14 (e) *ENFORCEMENT*.—Section 122(f)(1) (29 U.S.C.
 15 3152(f)(1)) is amended to read as follows:

16 “(1) *IN GENERAL*.—The procedures established
 17 under this section shall provide the following:

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

23 “(i) shall have such eligibility termi-
 24 nated for a period of 1 year upon a deter-

1 *mination by an individual or entity speci-*
2 *fied in the procedures, that such provider—*

3 *“(I) in a case in which the pro-*
4 *vider receives initial eligibility under*
5 *subsection (b)(4), failed to report infor-*
6 *mation as required under subsection*
7 *(b)(4)(C);*

8 *“(II) failed to inform the State*
9 *board or local board that the training*
10 *program of such provider has changed,*
11 *and as a result of such change the in-*
12 *formation with respect to such training*
13 *program under subsection (b)(1) used*
14 *by the Governor to determine the pro-*
15 *vider’s eligibility to receive such funds*
16 *no longer accurately describes such*
17 *training program; or*

18 *“(III) failed to meet the expected*
19 *performance as described in subsection*
20 *(b)(4)(D); or*

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

1 “(I) that is no longer aligned to
2 in-demand industry sectors or occupa-
3 tions; or

4 “(II) that results in employment
5 with wages below the median earnings
6 for the occupation in the State or local
7 area due to the insufficient quality of
8 training provided under the program.

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

20 “(C) REPAYMENT.—A provider of training
21 services whose eligibility is terminated under
22 subparagraph (A) or (B) of this paragraph shall
23 be liable for the repayment of funds received
24 under chapter 3 during a period of violation de-
25 scribed in such subparagraph.”.

1 (f) *TRANSITION PERIOD.*—*Section 122(i) ((29 U.S.C.*
 2 *3152(i)) is amended to read as follows:*

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

11 **CHAPTER 2—YOUTH WORKFORCE**

12 **INVESTMENT ACTIVITIES**

13 **SEC. 231. STATE ALLOTMENTS.**

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

16 (1) *by amending subsection (a)(1) to read as fol-*
 17 *lows:*

18 “(1) *reserve 1½ percent of funds appropriated*
 19 *under section 136(a), for each fiscal year for which*
 20 *funds are appropriated under such section, to provide*
 21 *youth workforce investment activities under section*
 22 *167 (relating to migrant and seasonal farmworkers);*
 23 *and”;* *and*

24 (2) *in subsection (b)(1)—*

1 (A) in subparagraph (A), by striking “not
 2 more than 1½” and inserting “2”; and
 3 (B) in subparagraph (B)(i), by striking “¼
 4 of”.

5 **SEC. 232. WITHIN STATE ALLOCATIONS.**

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

9 “(5) *TRANSFER AUTHORITY.*—A local board may
 10 transfer, if such a transfer is approved by the Gov-
 11 ernor, up to and including 100 percent of the funds
 12 allocated to the local area under section 130(a)(2),
 13 and up to and including 100 percent of the funds al-
 14 located to the local area under this subsection for a
 15 fiscal year between—

16 “(A) activities under section 129(c); and
 17 “(B) activities under section 130.”.

18 **SEC. 233. USE OF FUNDS FOR YOUTH WORKFORCE INVEST-**
 19 **MENT ACTIVITIES.**

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

24 “(a) *COMPREHENSIVE LOCAL NEEDS ASSESSMENT.*—

1 “(1) *IN GENERAL.*—*In order to determine which*
 2 *subpopulation of eligible youth a local area can best*
 3 *serve, a local board shall ensure that the comprehen-*
 4 *sive needs assessment related to youth workforce in-*
 5 *vestment activities under section 108(b)(9) of the local*
 6 *plan shall meet the requirements of this subsection,*
 7 *and shall be updated at least once every 4 years.*

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

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

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

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

22 “(ii) *aligned to State, regional, Tribal,*
 23 *or local in-demand industry sectors or occu-*
 24 *pations (including career pathways), identi-*
 25 *fied by the State board or local board; and*

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

5 “(C) An identification of successful models
6 of youth workforce investment activities.

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

12 “(i) strategies to provide eligible youth
13 access to paid work experience opportunities
14 and career pathways;

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

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

24 “(iv) providing programs and activi-
25 ties to prepare eligible youth for high-skill,

1 *high-wage, or in-demand industry sectors or*
2 *occupations that will lead to self-sufficiency;*
3 *and*

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

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

11 “(A) *representatives of local educational*
12 *agencies, including representatives of career and*
13 *technical education programs;*

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

19 “(C) *representatives of business and indus-*
20 *try (including representatives of small business),*
21 *which shall include representatives of industry*
22 *and sector partnerships in the State;*

23 “(D) *interested community representatives,*
24 *including community-based organizations;*

1 “(E) representatives of eligible youth, in-
2 cluding representatives of regional or local agen-
3 cies serving eligible youth;

4 “(F) representatives of Indian Tribes and
5 Tribal organizations in the State, where applica-
6 ble; and

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

9 “(4) CONTINUED CONSULTATION.—Each local
10 area receiving financial assistance under this chapter
11 shall consult with stakeholders described in paragraph
12 (3) on an ongoing basis, as determined by the Gov-
13 ernor. This may include consultation in order to—

14 “(A) provide input on quadrennial updates
15 to the comprehensive needs assessment required
16 under paragraph (1)(A);

17 “(B) ensure youth workforce investment ac-
18 tivities—

19 “(i) are responsive to local area em-
20 ployment needs;

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

23 “(iii) are aligned with employment
24 priorities in the State, regional, tribal, or
25 local economy identified by employers and

1 *the entities described in paragraph (3),*
2 *which may include high-skill, high-wage, or*
3 *in-demand industry sectors or occupations*
4 *identified by the local board;*

5 *“(iv) are informed by labor market in-*
6 *formation, including information provided*
7 *under section 15(e)(2)(C) of the Wagner-*
8 *Peyser Act (29 U.S.C. 491–2(e)(2)(C));*

9 *“(v) are designed to meet current, in-*
10 *termediate, or long-term labor market pro-*
11 *jections; and*

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

24 *“(C) identify and encourage opportunities*
25 *for work-based learning; and*

1 “(D) ensure funding under this part is used
 2 in a coordinated manner with other local re-
 3 sources.”.

4 (b) *STATEWIDE ACTIVITIES*.—Section 129(b) of the
 5 *Workforce Innovation and Opportunity Act* (29 U.S.C.
 6 3164(b)) is amended—

7 (1) by amending paragraph (1)(B) to read as
 8 follows:

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

14 (2) in paragraph (2)—

15 (A) in subparagraph (C), by striking “de-
 16 scribed in section 134(c)(2)” and inserting “, in-
 17 cluding individualized career services,”;

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

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

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

23 “(F) establishing, supporting, and expand-
 24 ing work-based learning opportunities, including

1 *transitional jobs, that are aligned with career*
 2 *pathways.”.*

3 *(c) LOCAL ELEMENTS AND REQUIREMENTS.—*

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

7 *(A) in subparagraph (C)—*

8 *(i) in clause (iv), by striking “in ap-*
 9 *propriate cases” and inserting “including*
 10 *paid work-based learning opportunities”;*
 11 *and*

12 *(ii) in clause (v), by inserting “high-*
 13 *skill, high-wage, or” before “in-demand”;*
 14 *and*

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

17 *(2) PROGRAM ELEMENTS.—Section 129(c)(2) of*
 18 *the Workforce Innovation and Opportunity Act (29*
 19 *U.S.C. 3164(c)(2) is amended to read as follows:*

20 *“(2) PROGRAM ELEMENTS.—In order to support*
 21 *the attainment of a secondary school diploma or its*
 22 *recognized equivalent, entry into postsecondary edu-*
 23 *cation, and career readiness for participants, local*
 24 *areas shall ensure that each of following elements are*
 25 *provided under the programs described in paragraph*

1 (1), as appropriate, to meet the needs of eligible youth
2 in the local area:

3 “(A) Tutoring, study skills training, in-
4 struction, and dropout prevention and recovery
5 strategies that lead to completion of the require-
6 ments for a secondary school diploma or its rec-
7 ognized equivalent (including a recognized cer-
8 tificate of attendance or similar document for in-
9 dividuals with disabilities) or for a recognized
10 postsecondary credential.

11 “(B) Alternative secondary school services,
12 or dropout recovery services, as appropriate.

13 “(C) Work-based learning experiences,
14 which—

15 “(i) may include summer and year-
16 round employment opportunities that meet
17 the requirements of section 130; and

18 “(ii) may include, to the extent prac-
19 ticable—

20 “(I) pre-apprenticeship or ap-
21 prenticeship programs;

22 “(II) internships and job shad-
23 owing; and

24 “(III) on-the-job training oppor-
25 tunities.

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

9 “(E) Education offered concurrently with
10 and in the same context as workforce prepara-
11 tion activities and training for a specific occu-
12 pation or occupational cluster.

13 “(F) Leadership development opportunities,
14 which may include community service and peer-
15 centered activities encouraging responsibility
16 and other positive social and civic behaviors, as
17 appropriate.

18 “(G) Supportive services.

19 “(H) Adult mentoring for the period of par-
20 ticipation and a subsequent period, for a total of
21 not less than 12 months.

22 “(I) Follow-up services for the longer of 36
23 months or the completion of any postsecondary
24 education or training to which participants are
25 referred after completion of such program.

1 “(J) *Comprehensive guidance and coun-*
2 *seling, including trauma-informed approaches.*

3 “(K) *Financial literacy education.*

4 “(L) *Entrepreneurial skills training.*

5 “(M) *Services that provide labor market*
6 *and employment information about high-skill,*
7 *high-wage, or in-demand industry sectors or oc-*
8 *cupations available in the local area, such as ca-*
9 *reer awareness, career counseling, and career ex-*
10 *ploration services, which may include providing*
11 *such services to elementary and secondary schools*
12 *(as defined in section 8101 of the Elementary*
13 *and Secondary Education Act of 1965 (20*
14 *U.S.C. 7801)).*

15 “(N) *Activities that help youth prepare for*
16 *and transition to postsecondary education and*
17 *training.*

18 “(O) *Digital skills training, including ac-*
19 *cess to training that supports basic digital lit-*
20 *eracy.”.*

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

24 “(4) *CONSISTENCY WITH COMPULSORY SCHOOL*
25 *ATTENDANCE LAWS.—In providing assistance under*

1 *this section to an individual who is required to attend*
2 *school under applicable State compulsory school at-*
3 *tendance laws, the priority in providing such assist-*
4 *ance shall be for the individual to attend school regu-*
5 *larly.”.*

6 SEC. 234. SUMMER AND YEAR-ROUND EMPLOYMENT FOR
7 YOUTH.

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

12 ***“SEC. 130. SUMMER AND YEAR-ROUND EMPLOYMENT FOR***
13 ***YOUTH.***

14 “(a) *FUNDING.*—

“(1) *STATE ALLOTMENT.*—From the amount ap-
propriated under section 136(b) for a fiscal year, the
Secretary shall allot funds to each State on the basis
of the relative allotment the State received under sec-
tion 127(b) for such fiscal year, compared to the total
amount allotted to all States under section 127(b) for
such fiscal year.

22 “(2) *LOCAL AREA ALLOCATION.*—A State shall
23 use the funds allotted under paragraph (1) for a fiscal
24 year to allocate funds to each local area of the State
25 on the basis of the relative allocation the local area

1 *received under section 128(b) for such fiscal year,*
2 *compared to the total amount allocated to all local*
3 *areas in the State under section 128(b) for such fiscal*
4 *year.*

5 “(b) *ACTIVITIES.*—*The local board of a local area cov-*
6 *ered by the local plan submitted under section 108—*

7 “(1) *shall use the funds received under this sec-*
8 *tion to—*

9 “(A) *plan, develop, and carry out a summer*
10 *employment program or a year-round employ-*
11 *ment program described in subsection (c);*

12 “(B) *increase the number of summer or*
13 *year-round employment opportunities offered*
14 *through such program, including unsubsidized or*
15 *partly subsidized opportunities, and opportuni-*
16 *ties in the private sector;*

17 “(C) *engage or establish industry or sector*
18 *partnerships to determine local employment*
19 *needs to inform the establishment of such a pro-*
20 *gram; and*

21 “(D) *conduct outreach to eligible youth and*
22 *employers; and*

23 “(2) *may—*

24 “(A) *use the funds received under this sec-*
25 *tion to develop technology infrastructure, includ-*

1 *ing data and management systems, to support*
 2 *such a program;*

3 *“(B) use such funds to enhance the program*
 4 *elements required under subsection (c)(1); and*

5 *“(C) use not more than 25 percent of such*
 6 *funds to subsidize not more than 65 percent of*
 7 *the wages of each eligible youth participating in*
 8 *such a program.*

9 *“(c) SUMMER AND YEAR-ROUND EMPLOYMENT PRO-*
 10 *GRAM REQUIREMENTS.—*

11 *“(1) PROGRAM ELEMENTS.—A summer employ-*
 12 *ment program or a year-round employment program*
 13 *described in this subsection shall include the following*
 14 *program elements:*

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

23 *“(B) Coaching and mentoring services for*
 24 *eligible youth participating in the program to*
 25 *enhance their summer or year-round employ-*

1 *ment opportunities and encourage completion of*
2 *such opportunities through the program.*

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

11 *“(D) Career exploration, career counseling,*
12 *career planning, and college planning services*
13 *for eligible youth participating in the program.*

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

20 *“(F) Providing supportive services to eligi-*
21 *ble youth, or connecting such youth to supportive*
22 *services provided by another entity, to enable*
23 *participation in the program, which may in-*
24 *clude food and nutrition services, and health and*
25 *mental health care supports.*

1 “(G) *Follow-up services for not less than 12*
2 *months after the completion of participation, as*
3 *appropriate.*

4 “(H) *Integration of services provided by the*
5 *program with youth development programs, sec-*
6 *ondary school programs, career and technical*
7 *education programs, youth workforce investment*
8 *activities under this chapter, and skills training*
9 *programs funded by the State or Federal Govern-*
10 *ment, as applicable.*

11 “(I) *Connecting youth participating in the*
12 *program to providers of youth services, adult em-*
13 *ployment and training services, vocational reha-*
14 *bilitation services, adult education and family*
15 *literacy services under title II, career pathways,*
16 *postsecondary education, or skills training pro-*
17 *grams funded by the State or Federal Govern-*
18 *ment, as applicable.*

19 “(J) *Commitment and support from mayors*
20 *or county executives to support the execution of*
21 *the program.*

22 “(2) *PROGRAM DESIGN.—*

23 “(A) *SUMMER EMPLOYMENT PROGRAM.—In*
24 *addition to the program elements described in*
25 *paragraph (1), a summer employment program*

1 *described in this subsection shall be a program*
2 *that matches eligible youth participating in such*
3 *program with an appropriate employer (based*
4 *on factors including the needs of the employer*
5 *and the age, skill, and aspirations of the eligible*
6 *youth) for high-quality summer employment,*
7 *which—*

8 *“(i) may not be less than 4 weeks; and*

9 *“(ii) may not pay less than the greater*
10 *of the applicable Federal, State, or local*
11 *minimum wage.*

12 *“(B) YEAR-ROUND EMPLOYMENT PRO-*
13 *GRAM.—In addition to the program elements de-*
14 *scribed in paragraph (1), a year-round employ-*
15 *ment program described in this subsection shall*
16 *be a program that matches each eligible youth*
17 *participating in the program with an appro-*
18 *priate employer, based on factors (including the*
19 *needs of the employer and the age, skill, and in-*
20 *formed aspirations of the participant) for high-*
21 *quality, year-round employment, which—*

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

1 “(ii) may not pay less than the greater
2 of the applicable Federal, State, or local
3 minimum wage; and

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

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

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

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

16 “(d) *PERFORMANCE ACCOUNTABILITY.*—For each local
17 board carrying out a summer or year-round employment
18 program receiving assistance under this section, the pri-
19 mary indicators of performance, with respect to each such
20 program, shall include—

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

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

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

6 “(e) *REPORTS*.—

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

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

16 “(B) the average cost per participant to de-
17 velop or expand such program, and the activities
18 and services, and supportive services provided
19 under such program;

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

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

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

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

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

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

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

13 “(G) *the percent of eligible youth partici-*
14 *parting in the program that are placed in—*

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

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

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

21 “(H) *any other information that the Sec-*
22 *retary of Labor determines necessary to monitor*
23 *the effectiveness of the summer or year-round em-*
24 *ployment program.*

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

6 **CHAPTER 3—ADULT AND DISLOCATED**
 7 **WORKER EMPLOYMENT AND TRAINING**
 8 **ACTIVITIES**

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

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

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

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

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

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

6 *(a) REQUIRED STATEWIDE EMPLOYMENT AND TRAIN-*
 7 *ING ACTIVITIES.—*

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

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

17 *“(III) local areas by providing in-*
 18 *formation on and support for the effec-*
 19 *tive development, convening, and im-*
 20 *plementation of industry or sector*
 21 *partnerships described in subsection*
 22 *(c)(5);*

23 *“(IV) local areas for carrying out*
 24 *career pathway development efforts,*
 25 *which may include alignment and co-*

1 *ordination efforts with career and tech-*
 2 *nical education programs of study; and*

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

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

13 *“(bb) the development of ex-*
 14 *emplary program activities; and*

15 *“(cc) the provision of tech-*
 16 *nical assistance to local areas that*
 17 *fail to meet local performance ac-*
 18 *countability measures described in*
 19 *section 116(c);”.*

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

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

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

1 “(iii) the development or identification
 2 of, and sharing of information (in trans-
 3 parent, linked, open, and interoperable data
 4 formats) about, education and training pro-
 5 grams that—

6 “(I) respond to real-time labor
 7 market analysis;

8 “(II) utilize direct assessment and
 9 prior learning assessment to measure
 10 and provide credit for prior knowledge,
 11 skills, competencies, and experiences;

12 “(III) evaluate such skills and
 13 competencies for adaptability, ensure
 14 credits are portable and stackable for
 15 more skilled employment; and

16 “(IV) accelerate course or creden-
 17 tial completion, and facilitate the shar-
 18 ing of information about such pro-
 19 grams in transparent, linked, open,
 20 and interoperable data formats;”;

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

22 “(v) supporting the development of al-
 23 ternative programs and other activities that
 24 enhance the choices available to older indi-
 25 viduals (including options for self-employ-

1 *ment and other wage-earning activities that*
2 *lead to economic self-sufficiency), and en-*
3 *hance skills (such as digital literacy) in*
4 *older individuals;”;*

5 *(4) in clause (viii)(II)—*

6 *(A) by amending item (dd) to read as fol-*
7 *lows:*

8 *“(dd) adult education, lit-*
9 *eracy, and digital literacy activi-*
10 *ties, including those provided by*
11 *public libraries;”;*

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

14 *(C) by striking “and” at the end of item*
15 *(ff); and*

16 *(D) by adding at the end the following:*

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

22 *“(hh) State domestic violence*
23 *coalitions (as defined in section*
24 *302 of the Family Violence Pre-*
25 *vention and Services Act (42*

1 U.S.C. 10402)) and tribal coalitions
 2 (as defined in section
 3 40002(a) of the Violence Against
 4 Women Act of 1994 (34 U.S.C.
 5 12291(a))).”.

6 (c) *REQUIRED LOCAL EMPLOYMENT AND TRAINING*
 7 *ACTIVITIES.*—

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

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

16 “(v) to establish and develop relation-
 17 ships and networks with large and small
 18 employers and their intermediaries; and

19 “(vi) to develop, convene, or implement
 20 industry or sector partnerships described in
 21 paragraph (5).”.

22 (2) *CAREER SERVICES.*—

23 (A) *SERVICES PROVIDED.*—Section
 24 134(c)(2)(A) (29 U.S.C. 3174(c)(2)(A)) is
 25 amended—

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

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

13 (ii) by amending clause (vi) to read as
14 follows:

15 “(vi) provision of workforce and labor
16 market employment statistics information
17 and related skills development information,
18 including the provision of accurate informa-
19 tion relating to local, regional, and national
20 labor market areas, including—

21 “(I) job vacancy listings in such
22 labor market areas;

23 “(II) information on job skills
24 and credentials necessary to obtain the
25 jobs described in subclause (I); and

1 “(III) information on education
2 and skills development programs that
3 are available for attaining needed
4 skills and credentials for the jobs de-
5 scribed in subclause (I), including in-
6 formation—

7 “(aa) on the pathways to
8 such skills and credentials (in-
9 cluding information on career
10 pathway programs in the local
11 area);

12 “(bb) on the quality of such
13 education and training programs,
14 consistent with the performance
15 information provided under clause
16 (vii); and

17 “(cc) on the comparability of
18 current foreign academic and pro-
19 fessional certifications to needed
20 skills and credentials; and

21 “(IV) information relating to
22 local occupations in demand and the
23 earnings, skill requirements, and op-
24 portunities for advancement for such
25 occupations;”;

1 *(iii) by amending clause (xi) to read*
2 *as follows:*

3 *“(xi) assistance in identifying and es-*
4 *tablishing eligibility for programs of finan-*
5 *cial aid assistance for training and edu-*
6 *cation programs that are not funded under*
7 *this Act, including Federal financial aid*
8 *under title IV of the Higher Education Act*
9 *of 1965 (20 U.S.C. 1070 et seq.) and*
10 *through State-funded education and train-*
11 *ing programs;”;*

12 *(iv) in clause (xii), by striking sub-*
13 *clauses (IV) through (XI) and inserting the*
14 *following:*

15 *“(IV) individual counseling, in-*
16 *cluding career counseling;*

17 *“(V) career planning;*

18 *“(VI) assessment and development*
19 *of employability skills, including devel-*
20 *opment of learning skills, communica-*
21 *tion skills, interviewing skills, punc-*
22 *tuality, and professional conduct, to*
23 *prepare individuals for unsubsidized*
24 *employment or training;*

1 “(VII) *financial literacy services,*
 2 *such as the activities described in sec-*
 3 *tion 129(b)(2)(D);*

4 “(VIII) *out-of-area job search as-*
 5 *sistance and relocation assistance; or*

6 “(IX) *English language acquisi-*
 7 *tion and integrated education and*
 8 *training programs; and”*; and

9 (v) in clause (xiii), by inserting “and
 10 *options for further skill upgrading and ca-*
 11 *reer advancement”* after “*the workplace*”.

12 (B) *USE OF PREVIOUS ASSESSMENTS.*—
 13 *Subparagraph (B) of section 134(c)(2) (29*
 14 *U.S.C. 3174(c)(2)) is amended to read as follows:*

15 “(B) *USE OF PREVIOUS ASSESSMENTS.*—A
 16 *one-stop operator or one-stop partner shall not be*
 17 *required to conduct a new interview, evaluation,*
 18 *or assessment of a participant under subpara-*
 19 *graph (A)(xii) if the one-stop operator or one-*
 20 *stop partner determines that it is—*

21 “(i) *appropriate to use a recent inter-*
 22 *view, evaluation, or assessment of the par-*
 23 *ticipant conducted for another education or*
 24 *training program; and*

1 “(ii) using such recent interview, eval-
 2 uation, or assessment may accelerate eligi-
 3 bility determination or facilitate enrollment
 4 in a training program for which such par-
 5 ticipant has been selected.”.

6 (C) *DELIVERY OF SERVICES*.—Subpara-
 7 graph (C) of section 134(c)(2) (29 U.S.C.
 8 3174(c)(2)) is amended by inserting “or commu-
 9 nity-based organizations to serve individuals
 10 with barriers to employment,” after “nonprofit
 11 service providers,”.

12 (3) *TRAINING SERVICES*.—

13 (A) *IN GENERAL*.—Section 134(c)(3)(A) (29
 14 U.S.C. 3174(c)(3)(A)) is amended—

15 (i) in clause (i)(II), by inserting before
 16 the semicolon at the end the following: “, or
 17 to jobs that may be performed remotely”;
 18 and

19 (ii) by adding at the end the following:

20 “(iv) *ADULT EDUCATION AND FAMILY*
 21 *LITERACY ACTIVITIES*.—In the case of an
 22 individual who is determined to not have
 23 the skills and qualifications to successfully
 24 participate in the selected program of train-
 25 ing services under clause (i)(I)(cc), the one-

1 *stop operator or one-stop partner shall*
 2 *make available, or refer such individual to,*
 3 *adult education and family literacy activi-*
 4 *ties under title II.”.*

5 (B) *QUALIFICATION.*—Section 134(c)(3)(B)
 6 (29 U.S.C. 3174(c)(3)(B)) *is amended by adding*
 7 *at the end the following:*

8 “(iv) *PARTICIPATION DURING PENDING*
 9 *APPLICATION.*—*An individual who meets*
 10 *the eligibility requirements under subpara-*
 11 *graph (A)(i) to participate in a program of*
 12 *training services may participate in such a*
 13 *program during the period in which such*
 14 *individual’s enrollment in such program is*
 15 *being reviewed under this section, except*
 16 *that the provider of such program shall only*
 17 *receive reimbursement under this Act for the*
 18 *individual’s participation during such pe-*
 19 *riod if such individual’s enrollment is ap-*
 20 *proved under this section.”.*

21 (C) *TRAINING SERVICES.*—Section
 22 134(c)(3)(D) *is amended, in the matter pre-*
 23 *ceding clause (i), by striking “Training services*
 24 *may include” and inserting “Training services*

1 *may be delivered in-person or virtually, and*
 2 *may include”.*

3 *(D) PRIORITY.—Section 134(c)(3)(E) (29*
 4 *U.S.C. 3174(c)(3)(E)) is amended to read as fol-*
 5 *lows:*

6 *“(E) PRIORITY.—*

7 *“(i) IN GENERAL.—With respect to*
 8 *funds allocated to a local area for adult em-*
 9 *ployment and training activities under*
 10 *paragraph (2)(A) or (3) of section 133(b),*
 11 *not less than 75 percent of such funds, used*
 12 *to provide career services described in para-*
 13 *graph (2)(A)(xii), training services, and*
 14 *supportive services, shall be used to provide*
 15 *such services to—*

16 *“(I) recipients of public assist-*
 17 *ance;*

18 *“(II) other low-income individ-*
 19 *uals;*

20 *“(III) individuals who have*
 21 *foundational skill needs; and*

22 *“(IV) individuals with barriers to*
 23 *employment who are not described in*
 24 *subclauses (I) through (III).*

1 “(ii) *DETERMINATIONS OF PRIORITY.*—
 2 *The appropriate local board and the Gov-*
 3 *ernor shall direct the one-stop operators in*
 4 *the local area with regard to making deter-*
 5 *minations on how to prioritize the popu-*
 6 *lations listed in subclauses (I) through (IV)*
 7 *of clause (i) for purposes of clause (i).”;*

8 (E) *USE OF INDIVIDUAL TRAINING AC-*
 9 *COUNTS.*—Section 134(c)(3)(G) (29 U.S.C.
 10 3174(c)(3)(G)) is amended—

11 (i) *by amending clause (i) to read as*
 12 *follows:*

13 “(i) *IN GENERAL.*—

14 “(I) *TRAINING SERVICES.*—*Except*
 15 *as provided in clause (ii), training*
 16 *services provided under this paragraph*
 17 *shall be provided through the use of in-*
 18 *dividual training accounts in accord-*
 19 *ance with this paragraph, and shall be*
 20 *provided to eligible individuals through*
 21 *the one-stop delivery system.*

22 “(II) *AUTHORIZED COSTS.*—*An*
 23 *individual training account may pro-*
 24 *vide any costs with respect to such*

1 *training services, as determined by the*
2 *local board, including—*

3 *“(aa) the costs of course ma-*
4 *terials, supplies, uniforms, tech-*
5 *nology, and other required fees for*
6 *graduation, licensure, or certifi-*
7 *cation; and*

8 *“(bb) in the case of a pro-*
9 *vider that charges tuition and fees*
10 *for a training program, the cost of*
11 *such tuition and fees.”;*

12 *(ii) in clause (ii), by amending sub-*
13 *clause (IV) to read as follows:*

14 *“(IV) the local board determines*
15 *that there is a training program dem-*
16 *onstrating effectiveness (including cost*
17 *effectiveness), and that can be offered*
18 *in the local area by a community-*
19 *based organization or another private,*
20 *nonprofit organization to serve indi-*
21 *viduals with barriers to employment;”;*
22 *and*

23 *(iii) by striking clauses (iii) and (iv)*
24 *and inserting the following:*

1 “(iii) *LINKAGE TO OCCUPATIONS IN*
2 *DEMAND.*—

3 “(I) *IN GENERAL.*—Subject to
4 subclause (II), training services pro-
5 vided under this paragraph shall be di-
6 rectly linked to an in-demand industry
7 sector or occupation in the local area
8 or the planning region, or in another
9 area to which an adult or dislocated
10 worker receiving such services is will-
11 ing to relocate or that may be per-
12 formed remotely.

13 “(II) *EXCEPTION.*— A local board
14 may approve training services for oc-
15 cupations determined by the local
16 board to be in sectors of the economy
17 that have a high potential for sus-
18 tained demand or growth in the local
19 area.

20 “(iv) *CREDENTIAL IN DEMAND.*—To
21 the extent practicable, training services pro-
22 vided under this paragraph shall result in
23 the attainment of skills and credentials that
24 are portable and stackable.

1 “(v) *RULE OF CONSTRUCTION.*—*Noth-*
 2 *ing in this paragraph shall be construed to*
 3 *preclude the combined use of individual*
 4 *training accounts and contracts in the pro-*
 5 *vision of training services, including ar-*
 6 *rangements that allow individuals receiving*
 7 *individual training accounts to obtain*
 8 *training services that are contracted for*
 9 *under clause (ii).’’.*

10 (F) *REIMBURSEMENT FOR ON-THE-JOB*
 11 *TRAINING.*—*Section 134(c)(3)(H) (29 U.S.C.*
 12 *3174(c)(3)(H)) is amended to read as follows:*

13 “(H) *REIMBURSEMENT FOR ON-THE-JOB*
 14 *TRAINING.*—

15 “(i) *REIMBURSEMENT LEVELS.*—*For*
 16 *purposes of the provision of on-the-job*
 17 *training under this paragraph, the Gov-*
 18 *ernor or local board involved may increase*
 19 *the amount of the reimbursement to an*
 20 *amount of up to 90 percent of the wage rate*
 21 *of a participant for a program carried out*
 22 *under chapter 2 or this chapter, if—*

23 “(I) *the Governor approves the in-*
 24 *crease with respect to a program car-*
 25 *ried out with funds reserved by the*

1 *State under such chapter, taking into*
2 *account the factors described in clause*
3 *(iii); or*

4 *“(II) the local board approves the*
5 *increase with respect to a program car-*
6 *ried out with funds allocated to a local*
7 *area under such chapter, taking into*
8 *account the factors described in clause*
9 *(iii).*

10 *“(ii) VERIFICATION BY ONE-STOP OP-*
11 *ERATOR.—The one-stop operator within a*
12 *local area shall—*

13 *“(I) at least once during the on-*
14 *the-job training program, verify that*
15 *the employer meets the conditions*
16 *that—*

17 *“(aa) were certified by the*
18 *employer in the contract for such*
19 *program; and*

20 *“(bb) are consistent with the*
21 *factors described in clause (iii),*
22 *according to a methodology deter-*
23 *mined by the local board with*
24 *consent from the Governor; and*

1 “(II) terminate the employer’s
2 contract for such program if the em-
3 ployer is not meeting such conditions.

4 “(iii) *FACTORS*.—For purposes of this
5 subparagraph, the Governor or local board,
6 respectively, may take into account factors
7 consisting of—

8 “(I) basic indicators of job qual-
9 ity, including—

10 “(aa) wage level upon com-
11 pletion of a training program;

12 “(bb) availability of benefits,
13 such as paid time off, health in-
14 surance, and retirement savings
15 plan; and

16 “(cc) a safe workplace, such
17 as a record of compliance with
18 safety regulations consistent with
19 or better than the industry aver-
20 age and adoption of an independ-
21 ently certified injury and illness
22 prevention program;

23 “(II) the characteristics of the
24 participants;

25 “(III) the size of the employer;

1 “(IV) the quality of employer-pro-
2 vided training and advancement op-
3 portunities; and

4 “(V) such other factors as the Gov-
5 ernor or local board, respectively, may
6 determine to be appropriate, which
7 may include the number of employees
8 participating in the training, opportu-
9 nities for promotions, predictable and
10 stable work schedule, and relation of
11 the training to the competitiveness of a
12 participant.”.

13 (4) *SUPPORTIVE SERVICES*.—Section 134(c) (29
14 U.S.C. 3174) is further amended by adding at the end
15 the following:

16 “(4) *SUPPORTIVE SERVICES*.—

17 “(A) *IN GENERAL*.—A portion of the funds
18 allocated to a local area for adults under para-
19 graph (2)(A) or (3), as appropriate, of section
20 133(b), and a portion of the funds allocated to
21 the local area for dislocated workers under sec-
22 tion 133(b)(2)(B)—

23 “(i) shall be used to provide supportive
24 services (that are not needs-related pay-

ments) to adults and dislocated workers, respectively—

“(I) who are participating in programs with activities authorized in paragraph (2) or (3) of subsection (c), or who entered unsubsidized employment after participating in such programs, for up to 12 months following the date of first employment; and

“(II) who are unable to obtain such supportive services through other programs providing such services; and

“(ii) may be used to provide needs-related payments to adults and dislocated workers, respectively, who are unemployed and do not qualify for (or have ceased to qualify for) unemployment compensation for the purpose of enabling such individuals to participate in programs of training services under subsection (c)(3).

“(B) *ADDITIONAL ELIGIBILITY REQUIREMENTS FOR NEEDS-RELATED PAYMENTS.*—In addition to the requirements contained in subparagraph (A)(ii), a dislocated worker who has ceased to qualify for unemployment compensa-

tion may be eligible to receive needs-related payments under this paragraph only if such worker is enrolled in training services.

“(C) *LEVEL OF PAYMENTS.*—The level of a needs-related payment made to a dislocated worker under this paragraph shall not exceed the greater of—

“(i) the applicable level of unemployment compensation; or

“(ii) if such worker did not qualify for unemployment compensation, an amount equal to 150 percent of the poverty line, for an equivalent period, which amount shall be adjusted to reflect changes in total family income.”.

(d) *PERMISSIBLE LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.*—

(1) *IN GENERAL.*—Section 134(d)(1)(A) (29 U.S.C. 3174(d)(1)(A)) is amended—

(A) in clause (vii)—

(i) by inserting “and” at the end of subclause (III); and

(ii) by adding at the end the following:

“(IV) to strengthen, through professional development activities, the

1 *knowledge and capacity of staff to use*
 2 *the latest digital technologies, tools and*
 3 *strategies to equitably deliver high*
 4 *quality services and outcomes for job-*
 5 *seekers, workers, and employers;”;*

6 *(B) in clause (viii), strike “displaced home-*
 7 *makers” and insert “displaced caregivers”; and*

8 *(C) in clause (ix)(II)(bb), by inserting “,*
 9 *technical assistance in support of job quality,*
 10 *adoption of skills-based and equitable hiring*
 11 *practices” after “apprenticeship”.*

12 *(2) INCUMBENT WORKER TRAINING PROGRAMS;*
 13 *TRANSITIONAL JOBS.—Section 134(d) (29 U.S.C.*
 14 *3174(d)), as amended by this section, is further*
 15 *amended by striking paragraphs (2) through (5), and*
 16 *inserting the following:*

17 *“(2) INCUMBENT WORKER TRAINING PRO-*
 18 *GRAMS.—*

19 *“(A) IN GENERAL.—*

20 *“(i) STANDARD RESERVATION OF*
 21 *FUNDS.—The local board may reserve and*
 22 *use not more than 25 percent of the funds*
 23 *allocated to the local area involved under*
 24 *section 133(b) to pay for the Federal share*
 25 *of the cost of providing training through a*

1 *training program for incumbent workers,*
 2 *carried out in accordance with this para-*
 3 *graph.*

4 “(ii) *INCREASE IN RESERVATION OF*
 5 *FUNDS.—The local board may increase such*
 6 *reservation of funds for a program year if*
 7 *the Governor determines that the training*
 8 *from such funds from the prior program*
 9 *year resulted in career promotions for work-*
 10 *ers receiving such training and created new*
 11 *job vacancies. For a program year for*
 12 *which the reservation of funds is so in-*
 13 *creased, clause (i) shall be applied by sub-*
 14 *stituting ‘30 percent’ for ‘25 percent’.*

15 “(iii) *DETERMINATION OF ELIGI-*
 16 *BILITY.—In order for a local board to deter-*
 17 *mine that an employer is eligible to receive*
 18 *funding under clause (i), the local board*
 19 *shall take into account factors consisting*
 20 *of—*

21 “(I) *the basic indicators of job*
 22 *quality described in subsection*
 23 *(c)(3)(H)(iii)(I);*

24 “(II) *the characteristics of the*
 25 *participants in the program;*

1 “(III) the relationship of the
2 training to the competitiveness of a
3 participant and the employer; and

4 “(IV) such other factors as the
5 local board may determine to be ap-
6 propriate, which may include the num-
7 ber of employees participating in the
8 training, and the existence of other
9 training and advancement opportuni-
10 ties provided by the employer.

11 “(iv) STATEWIDE IMPACT.—The Gov-
12 ernor or State board involved may make
13 recommendations to the local board for pro-
14 viding incumbent worker training that has
15 statewide impact.

16 “(B) TRAINING ACTIVITIES.—The training
17 program for incumbent workers carried out
18 under this paragraph shall be carried out by the
19 local board in conjunction with the employers or
20 groups of employers of such workers (which may
21 include employers in partnership with other en-
22 tities for the purposes of delivering training) for
23 the purpose of assisting such workers in obtain-
24 ing the skills necessary to retain employment or
25 avert layoffs.

1 “(C) *EMPLOYER PAYMENT OF NON-FEDERAL*
 2 *SHARE.*—Employers participating in the pro-
 3 gram carried out under this paragraph shall be
 4 required to pay for the non-Federal share of the
 5 cost of providing the training to incumbent
 6 workers of the employers.

7 “(D) *NON-FEDERAL SHARE.*—

8 “(i) *FACTORS.*—Subject to clauses (ii)
 9 and (iii), the local board shall establish the
 10 non-Federal share of the cost of providing
 11 training through a training program for in-
 12 cumbent workers, by considering the indica-
 13 tors described in subsection (c)(3)(H)(iii)
 14 and how many of such indicators the em-
 15 ployer certifies will be met with respect to
 16 the employment of incumbent workers upon
 17 completion of training funded under this
 18 section.

19 “(ii) *LIMITS.*—The non-Federal share
 20 shall not be less than—

21 “(I) 10 percent of the cost, for em-
 22 ployers with not more than 50 employ-
 23 ees;

24 “(II) 25 percent of the cost, for
 25 employers with more than 50 employ-

1 ees but not more than 100 employees;
2 and

3 “(III) 50 percent of the cost, for
4 employers with more than 100 employ-
5 ees.

6 “(iii) *CALCULATION OF EMPLOYER*
7 *SHARE.*—The non-Federal share provided
8 by an employer participating in the pro-
9 gram may include the amount of the wages
10 paid by the employer to a worker while the
11 worker is attending a training program
12 under this paragraph. The employer may
13 provide the share in cash or in kind, fairly
14 evaluated.

15 “(E) *VERIFICATION BY ONE-STOP OPER-*
16 *ATOR.*—Upon completion of the incumbent work-
17 er training program funded under this section,
18 the one-stop operator within a local area shall
19 verify that the employer met the conditions that
20 were certified to prior to receiving the Federal
21 share of the training program’s costs, consistent
22 with this paragraph, according to a methodology
23 determined by the Governor or local board. If
24 such conditions were not met, the one-stop oper-
25 ator shall prohibit the employer from receiving

1 *funds for incumbent worker training under this*
 2 *section for a period of 5 years.*

3 “(3) *TRANSITIONAL JOBS.*—*The local board may*
 4 *use not more than 40 percent of the funds allocated*
 5 *to the local area involved under section 133(b) to pro-*
 6 *vide transitional jobs under subsection (c)(3) that—*

7 “(A) *are time-limited work experiences that*
 8 *are subsidized and are in the public, private,*
 9 *employment social enterprise, or nonprofit sec-*
 10 *tors for individuals with barriers to employment*
 11 *who are chronically unemployed or have an in-*
 12 *consistent work history;*

13 “(B) *are combined with comprehensive em-*
 14 *ployment and supportive services; and*

15 “(C) *are designed to assist the individuals*
 16 *described in subparagraph (A) to establish a*
 17 *work history, demonstrate success in the work-*
 18 *place, and develop skills that lead to entry into*
 19 *and retention in unsubsidized employment.”.*

20 **CHAPTER 4—GENERAL WORKFORCE**
 21 **INVESTMENT PROVISIONS**

22 **SEC. 251. AUTHORIZATION OF APPROPRIATIONS.**

23 *Section 136 (29 U.S.C. 3181) is amended to read as*
 24 *follows:*

1 **“SEC. 136. AUTHORIZATION OF APPROPRIATIONS.**

2 “(a) *YOUTH WORKFORCE INVESTMENT ACTIVITIES.*—

3 *There are authorized to be appropriated to carry out the*
 4 *activities described in section 127(a), \$1,026,450,000 for fis-*
 5 *cal year 2023, \$1,129,100,000 for fiscal year 2024,*
 6 *\$1,242,000,000 for fiscal year 2025, \$1,366,200,000 for fis-*
 7 *cal year 2026, \$1,502,800,000 for fiscal year 2027, and*
 8 *\$1,653,100,000 for fiscal year 2028*

9 “(b) *SUMMER AND YEAR-ROUND EMPLOYMENT ACTIVI-*

10 *TIES.*—*There are authorized to be appropriated to section*
 11 *130, \$926,650,000 for fiscal year 2023, \$1,019,300,000 for*
 12 *fiscal year 2024, \$1,121,250,000 for fiscal year 2025,*
 13 *\$1,233,400,000 for fiscal year 2026, \$1,356,750,000 for fis-*
 14 *cal year 2027, and \$1,492,450,000 for fiscal year 2028.*

15 “(c) *ADULT EMPLOYMENT AND TRAINING ACTIVI-*

16 *TIES.*—*There are authorized to be appropriated to carry out*
 17 *the activities described in section 132(a)(1), \$1,555,600,000*
 18 *for fiscal year 2023, \$1,711,200,000 for fiscal year 2024,*
 19 *\$1,882,300,000 for fiscal year 2025, \$2,070,500,000 for fis-*
 20 *cal year 2026, \$2,277,600,000 for fiscal year 2027, and*
 21 *\$2,505,400,000 for fiscal year 2028.*

22 “(d) *DISLOCATED WORKER EMPLOYMENT AND TRAIN-*

23 *ING ACTIVITIES.*—*There are authorized to be appropriated*
 24 *to carry out the activities described in section 132(a)(2),*
 25 *\$2,486,300,000 for fiscal year 2023, \$2,734,900,000 for fis-*
 26 *cal year 2024, \$3,008,400,000 for fiscal year 2025,*

1 \$3,309,200,000 for fiscal year 2026, \$3,640,100,000 for fis-
 2 cal year 2027, and \$4,004,100,000 for fiscal year 2028.”.

3 ***Subtitle C—Job Corps***

4 ***SEC. 261. AMENDMENTS RELATING TO JOB CORPS.***

5 *(a) DEFINITIONS.—*

6 *(1) IN GENERAL.—Section 142 (29 U.S.C. 3192)*
 7 *is amended—*

8 *(A) by amending paragraph (7) to read as*
 9 *follows:*

10 *“(7) JOB CORPS CAMPUS.—The term ‘Job Corps*
 11 *campus’ means a campus run by an operator selected*
 12 *by the Secretary pursuant to section 147, carrying*
 13 *out Job Corps activities.”; and*

14 *(B) by adding at the end the following:*

15 *“(11) STATE.—The term ‘State’ has the meaning*
 16 *given the term in section 3, except that such term also*
 17 *includes outlying areas (as defined in section 3).”.*

18 *(2) CONFORMING AMENDMENTS.—Subtitle C of*
 19 *title I (29 U.S.C. 3191 et seq.) is amended—*

20 *(A) by striking “Job Corps center” each*
 21 *place such term appears (including in any head-*
 22 *ings) and inserting “Job Corps campus”; and*

23 *(B) by striking “Job Corps centers” each*
 24 *place such term appears (including in any head-*
 25 *ings) and inserting “Job Corps campuses”.*

1 (b) *INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.*—

2 *Section 144 (29 U.S.C. 3194) is amended—*

3 (1) *in subsection (a)—*

4 (A) *by amending paragraph (1) to read as*
5 *follows:*

6 “(1) *not less than age 16 and not more than age*
7 *24 on the date of enrollment;*”;

8 (B) *by amending paragraph (2) to read as*
9 *follows:*

10 “(2) *an individual who is—*

11 “(A) *a low-income individual as defined in*
12 *subsection (h)(4) of section 402A of the Higher*
13 *Education Act of 1965 (20 U.S.C. 1070a-11) as*
14 *determined using procedures similar to those in*
15 *subsection (e) of such section; or*

16 “(B) *a resident of a qualified opportunity*
17 *zone as defined in section 1400Z-1(a) of the In-*
18 *ternal Revenue Code of 1986; and*”;

19 (C) *in paragraph (3)—*

20 (i) *in subparagraph (A), by striking*
21 *“Basic skills deficient” and inserting “An*
22 *individual with foundational skill needs”;*

23 (ii) *in subparagraph (B), by striking*
24 *“A school dropout” and inserting “An op-*
25 *portunity youth”; and*

1 (iii) in subparagraph (D), by inserting
2 “or an individual who is pregnant” before
3 the period; and

4 (2) by amending subsection (b) to read as fol-
5 lows:

6 “(b) *SPECIAL RULE FOR VETERANS.*—A veteran shall
7 be eligible to become an enrollee if the veteran meets the
8 requirements of subsection (a)(1).”.

9 (c) *RECRUITMENT, SCREENING, SELECTION, AND AS-*
10 *SIGNMENT OF ENROLLEES.*—Section 145(a) (29 U.S.C.
11 3195(a)) is amended—

12 (1) in paragraph (2)—

13 (A) in subparagraph (D), by striking “and”
14 at the end;

15 (B) in subparagraph (E), by striking the
16 period at the end and inserting “; and”; and

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

18 “(F) assist one-stop centers and other enti-
19 ties identified in paragraph (3) in developing
20 joint applications for Job Corps, YouthBuild,
21 and youth workforce investment activities under
22 which an applicant may submit a single appli-
23 cation for all such programs.”; and

24 (2) in paragraph (5), by striking the last sen-
25 tence.

1 (d) *JOB CORPS CAMPUSES*.—Section 147 (29 U.S.C.
2 3197) is amended—

3 (1) in subsection (a)—

4 (A) in paragraph (2)—

5 (i) in subparagraph (A), by inserting
6 at the end the following: “Such award shall
7 be based upon best value and fair and rea-
8 sonable pricing.”; and

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

11 “(B) *CONSIDERATIONS*.—

12 “(i) *STUDENT OUTCOMES*.—In select-
13 ing an entity to operate a Job Corps cam-
14 pus, the Secretary shall consider a numeric
15 metric of recent past effectiveness of the en-
16 tity in assisting opportunity youth to con-
17 nect to the workforce, to be calculated based
18 on data regarding—

19 “(I) the percentage of students
20 served by the entity who were in edu-
21 cation or training activities, or in un-
22 subsidized employment, during the sec-
23 ond quarter after exit from the relevant
24 program;

1 “(II) the percentage of students
2 served by the entity who were in edu-
3 cation or training activities, or in un-
4 subsidized employment, during the
5 fourth quarter after exit from the rel-
6 evant program;

7 “(III) the median earnings of stu-
8 dents served by the entity who were in
9 unsubsidized employment during the
10 second quarter after exit from the rel-
11 evant program;

12 “(IV) the percentage of students
13 served by the entity who obtained a
14 recognized postsecondary credential, or
15 a secondary school diploma or its rec-
16 ognized equivalent, during participa-
17 tion in or within 1 year after exit from
18 the relevant program; and

19 “(V) expected levels of perform-
20 ance established under section
21 159(c)(2) or similar metrics for re-
22 cruitment of eligible youth for relevant
23 contracts or grants.

24 “(ii) MARKET DEVELOPMENT.—

1 “(I) *MENTOR-PROTÉGÉ PRO-*
 2 *GRAM.—The Secretary shall carry out*
 3 *a mentor-protégé program in accord-*
 4 *ance with section 45 of the Small Busi-*
 5 *ness Act (15 U.S.C. 657r) with respect*
 6 *to Job Corps campus operations.*

7 “(II) *PAST-PERFORMANCE.—The*
 8 *Secretary shall publish comparable al-*
 9 *ternative metrics for entities without*
 10 *previous experience in Job Corps cam-*
 11 *pus operations to demonstrate their*
 12 *past effectiveness in accordance with*
 13 *the requirements of clause (i).’; and*

14 *(B) in paragraph (3)—*

15 *(i) in subparagraph (A), by inserting*
 16 *“high-skill, high-wage, or” before “in-de-*
 17 *mand”;*

18 *(ii) in subparagraph (C), by striking*
 19 *“Workforce Investment Act of 1998” and in-*
 20 *serting “Workforce Innovation and Oppor-*
 21 *tunity Act”;*

22 *(iii) by redesignating subparagraph*
 23 *(K) as subparagraph (L); and*

24 *(iv) by inserting after subparagraph*
 25 *(J) the following:*

1 “(K) *A description of the entity’s ability to*
2 *demonstrate a record of successfully operating a*
3 *safe learning and residential environment for op-*
4 *portunity youth.*”;

5 (2) *in subsection (b), by striking paragraphs (2)*
6 *and (3) and inserting the following:*

7 “(2) *HIGH PERFORMANCE.—An entity shall be*
8 *considered to be an operator of a high-performing*
9 *campus if the Job Corps campus operated by the enti-*
10 *ty was ranked among the top 25 percent of Job Corps*
11 *campuses, excluding Civilian Conservation Centers*
12 *described in subsection (d), for the two most recent*
13 *preceding program years.*”;

14 (3) *in subsection (d), by adding at the end the*
15 *following:*

16 “(4) *DIRECT HIRE AUTHORITY.—The Secretary*
17 *of Agriculture may appoint, without regard to the*
18 *provisions of subchapter I of chapter 33 of title 5,*
19 *United States Code (other than sections 3303 and*
20 *3328 of such title), a graduate of a Civilian Con-*
21 *servation Center who successfully completed a train-*
22 *ing program focused on forestry, wildland fire-*
23 *fighting, or another topic relating to the mission of*
24 *the Forest Service directly to a position with the De-*
25 *partment of Agriculture, Forest Service, for which the*

1 *candidate meets Office of Personnel Management*
 2 *qualification standards.”;*

3 *(4) in subsection (f), by striking “2-year” and*
 4 *inserting “4-year”; and*

5 *(5) in subsection (g)(1), by striking “, for both*
 6 *of the 2 most recent preceding program years” and all*
 7 *that follows through the end and inserting “the agree-*
 8 *ment has been in place for at least 3 years and for*
 9 *both of the 2 most recent preceding program years for*
 10 *which information is available at the time the deter-*
 11 *mination is made, such campus has been ranked in*
 12 *the lowest 10 percent of Job Corps campuses.”.*

13 *(e) PROGRAM ACTIVITIES.—Section 148(a) (29 U.S.C.*
 14 *3198(a)) is amended, in the subsection heading, by insert-*
 15 *ing “ACADEMIC” before “ACTIVITIES”.*

16 *(f) SUPPORT.—Section 150 (29 U.S.C. 3200) is*
 17 *amended—*

18 *(1) in subsection (c), by striking “3 months” and*
 19 *inserting “12 months”; and*

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

21 *“(d) PERIOD OF TRANSITION.—Notwithstanding the*
 22 *requirements of section 146(b), Job Corps graduates may*
 23 *remain enrolled and a resident of a Job Corps campus for*
 24 *not more than 1 month after graduation, subject to ap-*
 25 *proval by the director of the Job Corps Campus, in order*

1 *to facilitate their transition into independent living and*
 2 *employment.”.*

3 *(g) OPERATIONS.—Section 151 (29 U.S.C. 3201) is*
 4 *amended to read as follows:*

5 **“SEC. 151. OPERATIONS.**

6 **“(a) OPERATING PLAN.—**

7 **“(1) IN GENERAL.—***The provisions of the con-*
 8 *tract between the Secretary and an entity selected to*
 9 *operate a Job Corps campus shall, including any sub-*
 10 *sequent modifications to such contract, serve as an*
 11 *operating plan for the Job Corps campus.*

12 **“(2) FEDERAL CHANGES TO OPERATING PLAN.—**
 13 *The Secretary may require the operator to submit ad-*
 14 *ditional information, as the Secretary deems nec-*
 15 *essary for compliance with any relevant regulations,*
 16 *which shall be considered part of the operating plan.*

17 **“(3) AVAILABILITY.—***The Secretary shall make*
 18 *the operating plan described in paragraphs (1) and*
 19 *(2), excluding any proprietary information, available*
 20 *on a publicly accessible website.*

21 **“(b) LOCAL AUTHORITIES.—***Subject to the limitations*
 22 *of their approved budgets, the operators of Job Corps cam-*
 23 *puses shall have the authority, without prior approval from*
 24 *the Secretary, to—*

1 “(1) hire staff and invest in staff professional de-
2 velopment;

3 “(2) enter into agreements with local partners,
4 such as secondary and postsecondary schools or em-
5 ployers; and

6 “(3) engage with and educate stakeholders about
7 Job Corps operations and activities.”.

8 (h) *STANDARDS OF CONDUCT.*—Section 152 (29
9 *U.S.C. 3202) is amended—*

10 (1) in subsection (a), by striking the second sen-
11 tence;

12 (2) by amending subsection (b) to read as fol-
13 lows:

14 “(b) *BEHAVIORAL MANAGEMENT PLAN.*—

15 “(1) *IN GENERAL.*—As part of the operating
16 plan defined in section 151(a), the director of each
17 Job Corps campus shall develop and implement a be-
18 havioral management plan, subject to the approval of
19 the Secretary. Such plan shall include student stand-
20 ards of conduct, positive behavioral interventions and
21 supports, and multi-tier systems of supports.

22 “(2) *DISCIPLINARY MEASURES AND DRUG TEST-*
23 *ING.*—

24 “(A) *DISCIPLINARY MEASURES.*—To pro-
25 mote the proper behavioral standards in the Job

1 *Corps, the director of each Job Corps campus*
2 *shall, consistent with the applicable behavioral*
3 *management plan described in paragraph (1),*
4 *have the authority to take appropriate discipli-*
5 *nary measures against enrollees if such director*
6 *determines that an enrollee has committed a vio-*
7 *lation of the standards of conduct. The director*
8 *shall adopt a zero tolerance policy for an act of*
9 *violence or a credible threat of violence that seri-*
10 *ously endangers the safety of students, staff, or*
11 *the local community and for illegal activity on*
12 *the campus.*

13 *“(B) DRUG TESTING.—The Secretary shall*
14 *require drug testing of all enrollees for controlled*
15 *substances, as set forth in section 102 of the Con-*
16 *trolled Substances Act (21 U.S.C. 802), in ac-*
17 *cordance with procedures prescribed by the Sec-*
18 *retary under section 145(a).*

19 *“(C) DEFINITIONS.—In this paragraph:*

20 *“(i) CONTROLLED SUBSTANCE.—The*
21 *term ‘controlled substance’ has the meaning*
22 *given the term in section 102 of the Con-*
23 *trolled Substances Act (21 U.S.C. 802).*

24 *“(ii) ZERO TOLERANCE POLICY.—The*
25 *term ‘zero tolerance policy’ means a policy*

1 *under which an enrollee shall be automati-*
2 *cally dismissed from the Job Corps after a*
3 *determination by the director that the en-*
4 *rollee has carried out an act of violence that*
5 *seriously endangers the safety of students,*
6 *staff, or the local community or engaged in*
7 *an illegal activity on the campus.*

8 “(3) *ADVISORY GROUP.*—*The Secretary shall pe-*
9 *riodically convene an advisory group of Job Corps*
10 *operators and service providers and subject matter ex-*
11 *perts to review the reporting data collected under*
12 *paragraph (5) and provide recommendations for Job*
13 *Corps behavioral management plans based on evi-*
14 *dence-based research regarding effective and equitable*
15 *behavioral policies.*

16 “(4) *LAW ENFORCEMENT AGREEMENTS.*—*The di-*
17 *rectors of each Job Corps campus shall enter into an*
18 *agreement with the relevant local law enforcement*
19 *agency of jurisdiction regarding the procedures for re-*
20 *porting and investigating potentially illegal activity*
21 *on Job Corps campuses.*

22 “(5) *INCIDENT REPORTING.*—*The Secretary shall*
23 *establish procedures for—*

1 “(A) reporting significant health incidents,
 2 including substance abuse, self-harm, and acci-
 3 dents resulting in bodily harm; and

4 “(B) reporting significant behavioral inci-
 5 dents, defined as acts of violence or illegal activ-
 6 ity.

7 “(6) ACCOUNTABILITY.—The Secretary shall es-
 8 tablish standards under which a Job Corps campus
 9 shall be required to take performance improvement
 10 actions described in section 159(f), based on an eval-
 11 uation of such Job Corps campus, which shall take
 12 into account reporting data collected under para-
 13 graph (5) and recommendations of the advisory group
 14 pursuant to paragraph (3).”.

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

18 “(a) PROJECTS.—The Secretary may carry out experi-
 19 mental, research, or demonstration projects relating to evi-
 20 dence-based strategies for improving the operations of a Job
 21 Corps campus that was ranked among the bottom 10 per-
 22 cent of Job Corps campuses. The Secretary may waive any
 23 provisions of this subtitle that the Secretary finds would
 24 prevent the Secretary from carrying out the projects (other
 25 than sections 145, 147, and 159(c)) provided that—

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

3 “(2) if the Secretary informs the Committee on
4 Education and Labor of the House of Representatives
5 and the Committee on Health, Education, Labor, and
6 Pensions of the Senate, in writing, not less than 90
7 days in advance of issuing such waiver.”.

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

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

11 “(d) *SERVICE CONTRACT ACT.*—

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

17 “(2) *ACADEMIC AND CAREER TECHNICAL IN-*
18 *STRUCTIONAL EMPLOYEES.*—Notwithstanding section
19 6701(3)(C) of such chapter, an academic or career
20 technical instructional employee at a Job Corps cam-
21 pus shall be considered a ‘service employee’ for pur-
22 poses of applying such chapter under paragraph (1).

23 “(3) *RULE OF CONSTRUCTION.*—To the extent
24 compensation levels being paid or scheduled to be
25 paid by an employer are, in the aggregate, greater

1 *than those determined by the Secretary of Labor to be*
 2 *required under this subsection, or as set forth in a*
 3 *collective bargaining agreement, nothing herein shall*
 4 *be construed to require a reduction of such compensa-*
 5 *tion.”.*

6 (2) *EFFECTIVE DATE.*—

7 (A) *AGREEMENTS IN EFFECT ON DATE OF*
 8 *ENACTMENT.*—*Not later than 60 days after the*
 9 *date of enactment of this Act, the Secretary shall,*
 10 *subject to appropriations, modify all agreements*
 11 *with operators and service providers in effect as*
 12 *of such date of enactment to include the require-*
 13 *ments imposed by the amendment made by para-*
 14 *graph (1).*

15 (B) *PENDING SOLICITATIONS.*—*Upon the*
 16 *date of enactment of this Act, the Secretary shall*
 17 *include the requirements imposed by the amend-*
 18 *ment made by paragraph (1) in any pending so-*
 19 *licitation for an operator or service provider.*

20 (k) *STAFFING.*—

21 (1) *IN GENERAL.*—*To ensure compliance with*
 22 *chapter 67 of title 41, United States Code (commonly*
 23 *known as the ‘McNamara-O’Hara Service Contract*
 24 *Act of 1965’), as such chapter is applied by section*
 25 *157(d) of the Workforce Innovation and Opportunity*

1 *Act, the staffing plan and the associated budget of an*
2 *entity proposing to be an operator or service provider*
3 *for a Job Corps campus shall incorporate hourly*
4 *wages (or salaries as appropriate) and fringe benefit*
5 *costs for occupational classifications at least equal to*
6 *the wage determination determined by the Secretary*
7 *of Labor for the locality of the Job Corps campus. In*
8 *preparing such wage determination, the Secretary*
9 *shall compare the specific job classifications at the*
10 *Job Corps campus with those occupations most closely*
11 *correlated with those employed by public education*
12 *providers in the locality with the goal of ensuring*
13 *equivalency to the maximum extent feasible.*

14 (2) *ADJUSTMENTS PERMITTED.*—*The Secretary*
15 *may further adjust compensation levels in a contract*
16 *with an operator or service provider to ensure suffi-*
17 *cient availability and retention of qualified personnel*
18 *in the locality.*

19 (3) *ANNUAL UPDATES.*—*The Secretary shall up-*
20 *date hourly wages (or salaries as appropriate) and*
21 *fringe benefit levels for such occupations covered in*
22 *this paragraph on an annual basis.*

23 (4) *SPECIAL PROVISIONS.*—*Section 158(f) (29 U.S.C.*
24 *3208(f)) is amended—*

1 (1) *by striking “Secretary” and inserting “directors of Job Corps campuses”;*

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

4
5 (3) *by adding at the end the following: “Any real property acquired shall be directly transferred to the Secretary in accordance with chapter 5 of title 40 and on a nonreimbursable basis.”*

6
7
8
9 (m) *MANAGEMENT INFORMATION.—Section 159 (29 U.S.C. 3209) is amended—*

10
11 (1) *in subsection (a), by adding at the end the following:*

12
13 “(4) *ANNUAL RECONCILIATION.—Prior to the expiration of any appropriated Job Corps operations funds for any fiscal year, any anticipated unobligated funds may, subject to appropriations, be obligated to projects identified under subsection (h)(1).”;*

14
15
16
17
18 (2) *in subsection (c)—*

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

20
21 “(1) *LEVELS OF PERFORMANCE AND INDICATORS.—*

22
23 “(A) *IN GENERAL.—At the start of each contract period, and at least every two program years in the case of Civilian Conservation Cen-*

1 *ters, the Secretary shall establish expected levels*
2 *of performance for each Job Corps campus relat-*
3 *ing to each of the primary indicators of perform-*
4 *ance for eligible youth described in section*
5 *116(b)(2)(A)(ii) using the model described in*
6 *subparagraph (B).*

7 *“(B) PERFORMANCE MODEL.—At least*
8 *every four years and no more than every two*
9 *years, the Secretary shall develop a model for es-*
10 *tablishing the expected levels of performance for*
11 *each Job Corps campus, in accordance with the*
12 *following:*

13 *“(i) EQUITY.—The model shall account*
14 *for significant correlations between various*
15 *factors and student outcomes, including:*

16 *“(I) Student demographics, in-*
17 *cluding age, gender, race, ethnicity,*
18 *documented disabilities, and education*
19 *level on entry.*

20 *“(II) Employment conditions in*
21 *students’ home communities.*

22 *“(ii) DEVELOPMENT.—The model shall*
23 *be developed by subject matter experts in the*
24 *fields of Job Corps operations, program*
25 *evaluation, statistical analysis, and related*

1 *fields using available Job Corps data as*
 2 *well as regional economic data.*

3 “(iii) *TRANSPARENCY.—The perform-*
 4 *ance model and the past effectiveness metric*
 5 *identified in section 147(a)(2)(B)(i), includ-*
 6 *ing the procedures outlined in section*
 7 *147(a)(2)(B)(iv), shall be published for com-*
 8 *ment in the Federal Register.”;*

9 *(B) in paragraph (2)—*

10 *(i) in subparagraph (A), by striking*
 11 *“and” at the end; and*

12 *(ii) by striking subparagraph (B) and*
 13 *inserting the following:*

14 *“(B) the number of enrollees recruited that*
 15 *meet the requirements of section 144(a); and*

16 *“(C) the measurement described in subpara-*
 17 *graph (K) of subsection (d)(1).”;* and

18 *(C) in paragraph (4)—*

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

21 *(ii) in subparagraph (B), by striking*
 22 *the period at the end and inserting “; and”;*
 23 *and*

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

“(C) *information on the performance of the Job Corps selection process in section 147(a)(2) with respect to increasing performance as measured pursuant to subparagraph (A), specifically including information on the performance of each Job Corps campus as compared to its annual performance immediately prior to its current operating agreement.*”;

(3) *in subsection (d)(1)—*

(A) *by striking subparagraph (I); and*

(B) *by redesignating subparagraphs (J) through (O) as subparagraphs (I) through (N), respectively;*

(4) *in subsection (f)—*

(A) *in paragraph (2)—*

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

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

(iii) *by striking subparagraph (G);*

and

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

“(4) *CIVILIAN CONSERVATION CENTERS.—In addition to the primary indicators of performance speci-*

1 *fied in subsection (c)(1), Civilian Conservation Cen-*
 2 *ters shall be evaluated on their contribution to the na-*
 3 *tion’s conservation goals by the Secretaries of Agri-*
 4 *culture and Labor. If the Secretaries jointly conclude*
 5 *that a Civilian Conservation Center is not meeting*
 6 *these dual performance goals, they may take perform-*
 7 *ance improvement actions described in subparagraph*
 8 *(A), (B), or (C) of paragraph (2) of this subsection.”;*
 9 *and*

10 *(5) in subsection (g)(2)—*

11 *(A) by striking “has entered” and inserting*
 12 *“enters”; and*

13 *(B) by striking “comply” and inserting “at-*
 14 *test to compliance”.*

15 *(n) TECHNICAL AMENDMENT.—Subtitle C of title I (29*
 16 *U.S.C. 3191 et seq.) is amended by striking “Committee on*
 17 *Education and the Workforce” each place it appears and*
 18 *inserting “Committee on Education and Labor”.*

19 *(o) AUTHORIZATION OF APPROPRIATIONS.—Section*
 20 *162 (29 U.S.C. 3212) is amended to read as follows:*

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

22 **“(a) IN GENERAL.—***There are authorized to be appro-*
 23 *priated to carry out this subtitle—*

24 **“(1)** *\$1,809,857,925 for fiscal year 2023;*

25 **“(2)** *\$1,873,202,952 for fiscal year 2024;*

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

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

3 “(5) \$2,076,853,597 for fiscal year 2027; and

4 “(6) \$2,149,543,473 for fiscal year 2028.

5 “(b) *CONSTRUCTION COSTS*.—Of the amount author-
6 ized in subsection (a) for each of fiscal years 2023 through
7 2028, \$107,800,000 shall be for construction, rehabilitation,
8 and acquisition of Job Corps Campuses.”.

9 ***Subtitle D—National Programs***

10 ***SEC. 271. NATIVE AMERICAN PROGRAMS.***

11 *Section 166 (29 U.S.C. 3221) is amended—*

12 *(1) in subsection (c), by striking “, on a com-*
13 *petitive basis,”;*

14 *(2) in subsection (d)—*

15 *(A) in paragraph (1)—*

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

18 *(ii) in subparagraph (B), by striking*
19 *the period at the end and inserting “; and”;*
20 *and*

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

23 *“(C) are evidence-based, to the extent prac-*
24 *ticable.”; and*

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

3 “(2) *WORKFORCE DEVELOPMENT ACTIVITIES AND*
4 *SUPPLEMENTAL SERVICES.—Funds made available*
5 *under subsection (c) shall be used for—*

6 “(A) *comprehensive workforce development*
7 *activities for Indians, Alaska Natives, or Native*
8 *Hawaiians, including training on entrepre-*
9 *neurial skills; or*

10 “(B) *supplemental services for Indian, Alas-*
11 *ka Native, or Native Hawaiian youth on or near*
12 *Indian reservations and in Oklahoma, Alaska, or*
13 *Hawaii.”; and*

14 (3) *in subsection (i)—*

15 (A) *in paragraph (1)—*

16 (i) *in the heading, by striking “UNIT”*
17 *and inserting “DIVISION”; and*

18 (ii) *by striking “unit” and inserting*
19 *“division”;*

20 (B) *in paragraph (4)—*

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

23 “(B) *COMPOSITION.—*

24 “(i) *IN GENERAL.—The Council shall*
25 *be composed of individuals, appointed by*

1 the Secretary, who are representatives of the
2 entities described in subsection (c).

3 “(ii) VACANCIES.—Any member ap-
4 pointed to fill a vacancy occurring before
5 the expiration of the term for which the
6 member’s predecessor was appointed shall be
7 appointed only for the remainder of that
8 term. A member may serve after the expira-
9 tion of that member’s term until a successor
10 has taken office.”; and

11 (ii) in subparagraph (C), by striking
12 “unit” and inserting “division”; and

13 (C) in paragraph (5), by striking “unit”
14 and inserting “division”.

15 **SEC. 272. MIGRANT AND SEASONAL FARMWORKER PRO-**
16 **GRAMS.**

17 Section 167 (29 U.S.C. 3222) is amended—

18 (1) in subsection (d), by inserting “be used for
19 the 4-year period for which funds are provided under
20 this section, and which may” after “which may”;

21 (2) in subsection (h)—

22 (A) in the heading, by inserting “; FUNDING
23 OBLIGATION” after “FUNDING ALLOCATION”;

24 (B) by striking “From the” and inserting
25 the following:

1 “(1) *FUNDING ALLOCATION.—From the*”; and

2 *(C) by adding at the end the following:*

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 to any entity*
 7 *described in subsection (b) during the period be-*
 8 *ginning on April 1 of the calendar year that be-*
 9 *gins during such fiscal year, and ending on June*
 10 *30 of the following calendar year.*

11 *“(B) OBLIGATED AMOUNT.—Funds made*
 12 *available under this section for a fiscal year to*
 13 *any entity described in subsection (b) shall be*
 14 *obligated and available for expenditure by such*
 15 *entity for the period beginning on July 1 of the*
 16 *calendar year that begins during such fiscal*
 17 *year, and ending on June 30 of the following*
 18 *calendar year, except that the Secretary may ex-*
 19 *tend such period if the Secretary determines that*
 20 *such extension is necessary to ensure the effective*
 21 *use of such funds by such entity.”; and*

22 *(3) in subsection (i)(3)(A)(i), by striking “12”*
 23 *and inserting “8”.*

1 **SEC. 273. TECHNICAL ASSISTANCE.**

2 *Section 168(a)(1) (29 U.S.C. 3223(a)(1)) is amend-*
3 *ed—*

4 *(1) in the matter preceding subparagraph (A),*
5 *by striking “staff development” and inserting “profes-*
6 *sional development for staff”;*

7 *(2) in subparagraph (C), by inserting “profes-*
8 *sional development and” after “the” the first place it*
9 *appears;*

10 *(3) in subparagraph (D), by inserting “profes-*
11 *sional development and” after “the”;*

12 *(4) in subparagraph (G), by striking “and” at*
13 *the end;*

14 *(5) in subparagraph (H), by striking the period*
15 *at the end and inserting “; and” ; and*

16 *(6) by adding at the end the following:*

17 *“(I) the training of staff at one-stop centers*
18 *on trauma-informed approaches, gender and ra-*
19 *cial biases, and the unique safety challenges*
20 *faced by survivors of gender-based violence.”.*

21 **SEC. 274. EVALUATIONS AND RESEARCH.**

22 *Section 169 (29 U.S.C. 3224) is amended—*

23 *(1) in subsection (a)—*

24 *(A) in paragraph (4), by striking “2019”*
25 *and inserting “2027”; and*

1 (B) in paragraph (6), by striking “the
2 Workforce” and inserting “Labor”;

3 (2) in subsection (b)—

4 (A) in paragraph (1), by striking “the
5 Workforce” and inserting “Labor”; and

6 (B) in paragraph (4)—

7 (i) by striking subparagraphs (B)
8 through (J);

9 (ii) by redesignating subparagraph (K)
10 as subparagraph (C);

11 (iii) by inserting after subparagraph
12 (A) the following:

13 “(B) *STUDY ON CORRECTIONAL EDUCATION*
14 *AND TRAINING.—The Secretary of Labor, in co-*
15 *ordination with the Secretary of Education, may*
16 *conduct a study to determine the feasibility of,*
17 *and potential means to replicate the measure-*
18 *ment of recidivism for former criminal offenders*
19 *who participated in adult employment and*
20 *training activities under this title or correctional*
21 *institution education programs under title II to*
22 *improve the quality and performance of such*
23 *services or activities.”; and*

1 (iv) in subparagraph (C), as so rededesignated, by striking “the Workforce” and
 2 inserting “Labor”;

3 (3) by redesignating subsection (c) as subsection
 4 (d); and

5 (4) by inserting after subsection (b) the following:
 6 lowing:

7 “(c) WORKFORCE DEVELOPMENT INNOVATION
 8 FUND.—

9 “(1) PROGRAM AUTHORIZED.—

10 “(A) IN GENERAL.—The Secretary may
 11 award workforce development innovation grants,
 12 on a competitive basis, to eligible entities to enable such entities to—

13 “(i) create, implement, replicate, or
 14 take to scale entrepreneurial, evidence-based,
 15 field-initiated innovation programs and
 16 services for improving the design and delivery of employment and training services
 17 that generate long-term improvements in
 18 the performance of the workforce development system, in outcomes for job-seekers (including individuals with barriers to employment), and in the cost-effectiveness of
 19 programs and services; and

1 “(ii) rigorously evaluate such pro-
2 grams and services in accordance with this
3 subsection.

4 “(B) DESCRIPTION OF GRANTS.—The grants
5 described in subparagraph (A) shall include—

6 “(i) early-phase grants to fund the de-
7 velopment, implementation, and feasibility
8 testing of an innovation program or service,
9 which prior research suggests has promise,
10 for the purpose of determining whether such
11 program or service can successfully improve
12 the design and delivery of employment and
13 training services that generate long-term
14 improvements in the performance of the
15 workforce development system, in outcomes
16 for job-seekers (including individuals with
17 barriers to employment), and in the cost-ef-
18 fectiveness of such programs and services;

19 “(ii) mid-phase grants to fund imple-
20 mentation and a well-designed and well-im-
21 plemented evaluation of such a program or
22 service that has been successfully imple-
23 mented under an early-phase grant de-
24 scribed in clause (i) or other effort meeting
25 similar criteria, for the purpose of meas-

1 *uring the impact and cost effectiveness of*
2 *such programs or services, using data col-*
3 *lected pursuant to the implementation of*
4 *such program or service, if possible; and*

5 *“(iii) expansion grants to fund imple-*
6 *mentation and a well-designed and well-im-*
7 *plemented replication evaluation of such a*
8 *program or service that has been found to*
9 *produce sizable, important impacts under a*
10 *mid-phase grant described in clause (ii) or*
11 *other effort meeting similar criteria, for the*
12 *purposes of—*

13 *“(I) determining whether such im-*
14 *pacts may be successfully reproduced*
15 *and sustained over time; and*

16 *“(II) identifying the conditions in*
17 *which such a program or service is*
18 *most effective.*

19 *“(2) TECHNICAL ASSISTANCE.—Of the funds*
20 *made available to carry out this subsection for a fis-*
21 *cal year, the Secretary shall reserve not more than 5*
22 *percent of the funds to—*

23 *“(A) provide technical assistance to eligible*
24 *entities, which may include preapplication work-*

shops, web-based seminars, and evaluation support; and

“(B) disseminate evidence-based best practices.

“(3) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE ENTITY.—The term ‘eligible entity’ means any of the following:

“(i) A State board.

“(ii) A local board.

“(iii) An Indian tribe, tribal organization, Alaska Native entity, Indian-controlled organization serving Indians, or Native Hawaiian organization that is eligible to receive an award under section 166.

“(iv) A community-based, nonprofit, or nongovernmental organization serving an underserved population.

“(v) An institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)).

“(vi) A consortium of such entities described under clause (i) through clause (v).

“(B) WELL-DESIGNED AND WELL-IMPLEMENTED.—The term ‘well-designed and well-implemented’, as applied to an evaluation study,

means a study that is replicable, uses programmatic and control groups that are representative of the type of population served by the program, uses controls for aggregate shifts that might affect baseline numbers, does not have problems with attrition from the program, and takes measures to avoid creaming.

“(4) *AUTHORIZATION OF APPROPRIATIONS.*—

There are authorized to be appropriated to carry out this subsection, such sums as may be necessary for each of the fiscal years 2023 through 2028.”.

SEC. 275. NATIONAL DISLOCATED WORKER GRANTS.

Section 170(c)(1)(B) (29 U.S.C. 3225(c)(1)(B)) is amended by striking “and any other” and all that follows through “dislocations.” and inserting “which may include a national or regional intermediary that provides employment and training activities to dislocated workers.”.

SEC. 276. YOUTHBUILD PROGRAM.

Section 171 (29 U.S.C. 3226) is amended—

(1) in subsection (c)—

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

*“(1) *RESERVATION, AMOUNT OF GRANTS.*—*

*“(A) *RESERVATION.*—In any fiscal year in which the amount appropriated to carry out this*

1 *section is greater than \$125,000,000, the Sec-*
 2 *retary shall reserve 20 percent of such amount*
 3 *that is greater than \$125,000,000 for—*

4 *“(i) grants to applicants that are lo-*
 5 *cated in rural areas (as defined by the Sec-*
 6 *retary); and*

7 *“(ii) programs operated by an Indian*
 8 *tribe or for the benefit of the members of an*
 9 *Indian Tribe for the purpose of carrying*
 10 *out YouthBuild programs approved under*
 11 *this section.*

12 *“(B) AMOUNT OF GRANTS.—After making*
 13 *the reservation described under subparagraph*
 14 *(A), the Secretary may use the remaining*
 15 *amount appropriated to carry out this section to*
 16 *make grants to applicants for the purpose of car-*
 17 *rying out YouthBuild programs approved under*
 18 *this section.”;*

19 *(B) in paragraph (2)—*

20 *(i) in subparagraph (A)—*

21 *(I) in clause (iv)(II), by striking*
 22 *“English language learners” and in-*
 23 *serting “English learners”;*

24 *(II) in clause (vii), by striking*
 25 *“12” and inserting “24”; and*

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

2 “(I) Provision of meals and other food as-
3 sistance that is offered to participants in con-
4 junction with another activity described in this
5 paragraph.

6 “(J) Informing participants of their eligi-
7 bility, and assisting participants in applying,
8 for Federal and State means tested benefit pro-
9 grams, such as the supplemental nutrition assist-
10 ance program, and assistance provided by the
11 State through the Child Care Development Block
12 Grant Act.

13 “(K) Supportive services for individuals
14 with disabilities to ensure such individuals may
15 fully participate in a YouthBuild program.”;
16 and

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

18 “(6) USE OF FUNDS FOR MATCH.—Consistent
19 with the requirements described under subsection
20 (e)(3), an entity which receives a grant under this
21 section may use a portion of such grant to meet all
22 or a portion of the requirement to provide matching
23 funds under section 121(e) of the National and Com-
24 munity Service Act of 1990 (42 U.S.C. 12571(e)) or
25 any other such requirements under such Act.”;

1 (2) in subsection (e)(1)—

2 (A) in subparagraph (A)(ii), by striking
3 “youth offender” and inserting “youth justice-in-
4 volved individual”; and

5 (B) in subparagraph (B)(i), by striking
6 “basic skills deficient” and inserting
7 “foundational skill needs”;

8 (3) in subsection (f), by adding at the end the
9 following:

10 “(3) CONSULTATION.—In establishing expected
11 levels of performance under paragraph (1), the Sec-
12 retary shall consult, on not less than an annual basis,
13 with YouthBuild programs to ensure such levels of
14 performance account for the workforce and postsec-
15 ondary experiences of youth served by such pro-
16 grams.”;

17 (4) in subsection (g), by adding at the end the
18 following:

19 “(4) ANNUAL RELEASE OF FUNDING OPPOR-
20 TUNITY ANNOUNCEMENT.—The Secretary shall, to the
21 greatest extent practicable, announce new funding op-
22 portunities for grants under this section during the
23 same time period each year that such grants are an-
24 nounced.

1 “(5) *STATE WAGE DATA.*—*States receiving*
 2 *grants under this Act shall facilitate access to wage*
 3 *data of participants in YouthBuild programs for the*
 4 *purpose of meeting the requirements of this section.*
 5 *Such facilitation shall not reduce any protections af-*
 6 *forded by the State that protect the privacy of partici-*
 7 *pant information.”; and*

8 *(5) by amending subsection (i) to read as fol-*
 9 *lows:*

10 “(i) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 11 *authorized to be appropriated to carry out this section—*

12 “(1) \$159,500,000 for fiscal year 2023;

13 “(2) \$167,500,000 for fiscal year 2024;

14 “(3) \$175,900,000 for fiscal year 2025;

15 “(4) \$184,700,000 for fiscal year 2026;

16 “(5) \$193,000,000 for fiscal year 2027; and

17 “(6) \$203,600,000 for fiscal year 2028.”.

18 **SEC. 277. STRENGTHENING COMMUNITY COLLEGES TRAIN-**
 19 **ING GRANTS PROGRAM.**

20 *Subtitle D of title I (29 U.S.C. 3221 et seq.), as amend-*
 21 *ed by this Act is further amended—*

22 (1) *by redesignating section 172 as section 176;*

23 *and*

24 (2) *by inserting after section 171 the following:*

1 **“SEC. 172. STRENGTHENING COMMUNITY COLLEGES TRAIN-**
 2 **ING GRANTS PROGRAM.**

3 “(a) *PURPOSES.*—*The purposes of this section are—*

4 “(1) *to establish, improve, or expand high-quality*
 5 *educational or career training programs at com-*
 6 *munity colleges; and*

7 “(2) *to expand opportunities for individuals to*
 8 *obtain recognized postsecondary credentials that are*
 9 *nationally or regionally portable and stackable for*
 10 *high-skill, high-wage, or in-demand industry sectors*
 11 *or occupations.*

12 “(b) *STRENGTHENING COMMUNITY COLLEGES TRAIN-*
 13 *ING GRANTS PROGRAM.*—

14 “(1) *IN GENERAL.*—*From the amounts appro-*
 15 *priated to carry out this section under subsection (k)*
 16 *and not reserved under paragraph (2), the Secretary*
 17 *shall, on a competitive basis, make grants to eligible*
 18 *institutions to carry out the activities described in*
 19 *subsection (e).*

20 “(2) *RESERVATION.*—*Of the amounts appro-*
 21 *priated to carry out this section under subsection (k),*
 22 *the Secretary may reserve not more than two percent*
 23 *for the administration of grants awarded under this*
 24 *section, including—*

25 “(A) *providing technical assistance and tar-*
 26 *geted outreach to support eligible institutions*

1 *serving a high number or high percentage of low-*
2 *income individuals or individuals with barriers*
3 *to employment, and rural-serving eligible insti-*
4 *tutions, to provide guidance and assistance in*
5 *the process of applying for grants under this sec-*
6 *tion; and*

7 *“(B) evaluating and reporting on the per-*
8 *formance and impact of programs funded under*
9 *this section in accordance with subsections (f)*
10 *through (h).*

11 *“(c) AWARD PERIOD.—*

12 *“(1) INITIAL GRANT PERIOD.—Each grant under*
13 *this section shall be awarded for an initial period of*
14 *not more than 4 years.*

15 *“(2) SUBSEQUENT GRANTS.—An eligible institu-*
16 *tion that receives an initial grant under this section*
17 *may receive one or more additional grants under this*
18 *section for additional periods of not more than 4*
19 *years each if the eligible institution demonstrates that*
20 *the community college and industry partnership sup-*
21 *ported with the initial grant was successful (as deter-*
22 *mined by the Secretary on the basis of the levels of*
23 *performance achieved with respect to the performance*
24 *indicators specified in subsection (f)).*

25 *“(d) APPLICATION.—*

1 “(1) *IN GENERAL.*—To be eligible to receive a
2 grant under this section, an eligible institution shall
3 submit an application to the Secretary at such time,
4 in such manner, and containing such information as
5 the Secretary may require.

6 “(2) *CONTENTS.*—At a minimum, an applica-
7 tion submitted by an eligible institution under para-
8 graph (1) shall include a description of each the fol-
9 lowing:

10 “(A) *The extent to which the eligible insti-*
11 *tution included in the partnership has prior ex-*
12 *perience in leading similar capacity building*
13 *projects that demonstrates the institution’s abil-*
14 *ity to accomplish multi-pronged, complex*
15 *projects and an explanation of the results of any*
16 *such projects.*

17 “(B) *The extent to which the eligible insti-*
18 *tution can—*

19 “(i) *leverage additional resources to*
20 *support the programs funded with the*
21 *grant; and*

22 “(ii) *demonstrate the future sustain-*
23 *ability of each such program.*

24 “(C) *The steps the institution will take to*
25 *ensure the quality of each program supported by*

1 *the grant, including the career pathways within*
2 *such programs.*

3 “(D) *The needs that will be addressed by the*
4 *community college and industry partnership*
5 *supported by the grant.*

6 “(E) *The population and geographic area to*
7 *be served by the partnership.*

8 “(F) *One or more industries that the part-*
9 *nership will target and data demonstrating that*
10 *those industries are aligned with employer de-*
11 *mand in the geographic area to be served by the*
12 *partnership.*

13 “(G) *The educational or career training*
14 *programs to be supported by the grant.*

15 “(H) *The recognized postsecondary creden-*
16 *tials that are expected to be earned by partici-*
17 *pants in such programs and the related in-de-*
18 *mand industry sectors or occupations for which*
19 *such programs will prepare participants.*

20 “(I) *The evidence upon which the education*
21 *and training strategies to be used in the pro-*
22 *grams are based and an explanation of how such*
23 *evidence influenced the design of the programs to*
24 *improve education and employment outcomes.*

1 “(J) *The methods and strategies the part-*
 2 *nership will use to engage with employers in in-*
 3 *demand industry sectors or occupations.*

4 “(K) *The roles and responsibilities of each*
 5 *employer, organization, agency, or institution of*
 6 *higher education with which the eligible institu-*
 7 *tion will partner to carry out activities under*
 8 *this section.*

9 “(L) *Whether, and to what extent, the ac-*
 10 *tivities of the partnership are expected to align*
 11 *with the workforce strategies identified in—*

12 “(i) *any State plan or local plan sub-*
 13 *mitted under this Act by the State, outlying*
 14 *area, or locality in which the partnership is*
 15 *expected to operate;*

16 “(ii) *any State plan submitted under*
 17 *section 122 of the Carl D. Perkins Career*
 18 *and Technical Education Act of 2006 (20*
 19 *U.S.C. 2342) by such State or outlying*
 20 *area; and*

21 “(iii) *any economic development plan*
 22 *of the chief executive of such State or out-*
 23 *lying area.*

24 “(M) *The goals of the partnership with re-*
 25 *spect to—*

1 “(i) *capacity building (as described in*
2 *subsection (f)(1)(B)); and*

3 “(ii) *the expected performance of indi-*
4 *viduals participating in the programs to be*
5 *offered by the partnership, including with*
6 *respect to any performance indicators ap-*
7 *plicable under section 116 or subsection (f)*
8 *of this section.*

9 “(3) *CONSIDERATION OF PREVIOUS EXPERI-*
10 *ENCE.—The Secretary may not disqualify an other-*
11 *wise eligible institution from receiving a grant under*
12 *this section solely because such institution lacks pre-*
13 *vious experience in capacity building projects, as de-*
14 *scribed in subparagraph (2)(A).*

15 “(4) *PRIORITY.—In awarding grants under this*
16 *section, the Secretary shall give priority to eligible en-*
17 *tities that will use the grant to serve—*

18 “(A) *individuals with barriers to employ-*
19 *ment; or*

20 “(B) *incumbent workers who need to gain*
21 *or improve foundational skills to enhance their*
22 *employability.*

23 “(e) *USES OF FUNDS.—*

24 “(1) *COMMUNITY COLLEGE AND INDUSTRY PART-*
25 *NERSHIP.—For the purpose of carrying out the ac-*

1 *tivities specified in paragraphs (2) and (3), an eligi-*
2 *ble institution that receives a grant under this section*
3 *shall establish a partnership or continue an existing*
4 *partnership with one or more employers in an in-de-*
5 *mand industry sector or occupation and shall main-*
6 *tain such partnership for the duration of the grant*
7 *period. The eligible institution shall ensure that the*
8 *partnership—*

9 *“(A) targets one or more specific high-skill,*
10 *high-wage, or in-demand industries;*

11 *“(B) includes collaboration with the work-*
12 *force development system;*

13 *“(C) serves adult and dislocated workers,*
14 *incumbent workers, and new entrants to the*
15 *workforce;*

16 *“(D) uses an evidence-based program design*
17 *that is appropriate for the activities carried out*
18 *by the partnership; and*

19 *“(E) incorporates, to the extent appropriate,*
20 *virtual service delivery to facilitate technology-*
21 *enabled learning.*

22 *“(2) REQUIRED ACTIVITIES.—An eligible institu-*
23 *tion that receives a grant under this section, in con-*
24 *sultation with the partnership established under*
25 *paragraph (1), shall—*

1 “(A) establish, improve, or expand high
2 quality, evidence-based education or career train-
3 ing programs, career pathway programs, or
4 work-based learning programs (including ap-
5 prenticeship programs or pre-apprenticeships
6 that qualify an individual for participation in
7 an apprenticeship program); and

8 “(B) use not less than 15 percent of the
9 grant to provide supportive services to individ-
10 uals participating in the programs funded with
11 the grant to facilitate retention and program
12 completion, which may include—

13 “(i) childcare, transportation, mental
14 health services, and assistance in obtaining
15 health insurance coverage and housing;

16 “(ii) assistance in accessing State and
17 Federal means-tested benefits programs;

18 “(iii) career navigation, coaching,
19 mentorship, and case management services,
20 including providing information and out-
21 reach to individuals with barriers to em-
22 ployment to encourage such individuals to
23 participate in programs funded with the
24 grant; and

1 “(iv) *providing access to course mate-*
 2 *rials, technological devices, required equip-*
 3 *ment, and other supports necessary for par-*
 4 *ticipation in and successful completion of*
 5 *such programs.*

6 “(3) *ADDITIONAL ACTIVITIES.—In addition to*
 7 *the activities required under paragraph (2), an eligi-*
 8 *ble institution that receives a grant under this sec-*
 9 *tion, in consultation with the partnership established*
 10 *under paragraph (1), shall carry out one or more of*
 11 *the following activities:*

12 “(A) *Establish, improve, or expand—*

13 “(i) *articulation agreements (as de-*
 14 *defined in section 486A(a) of the Higher Edu-*
 15 *cation Act of 1965 (20 U.S.C. 1093a(a));*

16 “(ii) *credit transfer agreements;*

17 “(iii) *corequisite remediation programs*
 18 *that enable a student to receive remedial*
 19 *education services while enrolled in a post-*
 20 *secondary course rather than requiring the*
 21 *student to receive remedial education before*
 22 *enrolling in a such a course;*

23 “(iv) *dual or concurrent enrollment*
 24 *programs;*

1 “(v) *competency-based education and*
2 *assessment; or*

3 “(vi) *policies and processes to award*
4 *academic credit for prior learning or for the*
5 *programs described in paragraph (2).*

6 “(B) *Make available, in a format that is*
7 *open, searchable, and easily comparable, infor-*
8 *mation on—*

9 “(i) *curricula and recognized postsec-*
10 *ondary credentials offered through programs*
11 *funded with the grant, including any cur-*
12 *ricula or credentials created or further de-*
13 *veloped using such grant;*

14 “(ii) *the skills or competencies devel-*
15 *oped by individuals who participate in such*
16 *programs; and*

17 “(iii) *related employment and earn-*
18 *ings outcomes.*

19 “(C) *Establish or implement plans for pro-*
20 *viders of the programs described in paragraph*
21 *(2) to meet the criteria and carry out the proce-*
22 *dures necessary to be included on the eligible*
23 *training services provider list described in sec-*
24 *tion 122(d).*

1 “(D) *Purchase, lease, or refurbish special-*
 2 *ized equipment as necessary to carry out such*
 3 *programs.*

4 “(E) *Reduce or eliminate unmet financial*
 5 *need relating to participants’ cost of attendance*
 6 *(as defined under section 472 of the Higher Edu-*
 7 *cation Act of 1965 (20 U.S.C. 1087ll)) in such*
 8 *programs.*

9 “(4) *ADMINISTRATIVE COST LIMIT.—An eligible*
 10 *institution may use not more than 10 percent of the*
 11 *funds received under this section for administrative*
 12 *costs, including costs related to collecting information,*
 13 *analysis, and coordination for purposes of subsection*
 14 *(f).*

15 “(f) *PERFORMANCE LEVELS AND PERFORMANCE RE-*
 16 *VIEWS.—*

17 “(1) *IN GENERAL.—The Secretary shall develop*
 18 *and implement guidance that establishes the levels of*
 19 *performance that are expected to be achieved by each*
 20 *community college and industry partnership funded*
 21 *with a grant under this section. Such performance*
 22 *levels shall be based on the following indicators:*

23 “(A) *Each of the primary indicators of per-*
 24 *formance for adults described in section 116(b).*

1 “(B) *The extent to which the partnership*
2 *built capacity by—*

3 “(i) *increasing the breadth and depth*
4 *of employer engagement and investment in*
5 *educational and training programs in the*
6 *in-demand industry sectors and occupations*
7 *targeted by the partnership;*

8 “(ii) *designing or implementing new*
9 *and accelerated instructional techniques or*
10 *technologies, including the use of advanced*
11 *online and technology-enabled learning; and*

12 “(iii) *increasing program and policy*
13 *alignment across systems and decreasing*
14 *duplicative services or service gaps.*

15 “(C) *With respect to individuals who par-*
16 *ticipated in an education or training program*
17 *funded with the grant—*

18 “(i) *the percentage of participants who*
19 *successfully completed a program; and*

20 “(ii) *of the participants who were in-*
21 *cumbent workers at the time of enrollment*
22 *in the program, the percentage who ad-*
23 *vanced into higher-level positions during or*
24 *after completing the program.*

1 “(D) *Such other indicators of performance*
 2 *as the Secretary determines appropriate.*

3 “(2) *CONSULTATION AND DETERMINATION OF*
 4 *PERFORMANCE LEVELS.—*

5 “(A) *CONSULTATION.—In developing the*
 6 *performance levels under paragraph (1), the Sec-*
 7 *retary shall consult with each partnership fund-*
 8 *ed with a grant under this section.*

9 “(B) *DETERMINATION.—After completing*
 10 *the consultation required under subparagraph*
 11 *(A), the Secretary shall separately determine the*
 12 *performance levels that will apply to each part-*
 13 *nership taking into account—*

14 “(i) *the expected performance levels of*
 15 *each eligible entity with respect to the goals*
 16 *described in subsection (d)(2)(M); and*

17 “(ii) *local economic conditions in the*
 18 *geographic area to be served by the partner-*
 19 *ship, including differences in unemployment*
 20 *rates and job losses or gains in particular*
 21 *industries.*

22 “(C) *NOTICE AND ACKNOWLEDGMENT.—*

23 “(i) *NOTICE.—The Secretary shall pro-*
 24 *vide each partnership with a written notifi-*
 25 *cation that sets forth the performance levels*

1 *that will apply to the partnership, as deter-*
2 *mined under subparagraph (B).*

3 “(ii) *ACKNOWLEDGMENT.—After re-*
4 *ceiving the notification described in clause*
5 *(i), each partnership shall submit to the*
6 *Secretary written confirmation that the*
7 *partnership—*

8 *“(I) received the notification; and*

9 *“(II) agrees to be evaluated in ac-*
10 *cordance with the performance levels*
11 *set by the Secretary.*

12 “(3) *PERFORMANCE REVIEWS.—On an annual*
13 *basis during each year of the grant period, the Sec-*
14 *retary shall evaluate the performance of each partner-*
15 *ship funded with a grant under this section in a*
16 *manner consistent with paragraph (2).*

17 “(4) *FAILURE TO MEET PERFORMANCE LEV-*
18 *ELS.—After conducting an evaluation under para-*
19 *graph (3), if the Secretary determines that a partner-*
20 *ship did not achieve the performance levels applicable*
21 *to the partnership under paragraph (2) the Secretary*
22 *shall—*

23 *“(A) provide technical assistance to the*
24 *partnership and*

1 “(B) develop a performance improvement
2 plan for the partnership.

3 “(g) *EVALUATIONS AND REPORTS.*—

4 “(1) *IN GENERAL.*—Not later than 5 years after
5 the date on which the first grant is made under this
6 section, the Secretary shall design and conduct an
7 evaluation to determine the overall effectiveness of the
8 community college and industry partnerships funded
9 under this section.

10 “(2) *ELEMENTS.*—The evaluation conducted
11 under paragraph (1) shall include an assessment of
12 the general effectiveness of programs and activities
13 supported by grants awarded under this section, in-
14 cluding the extent to which the programs and activi-
15 ties—

16 “(A) developed new or expanded existing
17 successful industry sector strategies, including
18 the extent to which such partnerships deepened
19 employer engagement and developed education
20 and training programs that met industry skill
21 needs;

22 “(B) created, expanded, or enhanced career
23 pathways, including the extent to which the
24 partnerships developed or improved competency-
25 based education and assessment, credit for prior

1 *learning, modularized and self-paced curricula,*
2 *integrated education and career training, dual*
3 *enrollment in secondary and postsecondary ca-*
4 *reer pathways, stacked and latticed credentials,*
5 *and online and distance learning;*

6 “(C) *created alignment between community*
7 *colleges and the workforce development system;*

8 “(D) *assisted individuals with finding, re-*
9 *taining, or advancing in employment;*

10 “(E) *assisted individuals with earning rec-*
11 *ognized postsecondary credentials; and*

12 “(F) *served various demographic groups, in-*
13 *cluding people of different geographic locations,*
14 *ages, races, national origins, and sex.*

15 “(3) *DESIGN REQUIREMENTS.—The evaluation*
16 *under this subsection shall—*

17 “(A) *be designed by the Secretary (acting*
18 *through the Chief Evaluation Officer) in con-*
19 *junction with the partnerships being evaluated;*

20 “(B) *include analysis of participant feed-*
21 *back and outcome and process measures; and*

22 “(C) *use designs that employ the most rig-*
23 *orous analytical and statistical methods that are*
24 *reasonably feasible, such as the use of control*
25 *groups.*

1 “(4) *DATA ACCESSIBILITY.*—*The Secretary shall*
2 *make available on a publicly accessible website of the*
3 *Department of Labor any data collected as part of the*
4 *evaluation under this subsection. Such data shall be*
5 *made available in an aggregated format that does not*
6 *reveal personally identifiable information.*

7 “(5) *PUBLICATION AND REPORTING OF EVALUA-*
8 *TION FINDINGS.*—*The Secretary (acting through the*
9 *Chief Evaluation Officer) shall—*

10 “(A) *in accordance with the timeline deter-*
11 *mined to be appropriate by the Chief Evaluation*
12 *Officer, publish an interim report on the pre-*
13 *liminary results of the evaluation conducted*
14 *under this subsection;*

15 “(B) *not later than 60 days after the date*
16 *on which the evaluation is completed under this*
17 *subsection, submit to the Committee on Edu-*
18 *cation and Labor of the House of Representatives*
19 *and the Committee on Health, Education, Labor,*
20 *and Pensions of the Senate a report on such*
21 *evaluation; and*

22 “(C) *not later than 90 days after such com-*
23 *pletion date, publish and make the results of the*
24 *evaluation available on a publicly accessible*
25 *website of the Department of Labor.*

1 “(h) *ANNUAL REPORTS.*—*The Secretary shall make*
 2 *available on a publicly accessible website of the Department*
 3 *of Labor, in transparent, linked, open, and interoperable*
 4 *data formats, the following information:*

5 “(1) *The performance of partnerships on the ca-*
 6 *capacity-building performance indicator set forth under*
 7 *subsection (f)(1)(B).*

8 “(2) *The performance of partnerships on the par-*
 9 *ticipant outcome performance indicators set forth*
 10 *under subsection (f)(1)(C)).*

11 “(3) *The number of individuals enrolled in em-*
 12 *ployment and training activities funded with a grant*
 13 *under this section.*

14 “(i) *DEFINITIONS.*—*In this section:*

15 “(1) *COMMUNITY COLLEGE.*—*The term ‘commu-*
 16 *nity college’ means—*

17 “(A) *a public institution of higher edu-*
 18 *cation (as defined in section 101(a) of the High-*
 19 *er Education Act (20 U.S.C. 1001(a)), at*
 20 *which—*

21 “(i) *the highest degree awarded is an*
 22 *associate degree; or*

23 “(ii) *an associate degree is the most*
 24 *frequently awarded degree;*

1 “(B) a branch campus of a 4-year public
 2 institution of higher education (as defined in sec-
 3 tion 101 of the Higher Education Act of 1965
 4 (20 U.S.C. 1001)), if, at such branch campus—

5 “(i) the highest degree awarded is an
 6 associate degree; or

7 “(ii) an associate degree is the most
 8 frequently awarded degree;

9 “(C) a 2-year Tribal College or University
 10 (as defined in section 316(b)(3) of the Higher
 11 Education Act of 1965 (20 U.S.C. 1059c(b)(3)));
 12 or

13 “(D) a degree-granting Tribal College or
 14 University (as defined in section 316(b)(3) of the
 15 Higher Education Act of 1965 (20 U.S.C.
 16 1059c(b)(3))) at which—

17 “(i) the highest degree awarded is an
 18 associate degree; or

19 “(ii) an associate degree is the most
 20 frequently awarded degree.

21 “(2) *ELIGIBLE INSTITUTION*.—The term ‘eligible
 22 institution’ means—

23 “(A) a community college;

1 “(B) a postsecondary vocational institution
 2 (as defined in section 102(c) of the Higher Edu-
 3 cation Act of 1965 (20 U.S.C. 1002(c))); or

4 “(C) a consortium of such colleges or insti-
 5 tutions.

6 “(j) *SUPPLEMENT NOT SUPPLANT.*—Funds made
 7 available under this section shall be used to supplement,
 8 and not supplant other Federal, State, and local public
 9 funds made available for carrying out the activities de-
 10 scribed in this section.

11 “(k) *AUTHORIZATION OF APPROPRIATIONS.*—There
 12 are authorized to be appropriated to carry out this sec-
 13 tion—

14 “(1) \$100,000,000 for fiscal year 2023;

15 “(2) \$110,000,000 for fiscal year 2024;

16 “(3) \$121,000,000 for fiscal year 2025;

17 “(4) \$133,000,000 for fiscal year 2026;

18 “(5) \$146,000,000 for fiscal year 2027; and

19 “(6) \$161,000,000 for fiscal year 2028.”.

20 **SEC. 278. REENTRY EMPLOYMENT OPPORTUNITIES.**

21 Subtitle D of title I (29 U.S.C. 3221 et seq.), as amend-
 22 ed by this Act, is further amended by inserting after section
 23 172, as added by the preceding section, the following:

24 **“SEC. 173. 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 and
3 youth who have been involved with the justice system;

4 “(2) to prompt innovation and improvement in
5 the reentry of justice-involved individuals into the
6 workforce so that successful initiatives can be estab-
7 lished or continued and replicated; and

8 “(3) to further develop the evidence on how to
9 improve employment, earnings, and skill attainment,
10 and reduce recidivism of justice-involved individuals,
11 through rigorous evaluations of specific services pro-
12 vided, including how they affect different populations
13 and how they are best combined and sequenced.

14 “(b) REENTRY EMPLOYMENT COMPETITIVE GRANTS,
15 CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHOR-
16 IZED.—

17 “(1) IN GENERAL.—From the amounts appro-
18 priated under subsection (h)(1) and not reserved
19 under subsection (h)(2), the Secretary—

20 “(A) shall, on a competitive basis, make
21 grants to, or enter into contracts or cooperative
22 agreements with, eligible entities to implement
23 reentry projects that serve eligible adults or eligi-
24 ble youth; and

1 “(B) may use not more than 30 percent of
2 such amounts to award funds under subpara-
3 graph (A) to eligible entities that are national or
4 regional intermediaries to—

5 “(i) implement the reentry projects de-
6 scribed in subparagraph (A); or

7 “(ii) provide such funds to other eligi-
8 ble entities—

9 “(I) to implement such reentry
10 projects; and

11 “(II) to monitor and support such
12 entities.

13 “(2) AWARD PERIODS.—The Secretary shall
14 award funds under this section for an initial period
15 of not more than 4 years, and may renew such
16 awards for additional 4-year periods.

17 “(3) PRIORITY.—In awarding funds under this
18 section, the Secretary shall give priority to eligible en-
19 tities whose applications submitted under subsection
20 (c) demonstrate a commitment to use such funds to
21 implement reentry projects—

22 “(A) that will serve high-crime or high-pov-
23 erty areas;

24 “(B) that will enroll in such reentry
25 projects eligible youth or eligible adults—

1 “(i) prior to the release of such indi-
2 viduals from incarceration in a correctional
3 institution; or

4 “(ii) not later than 90 days after such
5 release;

6 “(C) whose strategy and design are evi-
7 dence-based;

8 “(D) that establish partnerships with—

9 “(i) businesses; or

10 “(ii) institutions of higher education to
11 provide project participants with programs
12 of study leading to recognized postsecondary
13 credentials in in-demand occupations;

14 “(E) that provide training services that are
15 designed to meet the basic requirements of an
16 employer (including a group of employers) and
17 are conducted with a commitment by the em-
18 ployer to employ individuals upon successful
19 completion of the training; or

20 “(F) that demonstrate a track record and
21 ongoing commitment of developing, imple-
22 menting, and refining reentry programs that in-
23 clude employment, education, training, and sup-
24 port services for adults and youth with current
25 or prior justice system involvement.

1 “(c) *APPLICATION.*—

2 “(1) *FORM AND PROCEDURE.*—*To be qualified to*
3 *receive funds under this section, an eligible entity*
4 *shall submit an application at such time, and in such*
5 *manner, as determined by the Secretary, and con-*
6 *taining the information described in paragraph (2).*

7 “(2) *CONTENTS.*—*An application submitted by*
8 *an eligible entity under paragraph (1) shall contain*
9 *the following:*

10 “(A) *A description of the eligible entity, in-*
11 *cluding the experience of the eligible entity in*
12 *providing employment and training services for*
13 *justice-involved individuals.*

14 “(B) *A description of the needs that will be*
15 *addressed by the reentry project supported by the*
16 *funds received under this section, and the target*
17 *participant population and the geographic area*
18 *to be served.*

19 “(C) *A description of the proposed employ-*
20 *ment and training activities and supportive*
21 *services, if applicable, to be provided under such*
22 *reentry project, and how such activities and serv-*
23 *ices will prepare participants for employment in*
24 *in-demand industry sectors and occupations*

1 *within the geographic area to be served by such*
2 *reentry project.*

3 “(D) *The anticipated schedule for carrying*
4 *out the activities proposed under the reentry*
5 *project.*

6 “(E) *A description of—*

7 “(i) *the partnerships the eligible entity*
8 *will establish with agencies and entities*
9 *within the criminal justice system, local*
10 *boards and one-stops, community-based or-*
11 *ganizations, and employers (including local*
12 *businesses) to provide participants of the re-*
13 *entry project with work-based learning, job*
14 *placement, and recruitment (if applicable);*
15 *and*

16 “(ii) *how the eligible entity will co-*
17 *ordinate its activities with other services*
18 *and benefits available to justice-involved in-*
19 *dividuals in the geographic area to be*
20 *served by the reentry project.*

21 “(F) *A description of the manner in which*
22 *individuals will be recruited and selected for*
23 *participation for the reentry project.*

24 “(G) *A detailed budget and a description of*
25 *the system of fiscal controls, and auditing and*

1 *accountability procedures, that will be used to*
2 *ensure fiscal soundness for the reentry project.*

3 “(H) *A description of the expected levels of*
4 *performance to be achieved with respect to the*
5 *performance measures described in subsection*
6 *(e).*

7 “(I) *A description of the evidence-based*
8 *practices the eligible entity will use in adminis-*
9 *tration of the reentry project.*

10 “(J) *An assurance that the eligible entity*
11 *will collect, disaggregate by race, ethnicity, gen-*
12 *der, and other participant characteristics, and*
13 *report to the Secretary the data required with re-*
14 *spect to the reentry project carried out by the eli-*
15 *gible entity for purposes of the evaluation under*
16 *this section.*

17 “(K) *Any other information required by the*
18 *Secretary.*

19 “(d) *USES OF FUNDS.—*

20 “(1) *IN GENERAL.—An eligible entity that re-*
21 *ceives funds under this section shall use such funds to*
22 *implement a reentry project for eligible adults, eligi-*
23 *ble youth, or both that provides one or more of the fol-*
24 *lowing services:*

25 “(A) *Supportive services.*

1 “(B) For participants who are eligible
2 youth, one or more of the program elements list-
3 ed in subparagraphs (A) through (N) of section
4 129(c)(2).

5 “(C) One or more of the individualized ca-
6 reer services listed in subclause (I) through (IX)
7 of section 134(c)(2)(A)(xii).

8 “(D) Follow-up services after placement in
9 unsubsidized employment as described in section
10 134(c)(2)(A)(xiii).

11 “(E) One or more of the training services
12 listed in clauses (i) through (x)(i) in section
13 134(c)(3)(D), including subsidized employment
14 opportunities through transitional jobs.

15 “(F) Apprenticeship programs.

16 “(G) Education in digital literacy skills.

17 “(H) Mentoring.

18 “(I) Provision of or referral to evidence-
19 based mental health treatment by licensed practi-
20 tioners.

21 “(J) Assistance in obtaining employment as
22 a result of the establishment and development by
23 the eligible entity of relationships and networks
24 with large and small employers.

1 “(K) *Assistance with driver’s license rein-*
2 *statement and fees for driver’s licenses and other*
3 *necessary documents for employment.*

4 “(L) *Provision of or referral to substance*
5 *abuse treatment services, provided that funds*
6 *awarded under this section are only used to pro-*
7 *vide such services to participants who are unable*
8 *to obtain such services through other programs*
9 *providing such services.*

10 “(M) *Assistance in obtaining employment*
11 *as a result of the coordination by the eligible en-*
12 *tity with employers to develop customized train-*
13 *ing programs and on-the-job training.*

14 “(2) *ADMINISTRATIVE COST LIMIT.—An eligible*
15 *entity may not use more than 10 percent of the funds*
16 *received under this section for administrative costs,*
17 *including for costs related to collecting information,*
18 *analysis, and coordination for purposes of subsection*
19 *(e) or (f).*

20 “(e) *LEVELS OF PERFORMANCE.—*

21 “(1) *ESTABLISHMENT OF LEVELS.—*

22 “(A) *IN GENERAL.—The Secretary shall es-*
23 *tablish expected levels of performance for reentry*
24 *projects funded this section for—*

1 “(i) each of the primary indicators of
2 performance for adults and youth described
3 in section 116(b); and

4 “(ii) the additional performance indi-
5 cators described in paragraph (2).

6 “(B) *UPDATES.*—The levels established
7 under subparagraph (A) shall be updated for
8 each 4-year award period.

9 “(2) *ADDITIONAL INDICATORS OF PERFORM-*
10 *ANCE.*—In addition to the indicators described in
11 paragraph (1)(A)(i), the Secretary—

12 “(A) shall establish an indicator of perform-
13 ance for projects funded under this section with
14 respect participant recidivism; and

15 “(B) may establish other performance indi-
16 cators for such projects as the Secretary deter-
17 mines appropriate.

18 “(3) *AGREEMENT ON PERFORMANCE LEVELS.*—
19 In establishing and updating performance levels
20 under paragraph (1), the Secretary shall reach agree-
21 ment on such levels with the eligible entities receiving
22 awards under this section that will be subject to such
23 levels, based on factors including—

1 “(A) the expected performance levels of each
2 such eligible entity described in the application
3 submitted under subsection (c)(2)(H);

4 “(B) local economic conditions of the geo-
5 graphic area to be served by each such eligible
6 entity, including differences in unemployment
7 rates and job losses or gains in particular indus-
8 tries; and

9 “(C) the characteristics of the participants
10 of the projects when the participants enter the
11 project involved, including—

12 “(i) criminal records and indicators of
13 poor work history;

14 “(ii) lack of work experience;

15 “(iii) lack of educational or occupa-
16 tional skills attainment;

17 “(iv) low levels of literacy or English
18 proficiency;

19 “(v) disability status;

20 “(vi) homelessness; and

21 “(vii) receipt of public assistance.

22 “(4) *FAILURE TO MEET PERFORMANCE LEV-*
23 *ELS.—In the case of an eligible entity that fails to*
24 *meet the performance levels established under para-*
25 *graph (1) for the reentry project involved for any*

1 *award year, the Secretary shall provide technical as-*
2 *sistance to the eligible entity, including the develop-*
3 *ment of a performance improvement plan.*

4 “(f) *EVALUATION OF REENTRY PROJECTS.*—

5 “(1) *IN GENERAL.*—*Not later than 5 years after*
6 *the first award of funds under this section is made,*
7 *the Secretary (acting through the Chief Evaluation*
8 *Officer) shall meet the following requirements:*

9 “(A) *DESIGN AND CONDUCT OF EVALUA-*
10 *TION.*—*Design and conduct an evaluation to*
11 *evaluate the effectiveness of the reentry projects*
12 *funded under this section, which meets the re-*
13 *quirements of paragraph (2), and includes an*
14 *evaluation of each of the following:*

15 “(i) *The effectiveness of such projects in*
16 *assisting individuals with finding employ-*
17 *ment and maintaining employment at the*
18 *second quarter and fourth quarter after un-*
19 *subsidized employment is obtained.*

20 “(ii) *The effectiveness of such projects*
21 *in assisting individuals with earning recog-*
22 *nized postsecondary credentials.*

23 “(iii) *The effectiveness of such projects*
24 *in relation to their cost, including the ex-*
25 *tent to which the projects improve reentry*

1 *outcomes, including in wages earned, bene-*
2 *fits provided by employers, career advance-*
3 *ment, measurable skills gains, credentials*
4 *earned, housing, health, and recidivism of*
5 *participants in comparison to comparably*
6 *situated individuals who did not partici-*
7 *pate in such projects.*

8 *“(iv) The effectiveness of specific serv-*
9 *ices and interventions provided and of the*
10 *overall project design.*

11 *“(v) If applicable, the extent to which*
12 *such projects meet the needs of various de-*
13 *mographic groups, including people of dif-*
14 *ferent geographic locations, ages, races, na-*
15 *tional origins, sex, and criminal records,*
16 *and individuals with disabilities.*

17 *“(vi) If applicable, the appropriate se-*
18 *quencing, combination, or concurrent struc-*
19 *ture, of services for each subpopulation of*
20 *individuals who are participants of such*
21 *projects, such as the order, combination, or*
22 *concurrent structure and services in which*
23 *transitional jobs and occupational skills*
24 *training are provided, to ensure that such*
25 *participants are prepared to fully benefit*

1 *from employment and training services pro-*
2 *vided under the project.*

3 “(vii) *Limitations or barriers to edu-*
4 *cation and employment as a result of occu-*
5 *pational or educational licensing restric-*
6 *tions, access to financial aid, and access to*
7 *housing.*

8 “(viii) *The quality and effectiveness of*
9 *technical assistance provided by the Sec-*
10 *retary for implementing such projects.*

11 “(ix) *Other elements that the Chief*
12 *Evaluation Officer may determine to be ap-*
13 *propriate.*

14 “(B) *DATA ACCESSIBILITY.—Make avail-*
15 *able, on the publicly accessible website of the De-*
16 *partment of Labor, data collected during the*
17 *course of evaluation under this subsection, in an*
18 *aggregated format that does not provide person-*
19 *ally identifiable information.*

20 “(2) *DESIGN REQUIREMENTS.—An evaluation*
21 *under this subsection—*

22 “(A) *shall—*

23 “(i) *be designed by the Secretary (act-*
24 *ing through the Chief Evaluation Officer) in*
25 *conjunction with the eligible entities car-*

1 *rying out the reentry projects being evalu-*
2 *ated;*

3 *“(ii) include analysis of participant*
4 *feedback and outcome and process measures;*
5 *and*

6 *“(iii) use designs that employ the most*
7 *rigorous analytical and statistical methods*
8 *that are reasonably feasible, such as the use*
9 *of control groups; and*

10 *“(B) may not—*

11 *“(i) collect personally identifiable in-*
12 *formation, except to the extent such infor-*
13 *mation is necessary to conduct the evalua-*
14 *tion; or*

15 *“(ii) reveal or share personally identi-*
16 *fiable information.*

17 *“(3) PUBLICATION AND REPORTING OF EVALUA-*
18 *TION FINDINGS.—The Secretary (acting through the*
19 *Chief Evaluation Officer) shall—*

20 *“(A) in accordance with the timeline deter-*
21 *mined to be appropriate by the Chief Evaluation*
22 *Officer, publish an interim report on such eval-*
23 *uation;*

24 *“(B) not later than 90 days after the date*
25 *on which any evaluation is completed under this*

1 subsection, publish and make publicly available
2 such evaluation; and

3 “(C) not later than 60 days after the com-
4 pletion date described in subparagraph (B), sub-
5 mit to the Committee on Education and Labor
6 of the House of Representatives and the Com-
7 mittee on Health, Education, Labor, and Pen-
8 sions of the Senate a report on such evaluation.

9 “(g) ANNUAL REPORT.—

10 “(1) CONTENTS.—Subject to paragraph (2), the
11 Secretary shall post, using transparent, linked, open,
12 and interoperable data formats, on its publicly acces-
13 sible website an annual report on—

14 “(A) the number of individuals who partici-
15 pated in projects assisted under this section for
16 the preceding year;

17 “(B) the percentage of such individuals who
18 successfully completed the requirements of such
19 projects; and

20 “(C) the performance of eligible entities on
21 such projects as measured by the performance in-
22 dicators set forth in subsection (e).

23 “(2) DISAGGREGATION.—The information pro-
24 vided under subparagraphs (A) through (C) of para-
25 graph (1) with respect to a year shall be

1 *disaggregated by each project assisted under this sec-*
 2 *tion for such year.*

3 “(h) *AUTHORIZATION OF APPROPRIATIONS; RESERVA-*
 4 *TIONS.—*

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

8 “(A) \$250,000,000 for fiscal year 2023;

9 “(B) \$300,000,000 for fiscal year 2024;

10 “(C) \$350,000,000 for fiscal year 2025;

11 “(D) \$400,000,000 for fiscal year 2026;

12 “(E) \$450,000,000 for fiscal year 2027; and

13 “(F) \$500,000,000 for fiscal year 2028.

14 “(2) *RESERVATION OF FUNDS.—Of the funds ap-*
 15 *propriated under paragraph (1) for a fiscal year, the*
 16 *Secretary—*

17 “(A) *may reserve not more than 5 percent*
 18 *for the administration of grants, contracts, and*
 19 *cooperative agreements awarded under this sec-*
 20 *tion, of which not more than 2 percent may be*
 21 *reserved for the provision of—*

22 “(i) *technical assistance to eligible en-*
 23 *tities that receive funds under this section;*
 24 *and*

1 “(ii) outreach and technical assistance
2 to eligible entities desiring to receive such
3 funds, including assistance with application
4 development and submission; and

5 “(B) shall reserve not less than 1 percent
6 and not more than 2.5 percent for the evaluation
7 activities under subsection (f) or to support eligi-
8 ble entities with any required data collection,
9 analysis, and coordination related to such eval-
10 uation activities.

11 “(i) *DEFINITIONS.*—*In this section:*

12 “(1) *CHIEF EVALUATION OFFICER.*—*The term*
13 *‘Chief Evaluation Officer’ means the head of the inde-*
14 *pendent evaluation office located organizationally in*
15 *the Office of the Assistant Secretary for Policy of the*
16 *Department of Labor.*

17 “(2) *COMMUNITY SUPERVISION.*—*The term ‘com-*
18 *munity supervision’ means mandatory oversight (in-*
19 *cluding probation and parole) of a formerly incarcerated*
20 *person—*

21 “(A) *who was convicted of a crime by a*
22 *judge or parole board; and*

23 “(B) *who is living outside a secure facility.*

1 “(3) *CORRECTIONAL INSTITUTION*.—The term
2 ‘correctional institution’ has the meaning given the
3 term in section 225(e).

4 “(4) *ELIGIBLE ENTITY*.—The term ‘eligible enti-
5 ty’ means—

6 “(A) a private nonprofit organization under
7 section 501(c)(3) of the Internal Revenue Code of
8 1986, including a community-based or faith-
9 based organization;

10 “(B) a local board;

11 “(C) a State or local government;

12 “(D) an Indian or Native American entity
13 eligible for grants under section 166;

14 “(E) a labor organization or joint labor-
15 management organization; or

16 “(F) a consortium of the entities described
17 in subparagraphs (A) through (E).

18 “(5) *ELIGIBLE ADULT*.—The term ‘eligible adult’
19 means a justice-involved individual who—

20 “(A) is age 25 or older; and

21 “(B) in the case of an individual that was
22 previously incarcerated, was released from incar-
23 ceration not more than 3 years prior to enroll-
24 ment in a project funded under this section.

1 “(6) *ELIGIBLE YOUTH*.—The term ‘eligible
2 youth’ means a justice-involved individual who is not
3 younger than age 14 or older than age 24.

4 “(7) *HIGH-CRIME*.—The term ‘high-crime’, when
5 used with respect to a geographic area, means an
6 area with crime rates that are higher than the rate
7 for the overall city (for urban areas) or of non-metro-
8 politan area in the State (for rural areas), as such
9 terms are used by the Bureau of Labor Statistics.

10 “(8) *HIGH-POVERTY*.—The term ‘high-poverty’,
11 when used with respect to a geographic area, means
12 an area with a poverty rate of at least 25 percent as
13 determined based on the most recently available data
14 from the American Community Survey conducted by
15 the Bureau of the Census.”.

16 **SEC. 279. SECTORAL EMPLOYMENT THROUGH CAREER**
17 **TRAINING FOR OCCUPATIONAL READINESS**
18 **(SECTOR) PROGRAM.**

19 *Subtitle D of title I (29 U.S.C. 3221 et seq.), as amend-*
20 *ed by this Act, is further amended by inserting after section*
21 *173, as added by the preceding section, the following:*

1 **“SEC. 174. SECTORAL EMPLOYMENT THROUGH CAREER**
2 **TRAINING FOR OCCUPATIONAL READINESS**
3 **(SECTOR) PROGRAM.**

4 “(a) *IN GENERAL.*—From amounts appropriated
5 under subsection (e)(1), and not reserved under subsection
6 (e)(2), the Secretary shall—

7 “(1) use not less than 80 percent of such
8 amounts to award grants under subsection (b) to each
9 State to develop, convene, or expand industry or sec-
10 tor partnerships; and

11 “(2) use not less than 20 percent of such
12 amounts to award grants under subsection (c), on a
13 competitive basis, to eligible industry or sector part-
14 nerships for the purposes of expanding workforce de-
15 velopment and employment opportunities for high-
16 skill, high-wage, or in-demand industry sectors or oc-
17 cupations, as determined by the Secretary.

18 “(b) *FORMULA GRANTS.*—

19 “(1) *DISTRIBUTION OF FUNDS.*—

20 “(A) *STATE ALLOTMENT.*—From the
21 amount determined by the Secretary under sub-
22 section (a)(1), the Secretary shall allot funds to
23 each State on the basis of the relative allotment
24 the State received under section 132(b) for such
25 fiscal year, compared to the total amount allot-

1 *ted to all States under section 132(b) for such*
2 *fiscal year.*

3 “(B) *LOCAL AREA ALLOCATIONS.*—*The Sec-*
4 *retary shall use the amounts allotted under sub-*
5 *paragraph (A) to distribute funds in the State to*
6 *carry out the activities described in paragraph*
7 *(2) by—*

8 “(i) *allocating funds to each local area*
9 *of the State on the basis of the relative allo-*
10 *cation the local area received under section*
11 *133(b) for such fiscal year, compared to the*
12 *total amount allocated to all local areas in*
13 *the State under section 133(b) for such fis-*
14 *cal year; or*

15 “(ii) *allocating funds to local areas of*
16 *the State that have the highest rates of un-*
17 *employment or poverty, or the highest num-*
18 *bers of individuals with barriers to employ-*
19 *ment in the State.*

20 “(C) *TRANSFER AUTHORITY.*—*A local board*
21 *may transfer, if such a transfer is approved by*
22 *the Governor, up to and including 100 percent*
23 *of the funds allocated to the local area under sec-*
24 *tion 133(b), and up to and including 100 per-*

1 *cent of the funds allocated to the local area under*
2 *this subsection for a fiscal year between—*

3 *“(i) adult employment and training*
4 *activities; and*

5 *“(ii) activities under this section.*

6 *“(2) USE OF FUNDS.—The funds awarded under*
7 *paragraph (1) may be used to—*

8 *“(A) regularly convene stakeholders in a*
9 *collaborative structure to identify, develop, im-*
10 *prove, or expand training, employment, and*
11 *growth opportunities for high-skill, high-wage, or*
12 *in-demand industry sectors or occupations;*

13 *“(B) form, expand, and improve training*
14 *programs, to be managed by eligible industry*
15 *and sector partnerships that include attainment*
16 *of industry-recognized credentials, the integra-*
17 *tion of work-based learning activities with train-*
18 *ing curricula and occupational certification pro-*
19 *grams, and that address specific workforce issues*
20 *and needs of groups of workers, with a priority*
21 *on individuals with a barrier to employment,*
22 *within regional labor markets in the State;*

23 *“(C) strengthen the coordination of eligible*
24 *industry and sector partnerships and programs*
25 *with the programs administered under subtitle B*

1 of this title and with the one-stop partners de-
2 scribed in section 121; and

3 “(D) to directly provide, or arrange for the
4 provision of, services to help individuals with
5 barriers to employment and other participants
6 complete and successfully transition out of train-
7 ing described in subparagraph (B), which serv-
8 ices shall include career services, supportive serv-
9 ices, or the provision of needs-related payments.

10 “(c) *COMPETITIVE GRANTS.*—

11 “(1) *GRANTS AUTHORIZED.*—From the amount
12 determined by the Secretary under subsection (a)(2),
13 the Secretary shall award grants, on a competitive
14 basis, to eligible industry or sector partnerships for
15 the purposes described in subsection (a)(2).

16 “(2) *APPLICATION.*—

17 “(A) *FORM AND PROCEDURE.*—To receive a
18 grant under this subsection, the lead applicant
19 on behalf of an eligible industry or sector part-
20 nership shall submit to the Secretary an applica-
21 tion at such time, in such manner, and con-
22 taining such information as specified by the Sec-
23 retary.

1 “(B) *CONTENTS.*—*An application submitted*
2 *under paragraph (1) shall contain at a min-*
3 *imum the following:*

4 “(i) *Identification of the high-skill,*
5 *high-wage, or in-demand industry sector or*
6 *occupation on which such partnership is fo-*
7 *cused.*

8 “(ii) *A description of the activities to*
9 *be carried out under the grant.*

10 “(iii) *A description of the workers that*
11 *will be targeted for recruitment as program*
12 *participants, how a priority of service*
13 *under the grant will be provided to individ-*
14 *uals with barriers to employment, and how*
15 *the activities will be designed to maximize*
16 *access and eliminate barriers to entry to*
17 *training and other activities for such indi-*
18 *viduals.*

19 “(iv) *A description of other Federal or*
20 *non-Federal resources that will be leveraged*
21 *in support of the eligible industry or sector*
22 *partnership (including cash or in-kind con-*
23 *tributions from private-sector partners).*

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

4 “(A) *to engage and regularly convene stake-*
5 *holders in a collaborative structure to identify,*
6 *develop, improve, or expand training, employ-*
7 *ment, and growth opportunities for the high-*
8 *skill, high-wage, or in-demand industry sector or*
9 *occupation on which such partnership is focused;*

10 “(B) *to directly provide, or arrange for the*
11 *provision of, high-quality, evidence-based train-*
12 *ing for high-skill, high-wage, or in-demand in-*
13 *dustry sectors or occupations on which such*
14 *partnership is focused, which shall include train-*
15 *ing that leads to the attainment of nationally or*
16 *regionally portable and stackable recognized*
17 *postsecondary credentials for the industry sector*
18 *or occupations described in paragraph (A), in-*
19 *cluding—*

20 “(i) *training provided through appren-*
21 *ticeship programs, or pre-apprenticeship*
22 *programs that articulate to apprenticeship*
23 *programs, labor organizations, or joint*
24 *labor-management partnerships;*

1 “(ii) *on-the job training, customized*
2 *training, and paid internships and work*
3 *experience;*

4 “(iii) *incumbent worker training to*
5 *support lower wage workers in upgrading*
6 *skills and advancing along a career path-*
7 *way; and*

8 “(iv) *training services, in addition to*
9 *those described in clauses (i) through (iii),*
10 *that are authorized under section*
11 *134(c)(3)(D), including occupational skills*
12 *training; and*

13 “(C) *to directly provide, or arrange for the*
14 *provision of, services to help individuals with*
15 *barriers to employment and other participants*
16 *complete and successfully transition out of train-*
17 *ing described in subparagraph (B), which serv-*
18 *ices shall include career services, supportive serv-*
19 *ices, or the provision of needs-related payments*
20 *authorized under subsections (c)(2), (c)(4), and*
21 *(d)(3) of section 134.*

22 “(4) *PRIORITY IN SELECTION OF GRANTS.—The*
23 *Secretary shall give priority consideration in appli-*
24 *cations that demonstrate the ability to serve eligible*
25 *individuals in targeted economic regions that are ex-*

1 *periencing high-poverty, have traditionally been un-*
2 *derserved by regional economic development and sec-*
3 *tor partnership activities (including rural areas), or*
4 *is facing or at risk of facing significant worker dis-*
5 *location due to a disruption or change in the regional*
6 *or State economy or labor market.*

7 “(d) *PROGRAM ACCOUNTABILITY AND EVALUATION.*—

8 “(1) *IN GENERAL.*—*The grants awarded under*
9 *this section are subject to—*

10 “(A) *the primary indicators of performance*
11 *under section 116(b)(2)(A) and expected levels of*
12 *performance relating to such indicators; and*

13 “(B) *such additional measures as the Sec-*
14 *retary deems appropriate, which may include*
15 *skills attainment, wage or career progression,*
16 *training-related employment, and additional job*
17 *quality measures.*

18 “(2) *EVALUATION.*—*Not later than 5 years after*
19 *the first award of funds under this section is made*
20 *the Secretary (acting through the chief evaluation of-*
21 *ficer) shall design and conduct an evaluation to*
22 *evaluate the effectiveness of the program carried out*
23 *this section.*

24 “(3) *PUBLICATION.*—*The Secretary shall publish*
25 *the outcomes of grantees under the indicators and*

1 *measures described in paragraph (1) and the evalua-*
 2 *tion described in paragraph (2) on a publicly acces-*
 3 *sible website, and submit the evaluation findings to*
 4 *the Committee on Education and Labor of the House*
 5 *of Representatives and the Committee on Health,*
 6 *Education, Labor and Pensions of the Senate.*

7 *“(e) AUTHORIZATION OF APPROPRIATIONS; RESERVA-*
 8 *TIONS.—*

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

12 *“(A) \$1,000,000,000 for fiscal year 2023;*

13 *“(B) \$1,100,000,000 for fiscal year 2024;*

14 *“(C) \$1,210,000,000 for fiscal year 2025;*

15 *“(D) \$1,331,000,000 for fiscal year 2026;*

16 *“(E) \$1,464,100,000 for fiscal year 2027;*

17 *and*

18 *“(F) \$1,610,510,000 for fiscal year 2028.*

19 *“(2) RESERVATION OF FUNDS.—Of the funds ap-*
 20 *propriated under paragraph (1) for a fiscal year, the*
 21 *Secretary may reserve not more than 5 percent*
 22 *which—*

23 *“(A) may be used for administration of the*
 24 *program described in this section, in addition to*
 25 *any other funds available for these activities, in-*

cluding providing comprehensive technical assistance, targeted outreach to eligible partnerships serving local areas with high unemployment rates or high percentages of low-income individuals or individuals with barriers to employment; and oversight to support eligible partnerships; and

“(B) shall be used to conduct an evaluation of the activities carried out under this section and for reporting on the performance and impact of programs funded under this section.

“(f) *DEFINITIONS.*—In this section:

“(1) *ELIGIBLE INDUSTRY OR SECTOR PARTNERSHIP.*—The term ‘eligible industry or sector partnership’ means—

“(A) an industry or sector partnership, which shall include multiple representatives described in each of clauses (i) through (iii) of paragraph (26)(A) of section 3; or

“(B) a partnership of multiple entities described in section 3(26) and a State board or local board, that is in the process of establishing an industry or sector partnership.

“(2) *LEAD APPLICANT.*—The term ‘lead applicant’ means an applicant for a grant under this sec-

1 *tion that is a State board, local board, institution of*
 2 *higher education, labor-management partnership,*
 3 *labor organization, industry association, or other*
 4 *State and regional nonprofit organizations with expe-*
 5 *rience in designing, convening, and expanding indus-*
 6 *try or sector partnerships.”.*

7 **SEC. 280. WORKFORCE DATA QUALITY INITIATIVE GRANTS.**

8 *Subtitle D of title I (29 U.S.C. 3221 et seq.), as amend-*
 9 *ed by this Act, is further amended by inserting after section*
 10 *174, as added by the preceding section, the following:*

11 **“SEC. 175. WORKFORCE DATA QUALITY INITIATIVE GRANTS.**

12 *“(a) AUTHORITY.—The Secretary is authorized to*
 13 *award grants, on a competitive basis, to States to create*
 14 *workforce longitudinal administrative databases and asso-*
 15 *ciated resources for the purpose of strengthening workforce*
 16 *development program quality, protecting privacy, and im-*
 17 *proving transparency.*

18 *“(b) PRIORITY.—In awarding grants under this sec-*
 19 *tion, the Secretary shall give priority to States that—*

20 *“(1) have not previously received such a grant;*

21 *“(2) have the greatest need to improve their data*
 22 *infrastructure;*

23 *“(3) will use non-Federal contributions to im-*
 24 *prove State data infrastructure and related resources;*

1 “(4) support co-enrollment in workforce related
2 programs;

3 “(5) participate and contribute data to the
4 State’s linked longitudinal data system, including
5 submitting data that when linked with elementary
6 and secondary school and postsecondary data, pro-
7 vides the State the ability to create more data tools
8 and analytics; and

9 “(6) enable research and program improvement
10 activities.

11 “(c) *SUPPLEMENT, NOT SUPPLANT.*—Funds made
12 available under this section shall be used to supplement,
13 and not supplant, other Federal, State, or local funds used
14 for developing State data systems.

15 “(d) *ADMINISTRATIVE COSTS.*—The Secretary shall re-
16 serve not more than 10 percent of funds made available to
17 carry out this section for each fiscal year for the provision
18 of technical assistance to support the implementation of
19 grants awarded under this section.

20 “(e) *PRIVACY.*—Nothing in this section shall require
21 the disaggregation of data when the number of individuals
22 in a category is insufficient to yield statistically reliable
23 information or when the results would reveal personally
24 identifiable information about an individual, or would re-

1 *veal such information when combined with other released*
 2 *information.*

3 “(f) *AUTHORIZATION OF APPROPRIATIONS.—There are*
 4 *authorized to be appropriated to carry out this section—*

5 “(1) \$40,000,000 for fiscal year 2023;

6 “(2) \$35,000,000 for fiscal year 2024;

7 “(3) \$30,000,000 for fiscal year 2025;

8 “(4) \$25,000,000 for fiscal year 2026;

9 “(5) \$20,000,000 for fiscal year 2027; and

10 “(6) \$15,000,000 for fiscal year 2028.

11 “(g) *DEFINITION.—In this section, the term ‘State’ has*
 12 *the meaning given the term in section 3, except such term*
 13 *also includes each of the outlying areas (as defined in sec-*
 14 *tion 3).’.*

15 **SEC. 281. AUTHORIZATION OF APPROPRIATIONS.**

16 *Section 176 (as redesignated by section 277), is*
 17 *amended to read as follows:*

18 **“SEC. 176. AUTHORIZATION OF APPROPRIATIONS.**

19 “(a) *NATIVE AMERICAN PROGRAMS.—There are au-*
 20 *thorized to be appropriated to carry out section 166 (not*
 21 *including subsection (k) of such section)—*

22 “(1) \$66,400,000 for fiscal year 2023;

23 “(2) \$73,000,000 for fiscal year 2024;

24 “(3) \$80,300,000 for fiscal year 2025;

25 “(4) \$88,300,000 for fiscal year 2026;

1 “(5) \$97,100,000 for fiscal year 2027; and

2 “(6) \$106,800,000 for fiscal year 2028.

3 “(b) *MIGRANT AND SEASONAL FARMWORKER PRO-*
 4 *GRAMS.—There are authorized to be appropriated to carry*
 5 *out section 167—*

6 “(1) \$109,100,000 for fiscal year 2023;

7 “(2) \$114,600,000 for fiscal year 2024;

8 “(3) \$120,300,000 for fiscal year 2025;

9 “(4) \$126,300,000 for fiscal year 2026;

10 “(5) \$132,600,000 for fiscal year 2027; and

11 “(6) \$139,200,000 for fiscal year 2028.

12 “(c) *TECHNICAL ASSISTANCE.—There are authorized*
 13 *to be appropriated to carry out section 168—*

14 “(1) \$3,600,000 for fiscal year 2023;

15 “(2) \$3,800,000 for fiscal year 2024;

16 “(3) \$4,000,000 for fiscal year 2025;

17 “(4) \$4,200,000 for fiscal year 2026;

18 “(5) \$4,400,000 for fiscal year 2027; and

19 “(6) \$4,600,000 for fiscal year 2028.

20 “(d) *EVALUATIONS AND RESEARCH.—There are au-*
 21 *thorized to be appropriated to carry out section 169—*

22 “(1) \$116,700,000 for fiscal year 2023;

23 “(2) \$122,500,000 for fiscal year 2024;

24 “(3) \$128,600,000 for fiscal year 2025;

25 “(4) \$135,000,000 for fiscal year 2026;

1 “(5) \$141,800,000 for fiscal year 2027; and

2 “(6) \$148,900,000 for fiscal year 2028.”.

3 ***Subtitle E—Administration***

4 ***SEC. 291. NONDISCRIMINATION.***

5 *Section 188 (29 U.S.C. 3248) is amended—*

6 *(1) in subsection (a)(5), by adding at the end the*
7 *following: “Provided that it shall not be a violation*
8 *of this paragraph to exclude any individual from*
9 *participation or employment in programs or activi-*
10 *ties receiving Federal financial assistance where such*
11 *participation or employment, or access to the prem-*
12 *ises upon which any part of such program, activity,*
13 *or employment is performed, is subject to any require-*
14 *ments imposed in the interest of the national security*
15 *of the United States under any security program in*
16 *effect pursuant to or administered under any statute*
17 *or regulation of the United States, Executive Order of*
18 *the President, or other Federal contractual require-*
19 *ment, and such individual does not meet such require-*
20 *ments.”; and*

21 *(4) in subsection (e) is amended by striking*
22 *“Workforce Innovation and Opportunity Act” and in-*
23 *serting “Workforce Innovation and Opportunity Act*
24 *of 2022”.*

1 **SEC. 292. SECRETARIAL ADMINISTRATIVE AUTHORITIES**
2 **AND RESPONSIBILITIES.**

3 *Section 189 (29 U.S.C. 3249) is amended—*

4 *(1) in subsection (d), by striking “the Workforce”*
5 *and inserting “Labor”;*

6 *(2) in subsection (g)(2)(B)(ii), by striking “sub-*
7 *section (a) or (b) of section 169 (relating to evalua-*
8 *tions, research projects, studies and reports, and*
9 *multistate projects)” and inserting “subsection (a),*
10 *(b), or (c) of section 169 relating to evaluations, re-*
11 *search projects, studies and reports, multistate*
12 *projects, and the workforce development innovation*
13 *fund”;*

14 *(3) by striking subsection (h);*

15 *(4) by redesignating subsection (i) as subsection*
16 *(h); and*

17 *(5) by amending paragraph (3)(A)(ii) of sub-*
18 *section (h) (as so redesignated) to read as follows:*

19 *“(ii) any of the statutory or regulatory*
20 *requirements of the Wagner-Peyser Act (29*
21 *U.S.C. 49 et seq.) (excluding requirements*
22 *relating to the provision of services to un-*
23 *employment insurance claimants and vet-*
24 *erans, the colocation of employment service*
25 *offices with one-stop centers, the designation*
26 *of a cooperating State agency, and require-*

1 *ments relating to universal access to basic*
 2 *labor exchange services without cost to job-*
 3 *seekers).’’.*

4 **SEC. 293. GUARD RAILS FOR PROGRAM INTEGRITY.**

5 *Section 194 (29 U.S.C. 3254) is amended by adding*
 6 *at the end the following:*

7 *“(16) An institution of higher education that is*
 8 *a proprietary institution of higher education (as de-*
 9 *defined in section 102(a)(1)(A) of the Higher Education*
 10 *Act of 1965 (20 U.S.C. 1002(a)(1)(A)) may not be—*

11 *“(A) designated or certified as a one-stop*
 12 *operator under section 121(d), or awarded funds*
 13 *under this title to operate a one-stop center; or*

14 *“(B) appointed to a State board or local*
 15 *board under section 101 or 107, respectively.”.*

16 **TITLE III—ADULT EDUCATION**
 17 **AND FAMILY LITERACY**

18 **SEC. 301. FAMILY LITERACY.**

19 *The heading of title II of the Workforce Innovation and*
 20 *Opportunity Act (29 U.S.C. 3271 et seq.) is amended by*
 21 *inserting “**FAMILY**” before “**LITERACY**”.*

22 **SEC. 302. PURPOSE.**

23 *Section 202 (29 U.S.C. 3271) is amended—*

24 *(1) in the matter preceding paragraph (1), by*
 25 *inserting “family” before “literacy activities”;*

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

3 “(1) *assist adults to become literate and obtain*
 4 *the knowledge and skills (including digital skills) nec-*
 5 *essary for employment, economic self-sufficiency, and*
 6 *full participation in all aspects of adult life;”;*

7 (3) *in paragraph (4)(A)—*

8 (A) *in clause (i), by striking “and” at the*
 9 *end; and*

10 (B) *by inserting after clause (ii) the fol-*
 11 *lowing:*

12 “(iii) *digital skills; and*”;

13 **SEC. 303. DEFINITIONS.**

14 Section 203 (29 U.S.C. 3272) *is amended—*

15 (1) *in paragraph (1)—*

16 (A) *in subparagraph (B), by striking “and”*
 17 *at the end;*

18 (B) *by redesignating subparagraph (C) as*
 19 *subparagraph (D); and*

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

22 “(C) *develop and use digital technology*
 23 *skills; and*”;

24 (2) *in paragraph (2), by inserting “, digital*
 25 *skills activities offered in conjunction with other adult*

1 *education and literacy activities” after “family lit-*
2 *eracy activities”;*

3 *(3) in paragraph (3), by inserting “family” be-*
4 *fore “literacy activities”;*

5 *(4) in paragraph (4)(C)(i), by striking “is basic*
6 *skills deficient” and inserting “has foundational skills*
7 *needs”;*

8 *(5) in paragraph (9)—*

9 *(A) in the matter preceding subparagraph*
10 *(A), by striking “economic prospects” and insert-*
11 *ing “economic and educational prospects”; and*

12 *(B) by adding at the end the following:*

13 *“(E) Digital literacy activities to enable*
14 *parents or family members to develop and use*
15 *digital literacy skills to support their children’s*
16 *learning.”;*

17 *(6) by amending paragraph (11) to read as fol-*
18 *lows:*

19 *“(11) INTEGRATED EDUCATION AND TRAINING.—*

20 *The term ‘integrated education and training’ means*
21 *a service approach that provides adult education and*
22 *family literacy activities concurrently and contex-*
23 *tually with workforce preparation activities and*
24 *workforce training (and which may be provided con-*
25 *currently with other adult education activities and*

1 *services, such as adult basic education) for a specific*
2 *high-wage, high demand occupation or occupational*
3 *cluster (including, as appropriate, for apprenticeship*
4 *and pre-apprenticeship programs) for the purpose of*
5 *educational and career advancement.”;*

6 *(7) by amending paragraph (12) to read as fol-*
7 *lows:*

8 *“(12) INTEGRATED ENGLISH LITERACY AND*
9 *CIVICS EDUCATION.—The term ‘integrated English lit-*
10 *eracy and civics education’ means instruction in lit-*
11 *eracy and English and other education services pro-*
12 *vided to English language learners who are adults,*
13 *including professionals with degrees and credentials*
14 *in their native countries—*

15 *“(A) that enables such adults—*

16 *“(i) to achieve competency in the*
17 *English language;*

18 *“(ii) to build knowledge of United*
19 *States history and civics;*

20 *“(iii) to prepare for United States citi-*
21 *zenship and the naturalization process;*

22 *“(iv) to use digital technology at levels*
23 *of proficiency necessary to function effec-*
24 *tively as a worker, a parent or a family*
25 *member, and a member of society;*

1 “(v) to apply for Federal and other
2 student financial aid and enroll in postsec-
3 ondary education or other further learning;
4 and

5 “(vi) to locate and apply for registered
6 apprenticeship or pre-apprenticeship pro-
7 grams; and

8 “(B) which may include—

9 “(i) preparation for a high school
10 equivalency diploma or postsecondary
11 training or education;

12 “(ii) preparation for employment;

13 “(iii) preparation for apprenticeship
14 or pre-apprenticeship programs, or the pro-
15 vision of information regarding where to
16 acquire that preparation; or

17 “(iv) instruction in—

18 “(I) navigating the early child-
19 hood, elementary and secondary, and
20 postsecondary education systems;

21 “(II) financial literacy;

22 “(III) the housing market in the
23 United States; or

24 “(IV) accessing Federal, State,
25 and local health care systems.”;

1 (8) in paragraph (13) by striking “and solve
2 problems,” and all that follows through the period at
3 the end and inserting “solve problems, and use digital
4 technology at levels of proficiency necessary to func-
5 tion effectively as an employee, a parent or a family
6 member, and a member of society.”;

7 (9) by redesignating paragraphs (16) and (17)
8 as paragraphs (17) and (18), respectively;

9 (10) by inserting after paragraph (15), the fol-
10 lowing:

11 “(16) *UNIVERSAL DESIGN FOR LEARNING*.—The
12 term ‘universal design for learning’ has the meaning
13 given the term in section 103 of the Higher Education
14 Act of 1965 (20 U.S.C. 1003).”; and

15 (11) in paragraph (18), as redesignated by para-
16 graph (9)—

17 (A) by striking “using information” and
18 inserting “using and acquiring information”;
19 and

20 (B) by striking “education or training” and
21 inserting “education or training (including reg-
22 istered apprenticeship and pre-apprenticeship
23 programs)”.

1 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 206 (29 U.S.C. 3275) is amended by striking
3 “\$577,667,000 for fiscal year 2015” and all that follows
4 through the period at the end and inserting “\$785,100,000
5 for fiscal year 2023, \$824,400,000 for fiscal year 2024,
6 \$865,600,000 for fiscal year 2025, \$908,900,000 for fiscal
7 year 2026, \$954,300,000 for fiscal year 2027, and
8 \$1,002,000,000 for fiscal year 2028.”.

9 **SEC. 305. PERFORMANCE ACCOUNTABILITY SYSTEM.**

10 Section 212 (29 U.S.C. 3292) is amended to read as
11 follows:

12 **“SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.**

13 “(a) *IN GENERAL.*—Programs and activities author-
14 ized in this title are subject to the performance account-
15 ability provisions described in section 116.

16 “(b) *INNOVATIVE PERFORMANCE ACCOUNTABILITY*
17 *SYSTEM DEMONSTRATION PROGRAM.*—

18 “(1) *IN GENERAL.*—The Secretary may authorize
19 one or more eligible entities to implement an innova-
20 tive performance accountability system that uses al-
21 ternative primary indicators of performance that re-
22 flect the objectives and activities of the entity’s adult
23 education and family literacy programs and measure
24 the attainment of the education and employment
25 goals of the participants in such programs. The inno-

1 *vative performance accountability system may in-*
 2 *clude—*

3 *“(A) performance indicators attained while*
 4 *an individual is enrolled in an adult education*
 5 *and family literacy program; and*

6 *“(B) performance indicators attained after*
 7 *an individual exits such a program.*

8 *“(2) DEMONSTRATION PERIOD.—*

9 *“(A) IN GENERAL.—Except as provided in*
 10 *subparagraph (B), the period during which an*
 11 *eligible entity may carry out an innovative ac-*
 12 *countability system authorized under this sub-*
 13 *section shall be a period determined by the Sec-*
 14 *retary that does not exceed five years.*

15 *“(B) EXTENSION.—The Secretary may ex-*
 16 *tend, by up to one year, the demonstration pe-*
 17 *riod determined under subparagraph (A) for an*
 18 *eligible entity if—*

19 *“(i) the Secretary determines that the*
 20 *innovative accountability system imple-*
 21 *mented by the entity is successfully meeting*
 22 *the objectives of this subsection; and*

23 *“(ii) the total period during which the*
 24 *entity implements such system under the*

1 *demonstration program, inclusive of such*
2 *extension, does not exceed six years.*

3 “(3) *APPLICATION.*—

4 “(A) *IN GENERAL.*—Subject to subpara-
5 *graph (C), an eligible entity that seeks author-*
6 *ization to implement an innovative performance*
7 *accountability system under this subsection shall*
8 *submit to the Secretary an application at such*
9 *time, in such manner, and containing such in-*
10 *formation as the Secretary may require.*

11 “(B) *CONTENTS.*—At a minimum, each ap-
12 *plication under this paragraph shall include—*

13 “(i) *a description of the objectives of*
14 *the innovative performance accountability*
15 *system proposed by the eligible entity;*

16 “(ii) *a description of such account-*
17 *ability system, including a description of*
18 *the performance indicators to be used;*

19 “(iii) *the duration of the period over*
20 *which the entity intends to carry out the*
21 *proposed accountability system;*

22 “(iv) *an explanation of why the entity*
23 *believes the alternative indicators of per-*
24 *formance proposed by the entity would more*
25 *accurately measure the attainment of the*

1 *objectives of the entity’s adult education and*
2 *family literacy programs compared to the*
3 *indicators of performance described in sec-*
4 *tion 116(b)(2)(A)(i);*

5 “(v) *an explanation of how the pro-*
6 *posed performance indicators are expected*
7 *to provide a valid and reliable measurement*
8 *of the effectiveness of the entity’s adult edu-*
9 *cation and family literacy programs with*
10 *respect to the individuals served by such*
11 *programs;*

12 “(vi) *a description of how the entity*
13 *will report to the Secretary and make pub-*
14 *licly available the proposed indicators of*
15 *performance on a timely basis;*

16 “(vii) *an assurance that the entity will*
17 *prepare and submit the final report re-*
18 *quired under paragraph (4); and*

19 “(viii) *a description of how the inno-*
20 *vative accountability system may be rel-*
21 *evant to and replicated by States and out-*
22 *lying areas.*

23 “(C) *REVIEW OF CERTAIN APPLICATIONS.—*

24 *In a case in which an eligible entity that is a*
25 *consortium of eligible providers seeks authoriza-*

tion to implement an innovative performance accountability system under this subsection—

“(i) the consortium shall submit the application described in subparagraph (A) to the eligible agency of the State or outlying area in which the consortium intends to implement the system;

“(ii) the eligible agency shall review the application; and

“(iii) if the eligible agency approves the application, the agency shall forward the application to the Secretary together with any comments of the agency regarding the content of the application.

“(4) *PROGRESS REPORT.*—

“(A) *IN GENERAL.*—Not later than 180 days before the end of the initial demonstration period applicable to an eligible entity under paragraph (2)(A), and before the Secretary authorizes any extension of the demonstration period under paragraph (2)(B) for such entity, the eligible entity shall submit to the Secretary a report on the initial progress (in this paragraph referred to as the ‘progress report’) of the innova-

1 *tive accountability system implemented by the el-*
2 *igible entity under this section.*

3 “(B) *ELEMENTS.—The progress report*
4 *under subparagraph (A) shall be based on the*
5 *annual information submitted by participating*
6 *local providers and shall include an assessment*
7 *of the following:*

8 “(i) *The burden placed on the local*
9 *programs to implement and carry out the*
10 *innovative accountability system.*

11 “(ii) *Whether and to what extent—*

12 “(I) *the eligible entity has solic-*
13 *ited feedback from local program direc-*
14 *tors and instructors about their satis-*
15 *faction with the innovative account-*
16 *ability system;*

17 “(II) *local program instructors*
18 *and directors have demonstrated a*
19 *commitment and capacity to imple-*
20 *ment or continue to implement the sys-*
21 *tem;*

22 “(III) *the system was used to*
23 *measure the performance indicators for*
24 *all students participating in the sys-*
25 *tem; and*

1 “(IV) *the innovative account-*
2 *ability system can be used across*
3 *States.*

4 “(C) *PEER REVIEW.—*

5 “(i) *IN GENERAL.—The eligible entity*
6 *shall conduct a peer review of the innova-*
7 *tive performance accountability system im-*
8 *plemented by the eligible entity under this*
9 *section.*

10 “(ii) *PEER REVIEW TEAM.—For pur-*
11 *poses of conducting the peer review under*
12 *clause (i), the eligible entity shall assemble*
13 *a team of subject matter experts who—*

14 “(I) *are knowledgeable about in-*
15 *novative accountability systems; and*

16 “(II) *have demonstrated experi-*
17 *ence developing and implementing such*
18 *systems.*

19 “(iii) *METHODOLOGY.—The method-*
20 *ology of the peer review shall meet require-*
21 *ments to be jointly established by the Sec-*
22 *retary of Labor and Secretary of Education.*

23 “(iv) *ELEMENTS.—The peer review*
24 *shall determine the extent to which the in-*
25 *novative accountability system includes pri-*

1 *mary indicators that reflect the objectives*
2 *and activities of the State’s adult education*
3 *and family literacy programs.*

4 “(D) *COMMENTS.*—*The eligible entity shall*
5 *provide a response to the findings of the progress*
6 *report.*

7 “(E) *PUBLIC AVAILABILITY.*—*The progress*
8 *report under this paragraph, including any com-*
9 *ments provided under subparagraph (D), shall be*
10 *made available on a publicly accessible website of*
11 *the eligible entity.*

12 “(5) *FINAL REPORT.*—*Not later than one year*
13 *after the conclusion of the demonstration period ap-*
14 *plicable to an eligible entity under paragraph (2), the*
15 *entity shall submit to the Secretary a report on the*
16 *results of the innovative performance accountability*
17 *system implemented by the entity under this sub-*
18 *section. Each such report shall include the entity’s as-*
19 *essment of whether, and to what extent, the innova-*
20 *tive performance accountability system achieved its*
21 *objectives.*

22 “(6) *CONTINUED REPORTING.*—*An eligible entity*
23 *shall continue to report to the State, or the Secretary,*
24 *as applicable, on the indicators of performance de-*

1 scribed in section 116(b)(2)(A)(i) during the dem-
2 onstration period.

3 “(7) *DEVELOPMENT AND DISSEMINATION OF*
4 *BEST PRACTICES.*—*The Secretary shall—*

5 “(A) *based on the results of the demonstra-*
6 *tion programs authorized under this subsection*
7 *and in consultation with the Director of the In-*
8 *stitute of Education Sciences and the Secretary*
9 *of Labor, identify best practices for the develop-*
10 *ment and implementation of innovative perform-*
11 *ance accountability systems; and*

12 “(B) *disseminate information on those*
13 *practices, including by making such information*
14 *available on a publicly accessible website of the*
15 *Department of Education.*

16 “(8) *RELATIONSHIP TO OTHER REQUIRE-*
17 *MENTS.*—*Nothing in this subsection shall be construed*
18 *to supersede the requirements of section 116 or to au-*
19 *thorize the Secretary to modify or replace the per-*
20 *formance accountability measures required under sec-*
21 *tion 116. An eligible entity participating in a dem-*
22 *onstration program under this subsection shall be sub-*
23 *ject to the applicable requirements of section 116*
24 *while participating in such program.*

1 “(9) *ELIGIBLE ENTITY DEFINED.*—*In this sub-*
2 *section, the term ‘eligible entity’ means—*

3 “(A) *an eligible agency;*

4 “(B) *a consortium of eligible agencies; or*

5 “(C) *a consortium of eligible providers*
6 *within a State or outlying area.”.*

7 **SEC. 306. STATE DISTRIBUTION OF FUNDS; MATCHING RE-**
8 **QUIREMENT.**

9 *Section 222(b) (29 U.S.C. 3302(b)) is amended by add-*
10 *ing at the end the following:*

11 “(3) *PUBLIC AVAILABILITY OF INFORMATION ON*
12 *MATCHING FUNDS.*—*Each eligible agency shall main-*
13 *tain, on a publicly accessible website of such agency*
14 *and in an easily accessible format, information docu-*
15 *menting the non-Federal contributions made available*
16 *to adult education and family literacy programs pur-*
17 *suant to this subsection, including—*

18 “(A) *the sources of such contributions; and*

19 “(B) *in the case of funds made available by*
20 *a State or outlying area, an explanation of how*
21 *such funds are distributed to eligible providers.”*

22 **SEC. 307. STATE LEADERSHIP ACTIVITIES.**

23 *Section 223(a) (29 U.S.C. 3303(a)) is amended—*

24 (1) *in paragraph (1)(C)—*

1 (A) by amending clause (ii) to read as fol-
2 lows:

3 “(ii) the role of eligible providers as a
4 one-stop partner to provide access to em-
5 ployment, education (including apprentice-
6 ship and pre-apprenticeship programs), and
7 training services.”;

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

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

11 “(iv) assistance for students to be able
12 to locate and apply for apprenticeship and
13 pre-apprenticeship programs.”; and

14 (2) in paragraph (2)—

15 (A) in subparagraph (J), by striking the pe-
16 riod at the end and inserting “, such as the de-
17 velopment and maintenance of policies for the
18 credentialing of adult educators who demonstrate
19 effectiveness.”;

20 (B) by redesignating subparagraph (M) as
21 subparagraph (N); and

22 (C) by inserting after subparagraph (L) the
23 following:

24 “(M) Strengthening the quality of adult
25 education and family literacy programs in the

1 *State through support for improved credentials,*
2 *program quality standards, and certification*
3 *and accreditation requirements.”.*

4 **SEC. 308. GRANTS AND CONTRACTS FOR ELIGIBLE PRO-**
5 **VIDERS.**

6 *Section 231(e)(6) (29 U.S.C. 3321(e)(6)) is amended*
7 *by striking “including scientifically valid research and ef-*
8 *fective educational practice” and inserting “including the*
9 *application of the principles of universal design for learn-*
10 *ing, scientifically valid research, and effective educational*
11 *practice”.*

12 **SEC. 309. LOCAL ADMINISTRATIVE COST LIMITS.**

13 *Section 233(a) (29 U.S.C. 3323(a)) is amended—*

14 *(1) in paragraph (1), by striking “95 percent”*
15 *and inserting “85 percent”; and*

16 *(2) by amending paragraph (2) to read as fol-*
17 *lows:*

18 *“(2) of the remaining amount—*

19 *“(A) not more than 10 percent may be used*
20 *for professional development for adult educators;*
21 *and*

22 *“(B) not more than 5 percent may be used*
23 *for planning, administration (including car-*
24 *rying out the requirements of section 116), and*

1 *the activities described in paragraphs (3) and*
2 *(5) of section 232.”.*

3 **SEC. 310. NATIONAL LEADERSHIP ACTIVITIES.**

4 *Section 242 (29 U.S.C. 3332) is amended—*

5 *(1) by amending paragraph (1) of subsection (b)*
6 *to read as follows:*

7 *“(1) assistance to help States meet the require-*
8 *ments of section 116, including assistance to ensure*
9 *that—*

10 *“(A) the outcomes and other data required*
11 *pursuant to that section are collected and re-*
12 *ported in a timely and accessible manner; and*

13 *“(B) such data are reported consistently*
14 *across States and eligible providers and are re-*
15 *viewed for quality and consistency by the De-*
16 *partment of Education;”;*

17 *(2) in subsection (c)—*

18 *(A) in paragraph (1)—*

19 *(i) by striking “and” at the end of sub-*
20 *paragraph (C);*

21 *(ii) in subparagraph (D), by striking*
22 *the period at the end and inserting “; and”;*
23 *and*

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

1 “(E) assistance in the dissemination or pro-
2 vision of information for apprenticeship and
3 pre-apprenticeship programs.”; and

4 (B) in paragraph (2)—

5 (i) in subparagraph (F), by striking
6 “and” at the end;

7 (ii) by redesignating subparagraph (G)
8 as subparagraph (L); and

9 (iii) by inserting after subparagraph
10 (F) the following:

11 “(G) developing and rigorously evaluating
12 model programs for the preparation of effective
13 adult educators;

14 “(H) carrying out initiatives to support the
15 professionalization of adult education through—

16 “(i) the creation and implementation
17 of full-time staffing models; and

18 “(ii) improved credentials, program
19 quality standards, and certification and ac-
20 creditation requirements that States may
21 adopt on a voluntary basis;

22 “(I) carrying out initiatives to support the
23 professionalization of adult education through
24 the creation and implementation of full-time
25 staffing models;

1 “(J) providing professional development
2 and technical assistance to adult educators;

3 “(K) incorporating the principles of uni-
4 versal design for learning for any activity car-
5 ried out under subsection (b); and”.

6 **SEC. 311. INTEGRATED ENGLISH LITERACY AND CIVICS**
7 **EDUCATION.**

8 Section 243 (29 U.S.C. 3333) is amended—

9 (1) by amending subsection (a) to read as fol-
10 lows:

11 “(a) *IN GENERAL.*—From funds made available under
12 section 211(a)(2) for each fiscal year, the Secretary shall
13 award grants to States, from allotments under subsection
14 (b), for English literacy and civics education, in combina-
15 tion with workforce preparation activities, workplace adult
16 education and family literacy activities, apprenticeship
17 and pre-apprenticeship programs, integrated education and
18 training activities, or work-based learning.”;

19 (2) in subsection (c)—

20 (A) in paragraph (1), by striking “, and
21 place such adults in,”; and

22 (B) in paragraph (2), by inserting before
23 the period the following: “, including the identi-
24 fication of in-demand industries and the place-
25 ment of adult English language learners in un-

1 *subsidized employment within these industries”;*

2 *and*

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

4 “(e) *STATE DEFINED.*—*In this section, the term ‘State’*
 5 *has the meaning given the term in section 3, except that*
 6 *such term also includes each of the outlying areas (as de-*
 7 *fin ed in section 3).”.*

8 **SEC. 312. TECHNICAL CORRECTIONS TO OTHER LAWS.**

9 *Section 9215(c) of the Every Student Succeeds Act*
 10 *(Public Law 114–95) is amended—*

11 *(1) in the subsection heading, by striking*
 12 *“ADULT EDUCATION AND LITERACY ACT” and insert-*
 13 *ing “ADULT EDUCATION AND FAMILY LITERACY*
 14 *ACT”;* *and*

15 *(2) by striking “the Adult Education and Lit-*
 16 *eracy Act” and inserting “the Adult Education and*
 17 *Family Literacy Act”.*

18 **TITLE IV—GENERAL PROVISIONS**

19 **SEC. 401. PROHIBITION OF NATIONAL DATABASE MANAGE-**
 20 **MENT.**

21 *Section 501(b) (29 U.S.C. 3341) is amended to read*
 22 *as follows:*

23 “(b) *PROHIBITION OF NATIONAL DATABASE MANAGE-*
 24 *MENT.*—*Nothing in this Act (or the amendments to other*
 25 *laws made by the Workforce Innovation and Opportunity*

1 *Act of 2022) shall be construed to permit the development,*
 2 *management, analysis, or maintenance by a private entity*
 3 *(whether for-profit or non-profit) of a national database of*
 4 *personally identifiable information of individuals receiving*
 5 *services under title I, or the amendments to other laws made*
 6 *by the Workforce Innovation and Opportunity Act of*
 7 *2022.”.*

8 **SEC. 402. ACCESSIBILITY.**

9 *Subtitle A of title V (29 U.S.C. 3341 et seq.) is further*
 10 *amended by adding at the end the following:*

11 **“SEC. 507. ACCESSIBILITY.**

12 *“Any uses of digital technology for the purpose of de-*
 13 *livery of service under this Act shall ensure that the website*
 14 *or electronic communication conform to Level AA of the*
 15 *Web Content Accessibility Guidelines 2.0 of the Web Accessi-*
 16 *bility Initiative (or any successor guidelines).”.*

17 **TITLE V—AMENDMENTS TO THE**
 18 **WAGNER-PEYSER ACT**

19 **SEC. 501. INCLUSION OF COMMONWEALTH OF THE NORTH-**
 20 **ERN MARIANA ISLANDS AND AMERICAN**
 21 **SAMOA.**

22 *The Wagner-Peyser Act (29 U.S.C. 49 et seq.) is*
 23 *amended—*

24 *(1) in section 2(5) (29 U.S.C. 49a(5))—*

1 (A) by striking “the Commonwealth of
2 Puerto Rico” and inserting “Puerto Rico”; and

3 (B) by inserting “the Commonwealth of the
4 Northern Mariana Islands, American Samoa,”
5 after “Guam,”;

6 (2) in section 5(b)(1) (29 U.S.C. 49d(b)(1)), by
7 inserting “the Commonwealth of the Northern Mar-
8 iana Islands, and American Samoa,” after “Guam,”;

9 (3) in section 6(a) (29 U.S.C. 49e(a))—

10 (A) by inserting “, the Commonwealth of
11 the Northern Mariana Islands, and American
12 Samoa” after “except for Guam”;

13 (B) by striking “allot to Guam” and insert-
14 ing the following: “allot to—
15 “(1) Guam”;

16 (C) by striking the period at the end and
17 inserting “; and”; and

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

19 “(2) the Commonwealth of the Northern Mariana
20 Islands and American Samoa an amount which, in
21 relation to the total amount available for the fiscal
22 year, is equal to the allotment percentage that Guam
23 received of amounts available under this Act in fiscal
24 year 1983.”; and

1 (4) in section 6(b)(1) (29 U.S.C. 49e(b)(1)), in
 2 the matter following subparagraph (B), by inserting
 3 “, the Commonwealth of the Northern Mariana Is-
 4 lands, American Samoa,” after “does not include
 5 Guam”.

6 **SEC. 502. WORKFORCE AND LABOR MARKET INFORMATION**
 7 **SYSTEM.**

8 Section 15(g) of the Wagner-Peyser Act (29 U.S.C.
 9 49l-2(g)) is amended to read as follows:

10 “(g) *AUTHORIZATION OF APPROPRIATIONS.*—There
 11 are authorized to be appropriated to carry out this section
 12 \$74,400,000 for fiscal year 2023, \$78,100,000 for fiscal year
 13 2024, \$82,000,000 for fiscal year 2025, \$86,100,000 for fis-
 14 cal year 2026, \$90,400,000 for fiscal year 2027, and
 15 \$94,900,000 for fiscal year 2028.”.

16 **TITLE VI—AMENDMENTS TO THE**
 17 **REHABILITATION ACT OF 1973**

18 **SEC. 601. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) *STATE PLANS.*—Paragraph (1) of section 100(b)
 20 of the Rehabilitation Act of 1973 (29 U.S.C. 720(b)) is
 21 amended to read as follows:

22 “(1) *IN GENERAL.*—For the purpose of making
 23 grants to States under part B to assist States in
 24 meeting the costs of vocational rehabilitation services
 25 provided in accordance with State plans under sec-

1 *tion 101, there are authorized to be appropriated such*
 2 *sums as may be necessary for each of the fiscal years*
 3 *2023 through 2028, except that—*

4 *“(A) for fiscal year 2023 the amount to be*
 5 *appropriated shall be not less than*
 6 *\$4,052,400,000; and*

7 *“(B) for fiscal year 2024 and each of the*
 8 *succeeding fiscal years, the amount to be appro-*
 9 *priated for such a fiscal year shall not be less*
 10 *than the amount of the appropriation under this*
 11 *paragraph for the immediately preceding fiscal*
 12 *year, increased by the percentage change in the*
 13 *Consumer Price Index determined under sub-*
 14 *section (c) for the immediately preceding fiscal*
 15 *year.”.*

16 *(b) CLIENT ASSISTANCE PROGRAM.—Section 112(h) of*
 17 *the Rehabilitation Act of 1973 (29 U.S.C. 732(h)) is amend-*
 18 *ed to read as follows:*

19 *“(h) There are authorized to be appropriated to carry*
 20 *out the provisions of this section—*

21 *“(1) \$15,507,800 for fiscal year 2023;*

22 *“(2) \$16,283,190 for fiscal year 2024;*

23 *“(3) \$17,097,350 for fiscal year 2025;*

24 *“(4) \$17,952,217 for fiscal year 2026;*

25 *“(5) \$18,849,828 for fiscal year 2027; and*

1 “(6) \$19,792,319 for fiscal year 2028.”.

2 (c) *RESEARCH AND TRAINING*.—Section 201 of the Re-
3 *habilitation Act of 1973 (29 U.S.C. 761) is amended to read*
4 *as follows:*

5 **“SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

6 *“There are authorized to be appropriated to carry out*
7 *this title \$134,357,300 for fiscal year 2023, \$141,075,165*
8 *for fiscal year 2024, \$148,128,923 for fiscal year 2025,*
9 *\$155,535,369 for fiscal year 2026, \$163,312,138 for fiscal*
10 *year 2027, and \$171,477,745 for fiscal year 2028.”.*

11 (d) *TRAINING*.—Section 302(i) of the *Rehabilitation*
12 *Act of 1973 (29 U.S.C. 772(i)) is amended to read as fol-*
13 *lows:*

14 “(i) *AUTHORIZATION OF APPROPRIATIONS*.—*There are*
15 *authorized to be appropriated to carry out this section*
16 *\$43,494,001 for fiscal year 2023, \$45,668,701 for fiscal year*
17 *2024, \$47,952,136 for fiscal year 2025, \$50,349,743 for fis-*
18 *cal year 2026, \$52,867,230 for fiscal year 2027, and*
19 *\$55,510,592 for fiscal year 2028.”.*

20 (e) *DEMONSTRATION AND TRAINING PROGRAMS*.—*Sec-*
21 *tion 303(e) of the Rehabilitation Act of 1973 (29 U.S.C.*
22 *773(e)) is amended to read as follows:*

23 “(e) *AUTHORIZATION OF APPROPRIATIONS*.—*For the*
24 *purpose of carrying out this section there are authorized*
25 *to be appropriated \$7,489,900 for fiscal year 2023,*

1 \$7,864,395 for fiscal year 2024, \$8,257,615 for fiscal year
 2 2025, \$8,670,495 for fiscal year 2026, \$9,104,020 for fiscal
 3 year 2027, and \$9,559,221 for fiscal year 2028.”.

4 (f) NATIONAL COUNCIL ON DISABILITY.—Section 405
 5 of the Rehabilitation Act of 1973 (29 U.S.C. 785) is amend-
 6 ed to read as follows:

7 **“SEC. 405. AUTHORIZATION OF APPROPRIATIONS.**

8 “There are authorized to be appropriated to carry out
 9 this title \$4,117,300 for fiscal year 2023, \$4,323,165 for fis-
 10 cal year 2024, \$4,539,323 for fiscal year 2025, \$4,766,289
 11 for fiscal year 2026, \$5,004,604 for fiscal year 2027, and
 12 \$5,254,834 for fiscal year 2028.”.

13 (g) ARCHITECTURAL AND TRANSPORTATION BARRIERS
 14 COMPLIANCE BOARD.—Section 502(j) of the Rehabilitation
 15 Act of 1973 (29 U.S.C. 792(j)) is amended to read as fol-
 16 lows:

17 “(j) There are authorized to be appropriated for the
 18 purpose of carrying out the duties and functions of the Ac-
 19 cess Board under this section \$10,835,000 for fiscal year
 20 2023, \$11,376,750 for fiscal year 2024, \$11,945,588 for fis-
 21 cal year 2025, \$12,542,867 for fiscal year 2026,
 22 \$13,170,010 for fiscal year 2027, and \$13,828,511 for fiscal
 23 year 2028.”.

1 (h) *PROTECTION AND ADVOCACY OF INDIVIDUAL*
 2 *RIGHTS.*—Section 509(l) of the Rehabilitation Act of 1973
 3 (29 U.S.C. 794e(l)) is amended to read as follows:

4 “(l) *AUTHORIZATION OF APPROPRIATIONS.*—There are
 5 authorized to be appropriated to carry out this section
 6 \$22,808,500 for fiscal year 2023, \$23,948,925 for fiscal year
 7 2024, \$25,146,371 for fiscal year 2025, \$26,403,690 for fis-
 8 cal year 2026, \$27,723,874 for fiscal year 2027, and
 9 \$29,110,068 for fiscal year 2028.”.

10 (i) *EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS*
 11 *WITH DISABILITIES.*—Section 610 of the Rehabilitation
 12 Act of 1973 (29 U.S.C. 29 U.S.C. 7950) is amended to read
 13 as follows:

14 **“SEC. 610. AUTHORIZATION OF APPROPRIATIONS.**

15 “*There is authorized to be appropriated to carry out*
 16 *this title \$35,599,300 for fiscal year 2023, \$37,379,265 for*
 17 *fiscal year 2024, \$39,248,228 for fiscal year 2025,*
 18 *\$41,210,640 for fiscal year 2026, \$43,271,172 for fiscal year*
 19 *2027, and \$45,434,730 for fiscal year 2028.”.*

20 (j) *INDEPENDENT LIVING SERVICES.*—Section 714 of
 21 the Rehabilitation Act of 1973 (29 U.S.C. 796e–3) is
 22 amended to read as follows:

23 **“SEC. 714. AUTHORIZATION OF APPROPRIATIONS.**

24 “*There are authorized to be appropriated to carry out*
 25 *this part \$29,564,700 for fiscal year 2023, \$31,042,935 for*

1 *fiscal year 2024, \$32,595,082 for fiscal year 2025,*
 2 *\$34,224,836 for fiscal year 2026, \$35,936,078 for fiscal year*
 3 *2027, and \$37,732,882 for fiscal year 2028.”.*

4 *(k) CENTERS FOR INDEPENDENT LIVING.—Section*
 5 *727 of the Rehabilitation Act of 1973 (29 U.S.C. 796f–6)*
 6 *is amended to read as follows:*

7 **“SEC. 727. AUTHORIZATION OF APPROPRIATIONS.**

8 *“There are authorized to be appropriated to carry out*
 9 *this part \$101,191,200 for fiscal year 2023, \$106,250,760*
 10 *for fiscal year 2024, \$111,563,298 for fiscal year 2025,*
 11 *\$117,141,463 for fiscal year 2026, \$122,998,536 for fiscal*
 12 *year 2027, and \$129,148,463 for fiscal year 2028.”.*

13 *(l) INDEPENDENT LIVING SERVICES FOR OLDER INDIV-*
 14 *VIDUALS WHO ARE BLIND.—Section 753 of the Rehabilita-*
 15 *tion Act of 1973 (29 U.S.C. 796l) is amended to read as*
 16 *follows:*

17 **“SEC. 753. AUTHORIZATION OF APPROPRIATIONS.**

18 *“There are authorized to be appropriated to carry out*
 19 *this chapter \$43,055,100 for fiscal year 2023, \$45,207,855*
 20 *for fiscal year 2024, \$47,468,248 for fiscal year 2025,*
 21 *\$49,841,660 for fiscal year 2026, \$52,333,743 for fiscal year*
 22 *2027, and \$54,950,430 for fiscal year 2028.”.*

Union Calendar No. 240

117TH CONGRESS
2D Session

H. R. 7309

[Report No. 117-321]

A BILL

To reauthorize the Workforce Innovation and
Opportunity Act.

MAY 12, 2022

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed