

Suspend the Rules and Pass the Bill, H.R. 6655, with an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

118TH CONGRESS
1ST SESSION

H. R. 6655

To amend and reauthorize the Workforce Innovation and Opportunity Act.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 7, 2023

Ms. FOXX (for herself and Mr. SCOTT of Virginia) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend and reauthorize the Workforce Innovation and Opportunity Act.

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

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

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

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

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

TITLE I—WORKFORCE DEVELOPMENT ACTIVITIES

Subtitle A—General Provisions

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

Subtitle B—System Alignment

CHAPTER 1—STATE PROVISIONS

- Sec. 111. State workforce development board.
- Sec. 112. Unified State plan.

CHAPTER 2—LOCAL PROVISIONS

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

CHAPTER 3—PERFORMANCE ACCOUNTABILITY

- Sec. 119. Performance accountability system.

Subtitle C—Workforce Investment Activities and Providers

CHAPTER 1—WORKFORCE INVESTMENT ACTIVITIES AND PROVIDERS

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

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES

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

CHAPTER 3—ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES

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

CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS

- Sec. 145. Authorization of appropriations.

Subtitle D—Job Corps

- Sec. 151. Purposes.
- Sec. 152. Definitions.
- Sec. 153. Individuals eligible for the Job Corps.
- Sec. 154. Recruitment, screening, selection, and assignment of enrollees.
- Sec. 155. Job Corps Campuses.
- Sec. 156. Program activities.
- Sec. 157. Support.

- Sec. 158. Operations.
- Sec. 159. Standards of conduct.
- Sec. 160. Community participation.
- Sec. 161. Workforce councils.
- Sec. 162. Advisory committees.
- Sec. 163. Experimental projects and technical assistance.
- Sec. 164. Special provisions.
- Sec. 165. Management information.
- Sec. 166. Job Corps oversight and reporting.
- Sec. 167. Authorization of appropriations.

Subtitle E—National Programs

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

Subtitle F—Administration

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

TITLE II—ADULT EDUCATION AND LITERACY

- Sec. 201. Purpose.
- Sec. 202. Definitions.
- Sec. 203. Authorization of appropriations.
- Sec. 204. Special rule.
- Sec. 205. Performance accountability system.
- Sec. 206. Matching requirement.
- Sec. 207. State leadership activities.
- Sec. 208. Programs for corrections education and other institutionalized individuals.
- Sec. 209. Grants and contracts for eligible providers.
- Sec. 210. Local application.
- Sec. 211. Local administrative cost limits.
- Sec. 212. National leadership activities.
- Sec. 213. Integrated English literacy and civics education.

TITLE III—AMENDMENTS TO OTHER LAWS

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

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

2 (a) **EFFECTIVE DATE.**—This Act, and the amend-
3 ments made by this Act, shall take effect on the first date
4 of the first program year (as determined under the Work-
5 force Innovation and Opportunity Act (29 U.S.C. 3101 et
6 seq.)) that begins after the date of enactment of this Act.

7 (b) **TRANSITION AUTHORITY.**—

8 (1) **IN GENERAL.**—The Secretary of Labor and
9 the Secretary of Education shall have the authority
10 to take such steps as are necessary before the effec-
11 tive date of this Act to provide for the orderly imple-
12 mentation on such date of the amendments to the
13 Workforce Innovation and Opportunity Act (29
14 U.S.C. 3101 et seq.) made by this Act.

15 (2) **CONFORMING AMENDMENTS.**—Section 503
16 of the Workforce Innovation and Opportunity Act
17 (29 U.S.C. 3343) is repealed (and by striking the
18 item relating to such section in the table of contents
19 of such Act).

20 **TITLE I—WORKFORCE**
21 **DEVELOPMENT ACTIVITIES**
22 **Subtitle A—General Provisions**

23 **SEC. 101. DEFINITIONS.**

24 (a) **FOUNDATIONAL SKILL NEEDS.**—Section 3(5) of
25 the Workforce Innovation and Opportunity Act (29 U.S.C.
26 3102(5)) is amended to read as follows:

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

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

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

13 (b) EMPLOYER-DIRECTED SKILLS DEVELOPMENT.—
14 Section 3(14) of the Workforce Innovation and Oppor-
15 tunity Act (29 U.S.C. 3102(14)) is amended to read as
16 follows:

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

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

23 “(B) that is conducted pursuant to the
24 terms and conditions established under an em-
25 ployer-directed skills agreement described in

1 section 134(c)(3)(I), including a commitment
2 by the employer to employ an individual upon
3 successful completion of the program; and

4 “(C) for which the employer pays a portion
5 of the cost of the program, as determined by
6 the local board involved, which shall not be less
7 than—

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

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

13 “(iii) 50 percent of the cost, in the
14 case of an employer with 100 or more em-
15 ployees.”.

16 (c) DISLOCATED WORKER.—Section 3(15)(E)(ii) of
17 the Workforce Innovation and Opportunity Act (29 U.S.C.
18 3102(15)(E)(ii)) is amended by striking “who meets the
19 criteria described in paragraph (16)(B)” and inserting
20 “who meets the criteria described in subparagraph (B) of
21 the definition of the term ‘displaced homemaker’ in this
22 section”.

23 (d) DISPLACED HOMEMAKER.—Section 3(16) of the
24 Workforce Innovation and Opportunity Act (29 U.S.C.
25 3102(16)) is amended, in the matter preceding subpara-

1 graph (A), by striking “family members” and inserting “a
2 family member”.

3 (e) ELIGIBLE YOUTH.—Section 3(18) of the Work-
4 force Innovation and Opportunity Act (29 U.S.C.
5 3102(18)) is amended by striking “out-of-school” and in-
6 serting “opportunity”.

7 (f) ENGLISH LEARNER.—Section 3 of the Workforce
8 Innovation and Opportunity Act (29 U.S.C. 3102) is fur-
9 ther amended—

10 (1) in paragraph (21)—

11 (A) in the heading, by striking “LAN-
12 GUAGE”; and

13 (B) by striking “language”; and

14 (2) in paragraph (24)(I), by striking “lan-
15 guage”.

16 (g) JUSTICE-INVOLVED INDIVIDUAL.—Section 3 of
17 the Workforce Innovation and Opportunity Act (29 U.S.C.
18 3102) is further amended—

19 (1) in paragraph (24), by amending subpara-
20 graph (F) to read as follows:

21 “(F) Justice-involved individuals.”; and

22 (2) in paragraph (38)—

23 (A) in the heading, by striking “OF-
24 FENDER” and inserting “JUSTICE-INVOLVED
25 INDIVIDUAL”; and

1 (B) in the matter preceding subparagraph
2 (A), by striking “offender” and inserting “jus-
3 tice-involved individual”.

4 (h) OPPORTUNITY YOUTH.—Section 3(46) of the
5 Workforce Innovation and Opportunity Act (29 U.S.C.
6 3102(46)) is amended—

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

9 (2) by striking “out-of-school” and inserting
10 “opportunity”.

11 (i) PAY-FOR-PERFORMANCE CONTRACT STRAT-
12 EGY.—Section 3(47) of the Workforce Innovation and Op-
13 portunity Act (29 U.S.C. 3102(47)) is amended to read
14 as follows:

15 “(47) PAY-FOR-PERFORMANCE CONTRACT
16 STRATEGY.—The term ‘pay-for-performance contract
17 strategy’ means a specific type of performance-based
18 acquisition that uses pay-for-performance contracts
19 in the provision of services described in paragraph
20 (2) or (3) of section 134(c) or activities described in
21 section 129(c)(2), and includes—

22 “(A) contracts, each of which—

23 “(i) shall specify a fixed amount that
24 will be paid to an eligible service provider
25 (which may include a local or national

1 community-based organization or inter-
2 mediary, community college, or other pro-
3 vider) based on the achievement of speci-
4 fied levels of performance on the primary
5 indicators of performance described in sec-
6 tion 116(b)(2)(A) for target populations as
7 identified by the local board (including in-
8 dividuals with barriers to employment),
9 within a defined timetable;

10 “(ii) may not be required by the Sec-
11 retary to be informed by a feasibility
12 study; and

13 “(iii) may provide for bonus payments
14 to such service provider to expand capacity
15 to provide effective services and training;

16 “(B) a strategy for validating the achieve-
17 ment of the performance described in subpara-
18 graph (A); and

19 “(C) a description of how the State or
20 local area will reallocate funds not paid to a
21 provider because the achievement of the per-
22 formance described in subparagraph (A) did not
23 occur, for further activities related to such a
24 procurement strategy, subject to section
25 189(g)(4).”.

1 (j) RAPID RESPONSE ACTIVITY.—Section 3(51) of
2 the Workforce Innovation and Opportunity Act (29 U.S.C.
3 3102(51)) is amended—

4 (1) in the matter preceding subparagraph (A),
5 by inserting “, through a rapid response unit” after
6 “designated by a State”;

7 (2) in subparagraph (B), by inserting before
8 the semicolon at the end the following: “, including
9 individual training accounts for eligible dislocated
10 workers under section 414(c) of the American Com-
11 petitiveness and Workforce Improvement Act of
12 1998 (29 U.S.C. 3224a)”;

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

15 (4) by redesignating subparagraph (E) as sub-
16 paragraph (F);

17 (5) by inserting after subparagraph (D) the fol-
18 lowing new subparagraph:

19 “(E) assistance in identifying employees el-
20 igible for assistance, including workers who
21 work a majority of their time off-site or re-
22 motely;”;

23 (6) in subparagraph (F), as so redesignated, by
24 striking the period at the end and inserting “; and”;
25 and

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

2 “(G) business engagement or layoff aver-
3 sion strategies and other activities designed to
4 prevent or minimize the duration of unemploy-
5 ment, such as—

6 “(i) connecting employers to short-
7 term compensation or other programs de-
8 signed to prevent layoffs;

9 “(ii) conducting employee skill assess-
10 ment and matching programs to different
11 occupations;

12 “(iii) establishing incumbent worker
13 training or other upskilling approaches, in-
14 cluding incumbent worker upskilling ac-
15 counts described in section 134(d)(4)(E);

16 “(iv) facilitating business support ac-
17 tivities, such as connecting employers to
18 programs that offer access to credit, finan-
19 cial support, and business consulting; and

20 “(v) partnering or contracting with
21 business-focused organizations to assess
22 risks to companies, and to propose, imple-
23 ment, and measure the impact of strategies
24 and services to address such risks.”.

1 (k) VOCATIONAL REHABILITATION PROGRAM.—Sec-
2 tion 3(64) of the Workforce Innovation and Opportunity
3 Act (20 U.S.C. 3102(64)) is amended by striking “under
4 a provision covered under paragraph (13)(D)” and insert-
5 ing “under a provision covered under subparagraph (D)
6 of the definition of the term ‘core program provision’
7 under this section”.

8 (l) NEW DEFINITIONS.—Section 3 of the Workforce
9 Innovation and Opportunity Act (29 U.S.C. 3102) is fur-
10 ther amended—

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

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

16 “(73) DIGITAL LITERACY SKILLS.—The term
17 ‘digital literacy skills’ has the meaning given the
18 term in section 203.

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

23 “(A) demonstrates a statistically signifi-
24 cant effect on improving participant outcomes
25 or other relevant outcomes based on—

1 “(i) strong evidence from at least 1
2 well-designed and well-implemented experi-
3 mental study;

4 “(ii) moderate evidence from at least
5 1 well-designed and well-implemented
6 quasi-experimental study; or

7 “(iii) promising evidence from at least
8 1 well-designed and well-implemented cor-
9 relational study with statistical controls for
10 selection bias; or

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

16 “(ii) includes ongoing efforts to examine
17 the effects of such activity, service, strategy, or
18 intervention.

19 “(75) LABOR ORGANIZATION.—The term ‘labor
20 organization’ has the meaning given the term in sec-
21 tion 2(5) of the National Labor Relations Act (29
22 U.S.C. 152(5)).

23 “(76) WORK-BASED LEARNING.—The term
24 ‘work-based learning’ has the meaning given the
25 term in section 3 of the Carl D. Perkins Career and

1 Technical Education Act of 2006 (20 U.S.C.
2 2302).”; and

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

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

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

11 (1) by redesignating the item relating to section
12 172 as section 174;

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

“Sec. 172. Reentry employment opportunities.

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

15 (3) by striking the item relating to section 190
16 and inserting the following:

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

17 **Subtitle B—System Alignment**

18 **CHAPTER 1—STATE PROVISIONS**

19 **SEC. 111. STATE WORKFORCE DEVELOPMENT BOARD.**

20 Section 101(b)(1)(C)(ii)(IV) of the Workforce Inno-
21 vation and Opportunity Act (29 U.S.C.
22 3112(b)(1)(C)(ii)(IV)) is amended by striking “out-of-
23 school youth” and inserting “opportunity youth”.

1 **SEC. 112. UNIFIED STATE PLAN.**

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

4 (1) in subsection (b)—

5 (A) in paragraph (1)—

6 (i) by redesignating subparagraphs
7 (C) through (E) as subparagraphs (D)
8 through (F), respectively;

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

11 “(C) a description of—

12 “(i) how the State will use real-time
13 labor market information to continually as-
14 sess the economic conditions and workforce
15 trends described in subparagraphs (A) and
16 (B); and

17 “(ii) how the State will communicate
18 changes in such conditions or trends to the
19 workforce system in the State;”;

20 (iii) in subparagraph (D), as so redesi-
21 gnated, by inserting “the extent to which
22 such activities are evidence-based,” after
23 “of such activities;”;

24 (iv) in subparagraph (E), as so redesi-
25 gnated, by striking “and” at the end;

1 (v) in subparagraph (F), as so reded-
2 igned, by striking the period at the end
3 and inserting a semicolon; and

4 (vi) by adding at the end the fol-
5 lowing:

6 “(G) a description of any activities the
7 State is conducting to expand economic oppor-
8 tunity for individuals and reduce barriers to
9 labor market entry by—

10 “(i) developing, in cooperation with
11 employers, education and training pro-
12 viders, and other stakeholders, statewide
13 skills-based initiatives that promote the use
14 of demonstrated skills and competencies as
15 an alternative to the exclusive use of de-
16 gree attainment as a requirement for em-
17 ployment or advancement in a career; and

18 “(ii) evaluating the existing occupa-
19 tional licensing policies in the State and
20 identifying potential changes to recommend
21 to the appropriate State entity to—

22 “(I) remove or streamline licens-
23 ing requirements, as appropriate; and

24 “(II) improve the reciprocity of
25 licensing, including through partici-

1 pating in interstate licensing com-
2 pacts; and

3 “(H) an analysis of the opportunity youth
4 population in the State, including the estimated
5 number of opportunity youth and any gaps in
6 services provided to such population by other
7 existing workforce development activities, as
8 identified under subparagraph (D).”; and

9 (B) in paragraph (2)—

10 (i) in subparagraph (B), by striking
11 “including a description” and inserting
12 “which may include a description”;

13 (ii) in subparagraph (C)—

14 (I) in clause (ii)(I), by inserting
15 “utilizing a continuous quality im-
16 provement approach,” after “year,”

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

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

21 (IV) by striking clause (viii);

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

24 (iv) in subparagraph (E)—

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

3 (II) in clause (ix), by striking “;
4 and” at the end and inserting a pe-
5 riod; and

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

7 (2) in subsection (c)(3)—

8 (A) in subparagraph (A), by striking
9 “shall” the second place it appears and insert-
10 ing “may”; and

11 (B) in subparagraph (B)—

12 (i) by striking “required”; and

13 (ii) by inserting “, except that com-
14 municating changes in economic conditions
15 and workforce trends to the workforce sys-
16 tem in the State as described in subsection
17 (b)(1)(C) shall not be considered modifica-
18 tions subject to approval under this para-
19 graph” before the period at the end.

20 **CHAPTER 2—LOCAL PROVISIONS**

21 **SEC. 115. WORKFORCE DEVELOPMENT AREAS.**

22 (a) REGIONS.—Section 106(a) of the Workforce In-
23 novation and Opportunity Act (29 U.S.C. 3121(a)) is
24 amended by adding at the end the following:

1 “(3) REVIEW.—Before the second full program
2 year after the date of enactment of the A Stronger
3 Workforce for America Act, in order for a State to
4 receive an allotment under section 127(b) or 132(b)
5 and as part of the process for developing the State
6 plan, a State shall—

7 “(A) review each region in the State iden-
8 tified under this subsection (as such subsection
9 was in effect on the day before the date of en-
10 actment of the A Stronger Workforce for Amer-
11 ica Act); and

12 “(B) after consultation with the local
13 boards and chief elected officials in the local
14 areas and consistent with the considerations de-
15 scribed in subsection (b)(1)(B)—

16 “(i) revise such region and any other
17 region impacted by such revision; or

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

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

23 (1) in paragraph (1)—

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

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

4 (2) by striking paragraphs (2) through (7), and
5 inserting the following:

6 “(2) CONTINUATION PERIOD.—Subject to para-
7 graph (5), in order to receive an allotment under
8 section 127(b) or 132(b), the Governor shall main-
9 tain the designations of local areas in the State
10 under this subsection (as in effect on the day before
11 the date of enactment of the A Stronger Workforce
12 for America Act) until the end of the third full pro-
13 gram year after the date of enactment of the A
14 Stronger Workforce for America Act.

15 “(3) INITIAL ALIGNMENT REVIEW.—

16 “(A) IN GENERAL.—Prior to the third full
17 program year after the date of enactment of the
18 A Stronger Workforce for America Act, the
19 Governor shall—

20 “(i) review the designations of local
21 areas in the State (as in effect on the day
22 before the date of enactment of the A
23 Stronger Workforce for America Act); and

24 “(ii) based on the considerations de-
25 scribed in paragraph (1)(B), issue pro-

1 posed redesignations of local areas in the
2 State through the process described in
3 paragraph (1)(A), which shall—

4 “(I) include an explanation of the
5 strategic goals and objectives that the
6 State intends to achieve through such
7 redesignations; and

8 “(II) be subject to the approval
9 of the local boards in the State in ac-
10 cordance with the process described in
11 subparagraph (C).

12 “(B) DESIGNATION OF LOCAL AREAS.—A
13 redesignation of local areas in a State that is
14 approved by a majority of the local boards in
15 the State through the process described in sub-
16 paragraph (C) shall take effect on the first day
17 of the 4th full program year after the date of
18 enactment of the A Stronger Workforce for
19 America Act.

20 “(C) PROCESS TO REACH MAJORITY AP-
21 PROVAL.—To approve a designation of local
22 areas in the State, the local boards in the State
23 shall comply with the following:

24 “(i) INITIAL VOTE.—Not later than
25 60 days after the Governor issues proposed

1 redesignations under subparagraph (A),
2 the chairperson of each local board shall
3 review the proposed redesignations and
4 submit a vote on behalf of such local board
5 to the Governor either approving or reject-
6 ing the proposed redesignations.

7 “(ii) RESULTS OF INITIAL VOTE.—If
8 a majority of the local boards in the State
9 vote under clause (i)—

10 “(I) to approve such proposed re-
11 designations, such redesignations shall
12 take effect in accordance with sub-
13 paragraph (B); or

14 “(II) to disapprove such proposed
15 redesignations, the chairpersons of the
16 local boards in the State shall comply
17 with the requirements of clause (iii).

18 “(iii) ALTERNATE REDESIGNA-
19 TIONS.—In the case of the disapproval de-
20 scribed in clause (ii)(II), not later than 60
21 days after initial votes were submitted
22 under clause (i), the chairpersons of the
23 local boards in the State shall—

24 “(I) select 2 alternate redesigna-
25 tions of local areas—

1 “(aa) one of which aligns
2 with the regional economic devel-
3 opment areas in the State; and

4 “(bb) one of which aligns
5 with the regions described in sub-
6 paragraph (A) or (B) of sub-
7 section (a)(2); and

8 “(II) conduct a vote to approve,
9 by majority vote, 1 of the 2 alternate
10 redesignations described in subclause
11 (I).

12 “(iv) EFFECTIVE DATE OF ALTER-
13 NATE DESIGNATIONS.—The alternate re-
14 designations approved pursuant to clause
15 (iii)(II) shall take effect in accordance with
16 subparagraph (B).

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

25 “(5) INTERIM REVISIONS.—

1 “(A) AUTOMATIC APPROVAL OF CERTAIN
2 REDESIGNATION REQUESTS.—

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

9 “(ii) REQUESTS.—The following re-
10 quests shall be approved pursuant to
11 clause (i) upon request:

12 “(I) A request from multiple
13 local areas to be redesignated as a
14 single local area.

15 “(II) A request from multiple
16 local areas for a revision to the des-
17 ignations of such local areas, which
18 would not impact the designations of
19 local areas that have not made such
20 request.

21 “(III) A request for designation
22 as a local area from an area described
23 in section 107(c)(1)(C).

24 “(B) OTHER REDESIGNATIONS.—Other
25 than the redesignations described in subpara-

1 graph (A), the Governor may only redesignate
2 a local area outside of the process described in
3 paragraphs (3) and (4), if the local area that
4 will be subject to such redesignation has not—

5 “(i) performed successfully;

6 “(ii) sustained fiscal integrity; or

7 “(iii) in the case of a local area in a
8 planning region, met the requirements de-
9 scribed in subsection (c)(1).

10 “(C) EFFECTIVE DATE.—Any redesigna-
11 tion of a local area approved by the Governor
12 under subparagraph (A) or (B) shall take effect
13 on the first date of the first full program year
14 after such date of approval.

15 “(6) APPEALS.—

16 “(A) IN GENERAL.—The local board of a
17 local area that is subject to a redesignation of
18 such local area under paragraph (3), (4), or (5)
19 may submit an appeal to maintain its existing
20 designation to the State board under an appeal
21 process established in the State plan as speci-
22 fied in section 102(b)(2)(D)(i)(III).

23 “(B) STATE BOARD REQUIREMENTS.—The
24 State board shall only grant an appeal to main-
25 tain an existing designation of a local area de-

1 scribed in subparagraph (A) if the local area
2 can demonstrate that the process for redesigna-
3 tion of such local area under paragraph (3),
4 (4), or (5), as applicable, has not been followed.

5 “(C) SECRETARIAL REQUIREMENTS.—If a
6 request to maintain an existing designation as
7 a local area is not granted as a result of such
8 appeal, the Secretary, after receiving a request
9 for review from such local area and determining
10 that the local area was not accorded procedural
11 rights under the appeals process referred to in
12 subparagraph (A), shall—

13 “(i) review the process for the redesign-
14 nation of the local area under paragraph
15 (3), (4), or (5), as applicable; and

16 “(ii) upon determining that the appli-
17 cable process has not been followed, re-
18 quire that the local area’s existing designa-
19 tion be maintained.

20 “(7) REDESIGNATION INCENTIVE.—The State
21 may provide funding from funds made available
22 under sections 128(a)(1) and 133(a)(1) to provide
23 payments to incentivize—

1 “(A) groups of local areas to request to be
2 redesignated as a single local area under para-
3 graph (5)(A); or

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

7 (c) REGIONAL COORDINATION.—Section 106(c) of
8 the Workforce Innovation and Opportunity Act (29 U.S.C.
9 3121(c)) is amended—

10 (1) in paragraph (1)—

11 (A) by redesignating subparagraphs (F)
12 through (H) as subparagraphs (G) through (I),
13 respectively; and

14 (B) by inserting the following after sub-
15 paragraph (E):

16 “(F) the establishment of cost arrange-
17 ments for services described in subsections (c)
18 and (d) of section 134, including the pooling of
19 funds for such services, as appropriate, for the
20 region;”;

21 (2) in paragraph (2), by inserting “, including
22 to assist with establishing administrative costs ar-
23 rangements or cost arrangements for services under
24 subparagraphs (F) and (G) of such paragraph”
25 after “delivery efforts”;

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

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

5 “(3) REGIONAL CONSORTIUMS.—

6 “(A) IN GENERAL.—The local boards and
7 chief elected officials in any planning region de-
8 scribed in subparagraph (B) or (C) of sub-
9 section (a)(2) may develop an agreement to re-
10 ceive funding under section 128(b) and section
11 133(b) as a single consortium for the planning
12 region.

13 “(B) FISCAL AGENT.—If the local boards
14 and chief elected officials develop such an
15 agreement—

16 “(i) one of the chief elected officials in
17 the planning region shall be responsible for
18 designating the fiscal agent for the consor-
19 tium;

20 “(ii) the local boards shall develop a
21 memorandum of understanding to jointly
22 administer the activities for the consor-
23 tium; and

24 “(iii) the required activities for local
25 areas under this Act, (including the re-

1 required functions of the local boards de-
2 scribed in section 107(d)) shall apply to
3 such a consortium as a whole and may not
4 be applied separately or differently to the
5 local areas or local boards within such con-
6 sortium.”.

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

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

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

14 “(2) NEW DESIGNATION.—

15 “(A) IN GENERAL.—Consistent with the
16 process described in subsection (b)(1)(A) and
17 during a review of designations described in
18 paragraph (3) or (4) of subsection (b), the Gov-
19 ernor may propose to designate a State as a
20 single State local area for the purposes of this
21 title.

22 “(B) PROCESS FOR APPROVAL.—If the
23 Governor proposes a single State local area, the
24 chairpersons of the existing local boards shall
25 vote to approve or reject such designation

1 through the process described in subsection
2 (b)(3)(C).

3 “(C) DESIGNATION AS A SINGLE STATE
4 LOCAL AREA.—If the majority of the chair-
5 persons of the local boards in the State vote to
6 approve such proposed designation, the State
7 shall be designated as a single State local area
8 and the Governor shall identify the State as a
9 local area in the State plan.”.

10 (e) DEFINITION OF “PERFORMED SUCCESS-
11 FULLY”.—Section 106(e)(1) of the Workforce Innovation
12 and Opportunity Act (29 U.S.C. 3121(e)) is amended by
13 striking “adjusted levels of performance” and inserting
14 “adjusted levels of performance described in section
15 116(g)(1)”.

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

17 (a) MEMBERSHIP.—Section 107(b)(2)(B)(iv) of the
18 Workforce Innovation and Opportunity Act (29 U.S.C.
19 3122(b)(2)(B)(iv)) is amended by striking “out-of-school
20 youth” and inserting “opportunity youth”.

21 (b) FUNCTIONS OF LOCAL BOARD.—Section 107(d)
22 of the Workforce Innovation and Opportunity Act (29
23 U.S.C. 3122(d)) is amended—

24 (1) in paragraph (3), by inserting “, including,
25 to the extent practicable, local representatives of the

1 core programs and the programs described in section
2 121(b)(1)(B),” after “system stakeholders”;

3 (2) in paragraph (4)(D)—

4 (A) by striking “proven” and inserting
5 “evidence-based”;

6 (B) by inserting “individual” after “needs
7 of”; and

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

10 (3) in paragraph (5), by inserting “and which,
11 to the extent practicable, shall be aligned with career
12 and technical education programs of study (as de-
13 fined in section 3 of the Carl D. Perkins Career and
14 Technical Education Act of 2006 (20 U.S.C.
15 2302(3)) offered within the local area” before the
16 period at the end;

17 (4) in paragraph (6)—

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

20 (B) in subparagraph (A)—

21 (i) by striking “proven” and inserting
22 “evidence-based”;

23 (ii) by inserting “and covered veterans
24 (as defined in section 4212(a)(3)(A) of

1 title 38, United States Code)” after “em-
2 ployment”;

3 (iii) by inserting “, and give priority
4 to covered persons in accordance with sec-
5 tion 4215 of title 38, United States Code”
6 after “delivery system”; and

7 (C) in subparagraph (B), by striking
8 “proven” and inserting “evidence-based”;
9 (5) in paragraph (10)(C)—

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

12 (B) by inserting “that operate in or are ac-
13 cessible to individuals” after “training serv-
14 ices”; and

15 (6) in paragraph (12)(A), by striking “activi-
16 ties” and inserting “funds allocated to the local area
17 under section 128(b) and section 133(b) for the
18 youth workforce development activities described in
19 section 129 and local employment and training ac-
20 tivities described in section 134(b), and the activi-
21 ties”.

22 **SEC. 117. LOCAL PLAN.**

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

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

3 (2) in subsection (b)—

4 (A) in paragraph (1)—

5 (i) by redesignating subparagraphs
6 (D), (E), and (F) as subparagraphs (E),
7 (F), and (H), respectively;

8 (ii) by inserting the following after
9 subparagraph (C):

10 “(D) a description of—

11 “(i) how the local area will use real-
12 time labor market information to contin-
13 ually assess the economic conditions and
14 workforce trends described in subpara-
15 graphs (A), (B), and (C); and

16 “(ii) how changes in such conditions
17 or trends will be communicated to job-
18 seekers, education and training providers,
19 and employers in the local area;”;

20 (iii) in subparagraph (F), as so redesi-
21 gnated, by striking “and” at the end; and

22 (iv) by inserting after subparagraph
23 (F), as so redesignated, the following:

24 “(G) an analysis of the opportunity youth
25 population in the local area, including the esti-

1 mated number of such youth and any gaps in
2 services for such population from other existing
3 workforce development activities, as identified
4 under paragraph (9), and a description of how
5 the local board will address any such gaps in
6 services identified in such analysis; and”;

7 (B) in paragraph (4)—

8 (i) in subparagraph (A)—

9 (I) by striking “and” at the end
10 of clause (iii); and

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

13 “(v) carry out any statewide skills-
14 based initiatives identified in the State
15 plan that promote the use of demonstrated
16 skills and competencies as an alternative to
17 the exclusive use of degree attainment as a
18 requirement for employment or advance-
19 ment in a career; and”;

20 (ii) in subparagraph (B), by striking
21 “customized training” and inserting “em-
22 ployer-directed skills development”;

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

- 1 (D) in paragraph (9)—
- 2 (i) by striking “including activities”
- 3 and inserting the following: “including—
- 4 “(A) the availability of community based
- 5 organizations that serve youth primarily during
- 6 nonschool time hours to carry out activities
- 7 under section 129; and
- 8 “(B) activities”; and
- 9 (ii) by inserting “or evidence-based”
- 10 after “successful”; and
- 11 (E) in paragraph (12), by inserting “in-
- 12 cluding as described in section 134(c)(2),” after
- 13 “system,”.

14 **CHAPTER 3—PERFORMANCE**

15 **ACCOUNTABILITY**

16 **SEC. 119. PERFORMANCE ACCOUNTABILITY SYSTEM.**

17 (a) STATE PERFORMANCE ACCOUNTABILITY MEAS-

18 URES.—

19 (1) PRIMARY INDICATORS OF PERFORMANCE.—

20 Section 116(b)(2)(A) of the Workforce Innovation

21 and Opportunity Act (29 U.S.C. 3141(b)(2)(A)) is

22 amended—

23 (A) in clause (i)—

24 (i) in subclause (II)—

1 (I) by striking “fourth” and in-
2 serting “second”; and

3 (II) by inserting “and remain in
4 unsubsidized employment during the
5 fourth quarter after exit from the pro-
6 gram” after “the program”;

7 (ii) in subclause (V)—

8 (I) by striking “, during a pro-
9 gram year,”;

10 (II) by striking “are in” and in-
11 serting “enter into”; and

12 (III) by inserting before the
13 semicolon at the end the following:
14 “within 6 months after the quarter in
15 which the participant enters into the
16 education and training program”; and

17 (iii) by amending subclause (VI) to
18 read as follows:

19 “(VI) of the program partici-
20 pants who received training services
21 and who exited the program during a
22 program year, the percentage of such
23 program participants who completed,
24 prior to such exit, on-the-job training,
25 employer-directed skills development,

1 incumbent worker training, or an ap-
2 prenticeship.”;

3 (B) in clause (ii)—

4 (i) in subclause (II)—

5 (I) by striking “fourth” and in-
6 serting “second”;

7 (II) by inserting “, and who re-
8 main in such activities or unsub-
9 subsidized employment during the fourth
10 quarter after exit from the program”
11 after “the program”; and

12 (III) by striking “and” at the
13 end;

14 (ii) in subclause (III)—

15 (I) by striking “(VI)” and insert-
16 ing “(V)”; and

17 (II) by striking the period at the
18 end and inserting “; and”; and

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

21 “(IV) of the program partici-
22 pants who exited a program during a
23 program year, the percentage of such
24 program participants who completed,
25 prior to such exit, paid or unpaid

1 work experiences as described in sec-
2 tion 129(c)(2)(C).”; and

3 (C) by striking clause (iv).

4 (2) LEVELS OF PERFORMANCE.—Section
5 116(b)(3)(A) of the Workforce Innovation and Op-
6 portunity Act (29 U.S.C. 3141(b)(3)(A)) is amend-
7 ed—

8 (A) by amending clause (iii) to read as fol-
9 lows:

10 “(iii) IDENTIFICATION IN STATE
11 PLAN.—

12 “(I) SECRETARIES.—For each
13 State submitting a State plan, the
14 Secretaries of Labor and Education
15 shall, not later than December 1 of
16 the year prior to the year in which
17 such State plan is submitted, for the
18 first 2 program years covered by the
19 State plan, and not later than Decem-
20 ber 1 of the year prior to the third
21 program year covered by the State
22 plan, for the third and fourth pro-
23 gram years covered by the State
24 plan—

1 “(aa) propose to the State
2 expected levels of performance
3 for each of the corresponding pri-
4 mary indicators of performance
5 for each of the programs de-
6 scribed in clause (ii) for such
7 State, which shall—

8 “(AA) be consistent
9 with the factors listed in
10 clause (v); and

11 “(BB) be proposed in a
12 manner that ensures suffi-
13 cient time is provided for
14 the State to evaluate and re-
15 spond to such proposals; and

16 “(bb) publish, on a public
17 website of the Department of
18 Labor, the statistical model de-
19 veloped under clause (viii) and
20 the methodology used to develop
21 each such expected level of per-
22 formance.

23 “(II) STATES.—Each State
24 shall—

1 “(aa) evaluate each of the
2 expected levels of performance
3 proposed under subclause (I)
4 with respect to such State;

5 “(bb) based on such evalua-
6 tion of each such expected level
7 of performance—

8 “(AA) accept the ex-
9 pected level of performance
10 as so proposed; or

11 “(BB) provide a coun-
12 terproposal for such pro-
13 posed expected level of per-
14 formance, including an anal-
15 ysis of how the counter-
16 proposal addresses factors or
17 circumstances unique to the
18 State that may not have
19 been accounted for in the
20 expected level of perform-
21 ance; and

22 “(cc) include in the State
23 plan, with respect to each of the
24 corresponding primary indicators
25 of performance for each of the

1 programs described in clause (ii)
2 for such State—

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

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

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

13 (B) in clause (v)(II)—

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

20 (ii) in item (bb), by striking “ex-of-
21 fender status” and inserting “justice-in-
22 volved individual status, foster care status,
23 school status, education level, highest
24 grade level completed, low-income status”.

1 (b) PERFORMANCE REPORTS.—Section 116(d) of the
2 Workforce Innovation and Opportunity Act (29 U.S.C.
3 3141(d)) is amended—

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

6 “(1) IN GENERAL.—

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

1 State officials, Federal policymakers, and other
2 key stakeholders.

3 “(B) STANDARDIZED REPORTING.—In de-
4 veloping, or reviewing and modifying, the tem-
5 plate under subparagraph (A), the Secretary of
6 Labor, in conjunction with the Secretary of
7 Education, shall ensure that performance re-
8 ports produced by States and local areas for
9 core programs and eligible training providers
10 collect and report, in a comparable and uniform
11 format, common data elements, which use
12 terms that are assigned identical meanings
13 across all such reports.

14 “(C) ADDITIONAL REPORTING.—The Sec-
15 retary of Labor, in conjunction with the Sec-
16 retary of Education—

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

22 “(ii) shall periodically review any re-
23 quirement for additional information to en-
24 sure the requirement is necessary and does
25 not impose an undue reporting burden.”.

1 (2) in paragraph (2)—

2 (A) by redesignating subparagraphs (J)
3 through (L) as subparagraphs (K) through (M),
4 respectively and inserting after subparagraph
5 (I) the following:

6 “(J) the median earnings gain of partici-
7 pants who received training services, calculated
8 as the difference between—

9 “(i) median participant earnings in
10 unsubsidized employment during the sec-
11 ond quarter after program exit; and

12 “(ii) median participant earnings in
13 the second quarter prior to entering the
14 program;”.

15 (B) in subparagraph (L), as so redesi-
16 gnated, by striking clause (ii); and

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

21 (3) in paragraph (3)—

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

24 (B) by redesignating subparagraph (C) as
25 subparagraph (E); and

1 (C) by inserting after subparagraph (B)
2 the following:

3 “(C) the percentage of a local area’s allo-
4 cation under section 133(b) that the local area
5 spent on services paid for through an individual
6 training account described in section
7 134(c)(3)(F)(iii) or a training contract de-
8 scribed in section 134(c)(3)(G)(ii);

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

12 (4) by amending paragraph (4) to read as fol-
13 lows:

14 “(4) CONTENTS OF ELIGIBLE TRAINING PRO-
15 VIDERS PERFORMANCE REPORT.—

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

1 “(i) with respect to each program of
2 study (or the equivalent) of such a pro-
3 vider—

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

12 “(II) the total number of individ-
13 uals exiting from the program of
14 study (or the equivalent); and

15 “(ii) with respect to all such pro-
16 viders—

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

1 “(II) the total number of partici-
2 pants who exited from training serv-
3 ices, disaggregated by the type of en-
4 tity that provided the training, during
5 the most recent program year and the
6 3 preceding program years;

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

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

21 “(iii) with respect to each recognized
22 postsecondary credential on the list of cre-
23 dentials awarded by eligible providers in
24 the State described in section 122(d)(2)—

1 “(I) information specifying the
2 levels of performance achieved with
3 respect to the primary indicators of
4 performance described in subclauses
5 (I) through (IV) of subsection
6 (b)(2)(A)(i) for all participants in the
7 State receiving such credential; and

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

19 (5) in paragraph (6)—

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

22 “(A) STATE PERFORMANCE REPORTS.—
23 The Secretary of Labor and the Secretary of
24 Education shall annually make available the
25 performance reports for States containing the

1 information described in paragraph (2), which
2 shall include making such reports available—

3 “(i) digitally using transparent,
4 linked, open, and interoperable data for-
5 mats that are human readable and ma-
6 chine actionable such that the data from
7 these reports—

8 “(I) are easily understandable;
9 and

10 “(II) can be easily included in
11 web-based tools and services sup-
12 porting search, discovery, comparison,
13 analysis, navigation, and guidance;
14 and

15 “(ii) in a printable format.”; and
16 (B) in subparagraph (B)—

17 (i) by striking “(including by elec-
18 tronic means), in an easily understandable
19 format,”; and

20 (ii) by adding at the end the fol-
21 lowing: “The Secretary of Labor and the
22 Secretary of Education shall include, on
23 the website where the State performance
24 reports required under subparagraph (A)
25 are made available, a link to local area per-

1 formance reports and the eligible training
2 provider report for each State. Such re-
3 ports shall be made available in each of the
4 formats described in subparagraph (A).”.

5 (c) EVALUATION OF STATE PROGRAMS.—Section
6 116(e) of the Workforce Innovation and Opportunity
7 Act(29 U.S.C. 3141(e)) is amended—

8 (1) in paragraph (1)—

9 (A) by striking “shall conduct ongoing”
10 and inserting “shall use data to conduct anal-
11 yses and ongoing”; and

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

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

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

24 “(f) SANCTIONS FOR STATE FAILURE TO MEET
25 STATE PERFORMANCE ACCOUNTABILITY MEASURES.—

1 “(1) TARGETED SUPPORT AND ASSISTANCE.—

2 “(A) IN GENERAL.—If a State fails to
3 meet 80 percent of the State adjusted level of
4 performance for an indicator described in sub-
5 section (b)(2)(A) for a program for any pro-
6 gram year, the Secretary of Labor and the Sec-
7 retary of Education shall provide technical as-
8 sistance.

9 “(B) SANCTIONS.—

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

1 years, in the case of a failure described in
2 clause (ii)(II).

3 “(ii) FAILURES.—A State shall be
4 subject to clause (i)—

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

12 “(II) for a failure under subpara-
13 graph (A) that continues for a second
14 consecutive year.

15 “(2) COMPREHENSIVE SUPPORT AND ASSIST-
16 ANCE.—

17 “(A) IN GENERAL.—If a State fails to
18 meet an average of 90 percent of the State ad-
19 justed levels of performance for a program
20 across all performance indicators for any pro-
21 gram year, or if a State fails to meet an aver-
22 age of 90 percent of the State adjusted levels
23 of performance for a single performance indi-
24 cator across all programs for any program year,
25 the Secretary of Labor and the Secretary of

1 Education shall provide technical assistance, as
2 described and authorized under section 168(b),
3 including assistance in the development of a
4 comprehensive performance improvement plan.

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

17 “(3) LIMITATION.—The total reduction under
18 this subsection to the percentage of each amount
19 that would (in the absence of this subsection) be re-
20 served by the Governor under section 128(a)(1) may
21 not exceed 10 percentage points for a program year.

22 “(4) REALLOTMENT OF REDUCTIONS.—

23 “(A) IN GENERAL.—The amounts available
24 for reallocation for a program year shall be re-
25 allotted to the States that were not subject to

1 a reduction of funds under paragraph (1)(B) or
2 paragraph (2)(B) of this subsection for such
3 program year (in this paragraph referred to in-
4 dividually as an ‘eligible State’).

5 “(B) AMOUNTS AVAILABLE FOR REALLOT-
6 MENT.—In this paragraph, the amounts avail-
7 able for reallocation for a program year means
8 the amounts available under section
9 127(b)(1)(C) and paragraph (1)(B) or (2)(B),
10 respectively, of section 132(b) for such program
11 year which would (in the absence of paragraph
12 (1)(B) or paragraph (2)(B) of this subsection)
13 have otherwise been reserved under section
14 128(a)(1) by a Governor of a State for such
15 program year.

16 “(C) REALLOTMENT AMOUNTS.—In mak-
17 ing reallocations under subparagraph (A) for a
18 program year to eligible States, the Secretary
19 shall allot to each eligible State—

20 “(i) in the case of amounts available
21 under section 127(b)(1)(C), an amount
22 based on the relative amount of the allot-
23 ment made (before the allotments under
24 this clause are made) to such eligible State
25 under section 127(b)(1)(C) for such pro-

1 gram year, compared to the total allot-
2 ments made (before the allotments under
3 this clause are made) to all eligible States
4 under section 127(b)(1)(C) for such pro-
5 gram year; and

6 “(ii) in the case of amounts available
7 under paragraph (1)(B) or (2)(B), respec-
8 tively, of section 132(b), an amount based
9 on the relative amount of the allotment
10 made (before the allotments under this
11 clause are made) to such eligible State
12 under paragraph (1)(B) or (2)(B), respec-
13 tively, of section 132(b) for such program
14 year, compared to the total allotments
15 made (before the allotments under this
16 clause are made) to all eligible States
17 under paragraph (1)(B) or (2)(B), respec-
18 tively, of section 132(b) for such program
19 year.”.

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

24 (1) in paragraph (1)—

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

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

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

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

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

1 3 of subtitle B for the program subject to
2 the performance failure;

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

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

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

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

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

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

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

6 “(D) REALLOCATION OF REDUCTIONS.—

7 “(i) IN GENERAL.—With respect to
8 any amounts available under section
9 128(b), paragraph (2)(A) or (3) of section
10 133(b), and section 133(b)(2)(B) to a Gov-
11 ernor for a program year which would (in
12 the absence of subparagraph (A)(i)) have
13 otherwise been allocated by such Governor
14 to a local area for such program year—

15 “(I) not more than 10 percent of
16 the amounts available under each
17 such section may be reserved by the
18 Governor to provide technical assist-
19 ance to local areas within the State
20 that were subject to a reduction of al-
21 location amounts pursuant to sub-
22 paragraph (A)(i) for such program
23 year; and

24 “(II) the amounts remaining
25 after the reservations under subclause

1 (I) shall be reallocated by the Gov-
2 ernor to the local areas within the
3 State that were not subject to a re-
4 duction of allocation amounts pursu-
5 ant to subparagraph (A)(i) for such
6 program year (in this subparagraph
7 referred to individually as an ‘eligible
8 local area’).

9 “(ii) REALLOCATION AMOUNTS.—In
10 making reallocations under clause (i)(II)
11 for a program year to eligible local areas
12 within a State, the Governor of the State
13 shall allocate to each such eligible local
14 area—

15 “(I) in the case of amounts re-
16 maining under section 128(b), an
17 amount based on the relative amount
18 of the allocation made (before the al-
19 locations under this subclause are
20 made) to such eligible local area under
21 section 128(b) for such program year,
22 compared to the total allocations
23 made (before the allocations under
24 this subclause are made) to all eligible

1 local areas within the State under sec-
2 tion 128(b) for such program year;

3 “(II) in the case of amounts re-
4 maining under paragraph (2)(A) or
5 (3) of section 133(b), an amount
6 based on the relative amount of the
7 allocation made (before the allocations
8 under this subclause are made) to
9 such eligible local area under para-
10 graph (2)(A) or (3) of section 133(b),
11 as appropriate, for such program
12 year, compared to the total allocations
13 made (before the allocations under
14 this subclause are made) under para-
15 graph (2)(A) or (3) of section 133(b),
16 as appropriate, to all eligible local
17 areas within the State for such pro-
18 gram year; and

19 “(III) in the case of amounts re-
20 maining under section 133(b)(2)(B),
21 an amount based on the relative
22 amount of the allocation made (before
23 the allocations under this subclause
24 are made) to such eligible local area
25 under section 133(b)(2)(B) for such

1 program year, compared to the total
2 allocations made (before the alloca-
3 tions under this subclause are made)
4 under section 133(b)(2)(B) to all eli-
5 gible local areas within the State for
6 such program year.”.

7 (f) ESTABLISHING PAY-FOR-PERFORMANCE CON-
8 TRACT STRATEGY INCENTIVES.—Section 116(h) of the
9 Workforce Innovation and Opportunity Act (29 U.S.C.
10 3141(h)) is amended by striking “non-Federal funds” and
11 inserting “the funds reserved under section 128(a)(1)”.

12 (g) FISCAL AND MANAGEMENT ACCOUNTABILITY IN-
13 FORMATION SYSTEMS.—Section 116(i) of the Workforce
14 Innovation and Opportunity Act (29 U.S.C. 3141(i)) is
15 amended—

16 (1) in the first sentence of paragraph (2), by
17 inserting “, and may use information provided from
18 the National Directory of New Hires in accordance
19 with section 453(j)(8) of the Social Security Act (42
20 U.S.C. 653(j)(8))” after “State law”;

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

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

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

7 “(A) facilitating data matches using quar-
8 terly wage record information, including wage
9 record information made available by other
10 States, to measure employment and earnings
11 outcomes;

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

14 “(C) protection against disaggregation that
15 would violate applicable privacy standards, as
16 described in subsection (d)(6)(C).”.

17 **Subtitle C—Workforce Investment**
18 **Activities and Providers**

19 **CHAPTER 1—WORKFORCE INVESTMENT**
20 **ACTIVITIES AND PROVIDERS**

21 **SEC. 121. ESTABLISHMENT OF ONE-STOP DELIVERY SYS-**
22 **TEMS.**

23 (a) ONE-STOP PARTNERS.—Section 121(b) of the
24 Workforce Innovation and Opportunity Act (29 U.S.C.
25 3151(b)) is amended—

1 (1) in paragraph (1)(B)—

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

4 (B) by striking clause (xii);

5 (2) in paragraph (2)(A), by striking “With”
6 and inserting “At the direction of the Governor or
7 with”; and

8 (3) in paragraph (2)(B)—

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

11 (B) by redesignating clause (vii) as clause
12 (viii); and

13 (C) by inserting after clause (vi) the fol-
14 lowing:

15 “(vii) workforce and economic devel-
16 opment programs carried out by the Eco-
17 nomic Development Administration; and”.

18 (b) ONE-STOP OPERATORS.—Section 121(d) of the
19 Workforce Innovation and Opportunity Act (29 U.S.C.
20 3151(d)) is amended—

21 (1) in paragraph (2)(B)—

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

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

1 (C) by redesignating clause (vi) as clause
2 (viii);

3 (D) by inserting after clause (v) the fol-
4 lowing:

5 “(vi) a public library;

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

8 (E) in clause (viii), as so redesignated, by
9 inserting after “labor organization” the fol-
10 lowing: “joint labor-management organization”;
11 and

12 (2) by redesignating paragraphs (3) and (4) as
13 paragraphs (5) and (6), respectively; and

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

16 “(3) RESPONSIBILITIES.—

17 “(A) IN GENERAL.—In operating a one-
18 stop system referred to in subsection (e), a one-
19 stop operator—

20 “(i) shall—

21 “(I) manage the physical and vir-
22 tual infrastructure and operations of
23 the one-stop system in the local area;
24 and

1 “(II) facilitate coordination
2 among the partners in such one-stop
3 system; and

4 “(ii) may, subject to the requirements
5 under subparagraph (B), directly provide
6 services to job seekers and employers.

7 “(B) INTERNAL CONTROLS.—In a case in
8 which a one-stop operator seeks to operate as a
9 service provider pursuant to subparagraph
10 (A)(ii), the local board shall establish internal
11 controls (which shall include written policies
12 and procedures)—

13 “(i) with respect to the competition in
14 which the one-stop operator will compete to
15 be selected as such service provider, and
16 the subsequent oversight, monitoring, and
17 evaluation of the performance of such one-
18 stop operator as such service provider; and

19 “(ii) which—

20 “(I) require compliance with—

21 “(aa) relevant Office of
22 Management and Budget circu-
23 lars relating to conflicts of inter-
24 est; and

1 “(bb) any applicable State
2 conflict of interest policy; and

3 “(II) prohibit a one-stop operator
4 from developing, managing, or con-
5 ducting the competition in which the
6 operator intends to compete to be se-
7 lected as a service provider.

8 “(4) LOCAL BOARDS AS ONE-STOP OPERA-
9 TORS.—Subject to approval from the chief elected
10 official and Governor and in accordance with any
11 other eligibility criteria established by the State, a
12 local board may serve as a one-stop operator, if the
13 local board—

14 “(A) enters into a written agreement with
15 the chief elected official that clarifies how the
16 local board will carry out the functions and re-
17 sponsibilities as a one-stop operator in a man-
18 ner that complies with the appropriate internal
19 controls to prevent any conflicts of interest,
20 which shall include how the local board, while
21 serving as a one-stop operator, will—

22 “(i) comply with the relevant Office of
23 Management and Budget circulars relating
24 to conflicts of interest; and

1 “(ii) any applicable State conflict of
2 interest policy; and

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

5 (c) ONE-STOP DELIVERY.—Section 121(e)(2) of the
6 Workforce Innovation and Opportunity Act (29 U.S.C.
7 3151(e)(2)) is amended—

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

9 “(A) shall make each of the programs,
10 services, and activities described in paragraph
11 (1) available—

12 “(i) to individuals through electronic
13 means, in a single, virtually accessible loca-
14 tion, and in a manner that improves effi-
15 ciency, coordination, and quality, as deter-
16 mined by the State, in the delivery of such
17 programs, services, and activities; or

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

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

23 (3) in subparagraph (C), by inserting after
24 “centers” the following: “(which may be virtual or
25 physical centers)”;

1 (4) in subparagraph (D)—

2 (A) by striking “as applicable and prac-
3 ticable, shall” and inserting “in the case of a
4 one-stop delivery system that is making each of
5 the programs, services, and activities described
6 in paragraph (1) accessible at not less than 1
7 physical center, as described in subparagraph
8 (A)(ii), the one-stop delivery system shall, as
9 applicable and practicable,”; and

10 (B) by striking the period at the end and
11 inserting “; and”; and

12 (5) by inserting after subparagraph (D) the fol-
13 lowing:

14 “(E) in the case of a one-stop delivery sys-
15 tem that is making each of the programs, serv-
16 ices, and activities accessible through electronic
17 means, as described in subparagraph (A)(i), the
18 one-stop delivery system shall have not less
19 than two affiliated sites with a physical location
20 where individuals can access, virtually, each of
21 the programs, services, and activities described
22 in paragraph (1) that are virtually accessible.”.

23 (d) CERTIFICATION AND IMPROVEMENT CRITERIA.—
24 Section 121(g)(2)(A) of the Workforce Innovation and
25 Opportunity Act is amended by striking “under sub-

1 sections (h)(1)” and inserting “under subsections
2 (h)(1)(C)”.

3 (e) FUNDING OF ONE-STOP INFRASTRUCTURE.—
4 Section 121(h) of the Workforce Innovation and Oppor-
5 tunity Act is amended—

6 (1) by striking paragraph (1);

7 (2) by redesignating paragraphs (2) and (3) as
8 paragraphs (1) and (2), respectively;

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

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

12 “(B) PARTNER CONTRIBUTIONS.—Subject
13 to subparagraph (D), the covered portions of
14 funding for a fiscal year shall be provided to
15 the Governor from the programs described in
16 subsection (b)(1) to pay the costs of infrastruc-
17 ture of one-stop centers in local areas of the
18 State.”; and

19 (B) in subparagraph (C)—

20 (i) in clause (i)—

21 (I) by striking “for funding pur-
22 suant to clause (i)(II) or (ii) of para-
23 graph (1)(A) by each partner,”; and

24 (II) by striking the third sen-
25 tence; and

1 (ii) in clause (ii), by striking “under a
2 provision covered by section 3(13)(D)” and
3 inserting “under a provision covered by
4 subparagraph (D) of the definition of the
5 term ‘core program provision’ in section
6 3”;

7 (C) in subparagraph (D)—

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

12 (ii) in clause (ii)—

13 (I) in subclause (I)—

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

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

19 (II) by striking subclause (III);

20 and

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

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

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

4 (B) in subparagraph (B)—

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

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

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

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

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

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

6 (a) **ELIGIBILITY.**—Section 122(a) of the Workforce
7 Innovation and Opportunity Act (29 U.S.C. 3152(a)) is
8 amended—

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

11 “(1) **IN GENERAL.**—Except as provided in sub-
12 section (i), the Governor, after consultation with the
13 State board and considering the State’s adjusted lev-
14 els of performance described in section
15 116(b)(3)(A)(iv), shall establish—

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

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

1 (2) in paragraph (2)—

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

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

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

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

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

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

18 “(ii) is offered during a minimum of
19 8 weeks, but less than 15 weeks; and

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

23 (E) in subparagraph (D), as so redesi-
24 gated—

1 (i) by inserting “(including providers
2 of such a program that is conducted (in
3 whole or in part) online)” before “, which
4 may”; and

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

10 (3) in paragraph (3)—

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

13 (B) in the second sentence, by striking
14 “paragraph (2)(B)” the first place it appears
15 and inserting “subparagraph (B) or (C) of
16 paragraph (2)”;

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

21 (b) CRITERIA AND INFORMATION REQUIREMENTS.—

22 Section 122(b) of the Workforce Innovation and Oppor-
23 tunity Act (29 U.S.C. 3152(b)) is amended to read as fol-
24 lows:

1 “(b) CRITERIA AND INFORMATION REQUIRE-
2 MENTS.—

3 “(1) GENERAL REQUIREMENTS.—

4 “(A) GENERAL CRITERIA FOR PRO-
5 GRAMS.—Each provider shall demonstrate that
6 the program for which the provider is seeking
7 eligibility under this section—

8 “(i) prepares participants to meet the
9 hiring requirements of potential employers
10 in the State or a local area within the
11 State for employment that—

12 “(I) is high skill and high wage;

13 or

14 “(II) is in in-demand industry
15 sectors or occupations;

16 “(ii) leads to a recognized postsec-
17 ondary credential;

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

20 “(iv)(I) meets the performance re-
21 quirements for standard eligibility de-
22 scribed in paragraph (2); or

23 “(II) has received conditional eligi-
24 bility described in paragraph (3).

1 “(B) PROVIDER ELIGIBILITY ELECTION.—

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

5 “(2) PERFORMANCE CRITERIA FOR STANDARD
6 ELIGIBILITY.—

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

8 “(i) establish and publicize minimum
9 levels of performance for each of the cri-
10 teria listed in subparagraph (B) that a
11 program offered by a provider of training
12 services shall achieve to receive and main-
13 tain standard eligibility under this section;
14 and

15 “(ii) verify the performance achieved
16 by such a program with respect to each
17 such criteria to determine whether the pro-
18 gram meets the corresponding minimum
19 level of performance established under
20 clause (i)—

21 “(I) in the case of the criteria de-
22 scribed in (ii) through (iv) of subpara-
23 graph (B), using State administrative
24 data (such as quarterly wage records);
25 and

1 “(II) in the case of the criteria
2 described in subparagraph (B)(i),
3 using any applicable method for such
4 verification; and

5 “(iii) in verifying the performance
6 achievement of a program, verify that such
7 program included a sufficient number of
8 program participants to protect participant
9 personally identifiable information, and to
10 be a reliable indicator of performance
11 achievement.

12 “(B) PERFORMANCE CRITERIA.—The per-
13 formance criteria to receive and maintain stand-
14 ard eligibility for a program under this section
15 are as follows:

16 “(i) The credential attainment rate of
17 program participants calculated as the per-
18 centage of program participants who ob-
19 tain the recognized postsecondary creden-
20 tial for which the program prepares par-
21 ticipants to earn within 6 months of exit
22 from the program.

23 “(ii) The job placement rate of pro-
24 gram participants calculated as the per-
25 centage of program participants in unsub-

1 sidized employment during the second
2 quarter after exit from the program.

3 “(iii) The median earnings of program
4 participants who are in unsubsidized em-
5 ployment during the second quarter after
6 exit from the program.

7 “(iv) The ratio of median earnings in-
8 crease to the total cost of program, cal-
9 culated as follows:

10 “(I) The median value of the dif-
11 ference between—

12 “(aa) participant wages
13 from unsubsidized employment
14 during the second quarter after
15 program exit; and

16 “(bb) participant wages dur-
17 ing the quarter prior to entering
18 the program, to

19 “(II) The total cost of the pro-
20 gram (as described in paragraph
21 (5)(B)(iii)).

22 “(C) LOCAL CRITERIA.—With respect to
23 any program receiving standard eligibility under
24 this section from a Governor, a local board in
25 the State may require higher levels of perform-

1 ance than the minimum performance levels es-
2 tablished by the Governor under this para-
3 graph, but may not—

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

7 “(ii) establish a performance require-
8 ment with respect to any criteria not listed
9 in subparagraph (B).

10 “(3) CONDITIONAL ELIGIBILITY.—

11 “(A) REQUIREMENTS.—

12 “(i) IN GENERAL.—The Governor
13 shall establish procedures and criteria for
14 conditional eligibility for a program of a
15 provider of training services that does not
16 meet the requirements under subparagraph
17 (2).

18 “(ii) PROCEDURES AND CRITERIA.—

19 In establishing the procedures and criteria
20 under this subparagraph for conditional
21 eligibility under this paragraph, the Gov-
22 ernor—

23 “(I) shall establish the maximum
24 period, not to exceed a 4-year period,

1 that a program may receive and main-
2 tain such conditional eligibility;

3 “(II) with respect to a program
4 that has received conditional eligibility
5 for the maximum period established
6 under subclause (I) and that is seek-
7 ing approval for an additional period
8 of conditional eligibility, may not con-
9 sider such program for such condi-
10 tional eligibility during the 3-year pe-
11 riod that begins on the day after the
12 end of most recent period for which
13 the program received conditional eligi-
14 bility; and

15 “(III) may establish other re-
16 quirements related to program per-
17 formance, including setting separate
18 minimum levels of performance on the
19 criteria described in paragraph (2) for
20 a program to maintain such condi-
21 tional eligibility.

22 “(B) PAYMENTS.—Payments under this
23 Act for the provision of training services by a
24 program with conditional eligibility shall be
25 made to the provider of such program, on the

1 basis of the achievement of successful outcomes
2 by a participant of such training services, in ac-
3 cordance with the following:

4 “(i) Upon participant enrollment, the
5 provider shall receive not less than 25 per-
6 cent of the total funds to be provided
7 under section 133(b) for the provision of
8 training services by such program to such
9 participant.

10 “(ii) Upon participant completion and
11 credential attainment, the provider shall
12 receive not less than 25 percent of such
13 total funds.

14 “(iii) Upon verification of the partici-
15 pant’s employment during the second quar-
16 ter after program completion, the provider
17 shall receive not less than 25 percent of
18 such total funds.

19 “(iv) The remainder of such total
20 funds may be awarded at any of the inter-
21 vals described in clauses (i) through (iii) as
22 determined by the Governor in accordance
23 with the procedures established under sub-
24 paragraph (A).

1 “(C) LIMITATION ON BILLING PARTICI-
2 PANTS.—With respect to a program participant
3 for whom a provider expects to be paid pursu-
4 ant to subparagraph (B), the provider may
5 not—

6 “(i) charge such participant tuition
7 and refund such charges after receiving
8 such payments; or

9 “(ii) if such program participant does
10 not achieve the outcomes necessary for the
11 provider to receive the provider’s full pay-
12 ment pursuant to subparagraph (B) for
13 such participant, bill a participant for any
14 of the amounts described in subparagraph
15 (B).

16 “(4) EMPLOYER-SPONSORED OR INDUSTRY OR
17 SECTORAL PARTNERSHIP DESIGNATION.—

18 “(A) IN GENERAL.—The Governor shall
19 establish procedures and criteria for providers
20 to apply for an employer-sponsored designation
21 for a program that has received standard or
22 conditional eligibility under this paragraph,
23 which shall include a commitment from an em-
24 ployer or an industry or sectoral partnership
25 to—

1 “(i) pay to the provider, on behalf of
2 each participant enrolled in such program
3 under this Act, not less than 25 percent of
4 the cost of the program (as described in
5 paragraph (5)(B)(iii)), which shall be pro-
6 vided in lieu of 25 percent of the amount
7 that the provider would have otherwise re-
8 ceived under section 133(b) for the provi-
9 sion of training services by such program
10 to such participant; and

11 “(ii) guarantee an interview and con-
12 sideration for a job with the employer, or
13 in the case of an industry or sectoral part-
14 nership, an employer within such partner-
15 ship, for each such participant that suc-
16 cessfully completes the program.

17 “(B) RESTRICTION ON FINANCIAL AR-
18 RANGEMENT.—A provider receiving an em-
19 ployer-sponsored designation under this para-
20 graph may not—

21 “(i) have an ownership stake in the
22 employer or industry or sectoral partner-
23 ship making a commitment described in
24 subparagraph (A); or

1 “(ii) enter into an arrangement to re-
2 imburse an employer or partnership for the
3 costs of a participant paid by such em-
4 ployer or partnership.

5 “(5) INFORMATION REQUIREMENTS.—An eligi-
6 ble provider shall submit appropriate, accurate, and
7 timely information to the Governor, to enable the
8 Governor to carry out subsection (d), with respect to
9 all participants of each eligible program (including
10 participants for whom the provider receives pay-
11 ments under this title) offered by the provider,
12 which shall—

13 “(A) be made available by the State in a
14 common, linked, open, and interoperable data
15 format;

16 “(B) include information on—

17 “(i) the performance of the program
18 with respect to the performance account-
19 ability measures described in section 116
20 for such participants;

21 “(ii) the recognized postsecondary cre-
22 dentials received by such participants, in-
23 cluding, in relation to each such credential,
24 the issuing entity, any third-party endorse-
25 ments, the occupations for which the cre-

1 dential prepares individuals, the com-
2 petencies achieved, the level of mastery of
3 such competencies (including how mastery
4 is assessed), and any transfer value or
5 stackability;

6 “(iii) the total cost of the program, in-
7 cluding the costs of the published tuition
8 and fees, supplies, books, and any other
9 costs required by the provider for partici-
10 pants in the program;

11 “(iv) the percentage of such partici-
12 pants that complete the program within
13 the expected time to completion; and

14 “(v) in the case of a provider offering
15 programs seeking or maintaining standard
16 eligibility, the criteria described in para-
17 graph (2) and not otherwise included in
18 clause (i) of this subparagraph; and

19 “(C) with respect to employment and earn-
20 ings measures described in subclauses (I)
21 through (III) of section 116(b)(2)(A)(i) for
22 such participants—

23 “(i) the necessary information for the
24 State to develop program performance data

1 using State administrative data (such as
2 wage records); and

3 “(ii) the necessary information to de-
4 termine the percentage of such partici-
5 pants who entered unsubsidized employ-
6 ment in an occupation related to the pro-
7 gram, to the extent practicable.”.

8 (c) PROCEDURES.—Section 122(c) of the Workforce
9 Innovation and Opportunity Act (29 U.S.C. 3152(c)) is
10 amended—

11 (1) in the first sentence of paragraph (1), by
12 inserting “, which shall be implemented in a manner
13 that minimizes the financial and administrative bur-
14 den on the provider and shall not require the sub-
15 mission of information in excess of the information
16 required to determine a program’s eligibility under
17 subsection (b)” after “provision of training serv-
18 ices”;

19 (2) by redesignating paragraph (2) as para-
20 graph (3), and inserting the following after para-
21 graph (1):

22 “(2) APPROVAL.—A Governor shall make an
23 eligibility determination with respect to a provider of
24 training services and the program for which the pro-
25 vider is seeking eligibility under this section not

1 later than 30 days after receipt of an application
2 submitted by such provider consistent with the pro-
3 cedures in paragraph (1).”;

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

5 (A) by striking “biennial” and inserting
6 “annual”; and

7 (B) by inserting before the period at the
8 end the following: “that continue to meet the
9 requirements under subsection (b)”;

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

11 “Any program with standard or conditional eli-
12 gibility that, upon such review, does not meet
13 the eligibility criteria established under sub-
14 section (b) for standard or conditional eligi-
15 bility, respectively, shall, except as otherwise
16 provided in subsection (g)(1)(E), no longer be
17 an eligible program and shall be removed from
18 the list described in subsection (d).”;

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

20 “(4) MULTISTATE PROVIDERS.—The proce-
21 dures established under subsection (a) shall specify
22 the process for any provider of training services of-
23 fering a program in multiple States to establish eli-
24 gibility in such States, which shall, to the extent
25 practicable, minimize financial and administrative

1 burdens on any such provider by authorizing the
2 provider to submit the same application materials
3 and information to the Governor of each State in
4 which such program will be providing services, as
5 long as the program meets the applicable State re-
6 quirements established under subsection (b) for each
7 such State.

8 “(5) ONLINE PROVIDERS.—If a participant
9 chooses a provider that delivers training services ex-
10 clusively online and is not located in the State of the
11 local area that approved such training services for
12 the participant in accordance with section
13 133(c)(3)(A)(i), such provider shall be ineligible to
14 receive payment for such participant from funds al-
15 located to such State unless such provider is on the
16 list of eligible providers of training services described
17 in subsection (d) for such State.”.

18 (d) LIST AND INFORMATION TO ASSIST PARTICI-
19 PANTS IN CHOOSING PROVIDERS.—Section 122(d) of the
20 Workforce Innovation and Opportunity Act (29 U.S.C.
21 3152(d)) is amended—

22 (1) by redesignating paragraphs (2), (3), and
23 (4) as paragraphs (3), (4), and (6), respectively;

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

1 “(2) CREDENTIAL NAVIGATION FEATURE.—In
2 order to enhance the ability of participants and em-
3 ployers to understand and compare the value of the
4 recognized postsecondary credentials awarded by eli-
5 gible programs offered by providers of training serv-
6 ices in a State, the Governor shall establish (or de-
7 velop in partnership with other States), a credential
8 navigation feature that allows participants and the
9 public to search a list of such recognized postsec-
10 ondary credentials, and the providers and programs
11 awarding such a credential, which shall include, with
12 respect to each such credential (aggregated for all
13 participants in the State that have received such cre-
14 dential)—

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

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

20 (3) in paragraph (3) (as redesignated by para-
21 graph (1))—

22 (A) by amending subparagraph (A), by
23 striking “(C) of subsection (a)(2)” and insert-
24 ing “(D) of subsection (a)(2)”;

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

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

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

9 “(C) with respect to a program described
10 in subsection (b)(4) that is offered by a pro-
11 vider, consist of the information promoting the
12 program as having an employer-sponsored des-
13 ignation and identifying the employer or part-
14 nership sponsoring the program.”.

15 (4) by amending paragraph (4) (as so redesign-
16 nated) to read as follows:

17 “(4) AVAILABILITY.—The list (including the
18 credential navigation feature described in paragraph
19 (2)), and the accompanying information shall be
20 made available to such participants and to members
21 of the public through the one-stop delivery system in
22 the State—

23 “(A) on a publicly accessible website
24 that—

25 “(i) is consumer-tested; and

1 “(ii) is searchable, easily understand-
2 able, and navigable, and allows for the
3 comparison of eligible programs through
4 the use of common, linked, open-data de-
5 scriptive language; and

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

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

11 “(5) WEBSITE TECHNICAL ASSISTANCE.—The
12 Secretary shall—

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

16 “(B) disseminate to each State effective
17 practices or resources from States and private
18 sector entities related to establishing a website
19 that is consumer-tested to ensure that the
20 website is easily understood, searchable, and
21 navigable.”.

22 (e) PROVIDER PERFORMANCE INCENTIVES.—Section
23 122 of the Workforce Innovation and Opportunity Act (29
24 U.S.C. 3152), as amended by this section, is further
25 amended—

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

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

5 (3) by inserting after subsection (e), as so
6 amended, the following:

7 “(f) PROVIDER PERFORMANCE INCENTIVES.—

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

16 “(A) achieve performance levels above the
17 minimum levels established by the Governor
18 under subsection (b)(2);

19 “(B) serve a significantly higher number of
20 individuals with barriers to employment com-
21 pared to training providers offering similar
22 training services; or

23 “(C) achieve other performance successes,
24 including those related to jobs that provide eco-
25 nomic stability and upward mobility (such as

1 leading to jobs with high wages and family sus-
2 tainable benefits) as determined by the State or
3 the local board.

4 “(2) INCENTIVE PAYMENTS.—Incentive pay-
5 ments to providers established under paragraph (1)
6 shall be awarded to providers from the following al-
7 lotments:

8 “(A) In the case of a system of perform-
9 ance incentive payments established by the Gov-
10 ernor, from funds reserved by the Governor
11 under section 128(a).

12 “(B) In the case of a system of perform-
13 ance incentive payments established by a local
14 board, from the allocations made to the local
15 area for youth under section 128(b), for adults
16 under paragraph (2)(A) or (3) of section
17 133(b), or for dislocated workers under section
18 133(b)(2)(B), as appropriate.”;

19 (f) ENFORCEMENT.—Section 122(g)(1) of the Work-
20 force Innovation and Opportunity Act (as redesignated by
21 subsection (e)(2)), is amended by adding at the end the
22 following:

23 “(D) FAILURE TO PROVIDE REQUIRED IN-
24 FORMATION.—With respect to a provider of
25 training services that is eligible under this sec-

1 tion for a program year with respect to an eligi-
2 ble program, but that does not provide the in-
3 formation described in subsection (b)(5) with
4 respect to such program for such program year
5 (including information on performance nec-
6 essary to determine if the program meets the
7 minimum levels on the criteria to maintain eli-
8 gibility), the provider shall be ineligible under
9 this section with respect to such program for
10 the program year after the program year for
11 which the provider fails to provide such infor-
12 mation.

13 “(E) FAILURE TO MEET PERFORMANCE
14 CRITERIA.—

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

24 “(ii) SECOND CONSECUTIVE YEAR.—A
25 program that fails to meet the minimum

1 levels of performance for a second consecu-
2 tive program year shall lose standard eligi-
3 bility for such program for at least the
4 program year following such second con-
5 secutive program year.

6 “(iii) REAPPLICATION.—

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

17 “(II) CONDITIONAL ELIGI-
18 BILITY.—A program that loses stand-
19 ard eligibility may apply to receive
20 conditional eligibility under the proc-
21 ess and criteria established by the
22 Governor under subsection (b)(3).”.

23 (g) ON-THE-JOB TRAINING, EMPLOYER-DIRECTED
24 SKILLS DEVELOPMENT, INCUMBENT WORKER TRAINING,
25 AND OTHER TRAINING EXCEPTIONS.—Subsection (i) (as

1 redesignated by subsection (e)(2)) of section 122 of the
2 Workforce Innovation and Opportunity Act (29 U.S.C.
3 3152) is amended—

4 (1) in paragraph (1)—

5 (A) by striking “customized training” and
6 inserting “employer-directed skills develop-
7 ment”; and

8 (B) by striking “subsections (a) through
9 (f)” and inserting “subsections (a) through
10 (g)”; and

11 (2) in paragraph (2), by amending the first sen-
12 tence to read as follows: “A one-stop operator in a
13 local area shall collect the minimum amount of in-
14 formation from providers of on-the-job training, em-
15 ployer-directed skills development, incumbent worker
16 training, internships, paid or unpaid work experience
17 opportunities, and transitional employment as nec-
18 essary to enable the use of State administrative data
19 to generate such performance information as the
20 Governor may require.”.

21 (h) TECHNICAL ASSISTANCE.—Section 122 of the
22 Workforce Innovation and Opportunity Act (29 U.S.C.
23 3152) is further amended by adding at the end the fol-
24 lowing:

1 “(k) TECHNICAL ASSISTANCE.—The Governor may
2 apply to the Secretary for technical assistance, as de-
3 scribed in section 168(c), for purposes of carrying out the
4 requirements of subsection (c)(4), or paragraph (2) or (5)
5 of subsection (d), or any other amendments made by the
6 A Stronger Workforce for America Act to this section, and
7 the Secretary shall provide such technical assistance in a
8 timely manner.”.

9 (i) TRANSITION.—A Governor and local boards shall
10 implement the requirements of section 122 of the Work-
11 force Innovation and Opportunity Act (29 U.S.C. 3152),
12 as amended by this Act, not later than the first day of
13 the second full program year after the date of enactment
14 of this Act. In order to facilitate early implementation of
15 this section, the Governor may establish transition proce-
16 dures under which providers eligible to provide training
17 services under chapter 1 of subtitle B of title I of the
18 Workforce Innovation and Opportunity Act (29 U.S.C.
19 3151 et seq.), as such chapter was in effect on the day
20 before the date of enactment of this Act, may continue
21 to be eligible to provide such services until December 31,
22 2024, or until such earlier date as the Governor deter-
23 mines to be appropriate.

1 **CHAPTER 2—YOUTH WORKFORCE**
2 **INVESTMENT ACTIVITIES**

3 **SEC. 131. RESERVATIONS; REALLOCATION.**

4 (a) RESERVATIONS FOR STATEWIDE ACTIVITIES.—
5 Section 128(a) of the Workforce Innovation and Oppor-
6 tunity Act (29 U.S.C. 3173(a)) is amended—

7 (1) in paragraph (2), by striking “reserved
8 amounts” in each place and inserting “reserved
9 amounts under paragraph (1)”; and

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

11 “(3) STATEWIDE CRITICAL INDUSTRY SKILLS
12 FUND.—

13 “(A) AUTHORIZED RESERVATION.—In ad-
14 dition to the reservations required under para-
15 graph (1) and section 133(a)(2), and subject to
16 subparagraph (B), the Governor may reserve
17 not more than 10 percent of each of the
18 amounts allotted to the State under section
19 127(b)(1)(C) and paragraphs (1)(B) and (2)(B)
20 of section 132(b) for a fiscal year to establish
21 and administer a critical industry skills fund
22 described in section 134(a)(4).

23 “(B) MATCHING FUNDS.—

24 “(i) REQUIREMENT.—The amount of
25 funds reserved by a Governor under sub-

1 paragraph (A) for a fiscal year may not ex-
2 ceed the amount of funds that such Gov-
3 ernor commits to using from any of the
4 funds listed in clause (ii) for such fiscal
5 year for the purposes of establishing and
6 administering the critical industry skills
7 fund for which funds are reserved under
8 subparagraph (A).

9 “(ii) SOURCES OF MATCHING
10 FUNDS.—The funds listed in this clause
11 are as follows:

12 “(I) Funds reserved by the Gov-
13 ernor under paragraph (1) of this
14 subsection.

15 “(II) Other Federal funds not
16 described in subclause (I).

17 “(III) State funds.”.

18 (b) REALLOCATION AMONG LOCAL AREAS.—Section
19 128(c) of the Workforce Innovation and Opportunity Act
20 (29 U.S.C. 3173(c)) is amended—

21 (1) in paragraph (1), by inserting the following
22 before the period at the end: “as performance-based
23 incentive payments”; and

24 (2) in paragraph (4)—

1 (A) by striking “that does not” and insert-
2 ing the following: “that—

3 “(A) does not”;

4 (B) by striking the period at the end and
5 inserting a semicolon; and

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

7 “(B) has met or exceeded an average of
8 100 percent of the local level of performance
9 described in section 116(c)(1)(B) for the local
10 area across all indicators for the youth program
11 authorized under this chapter for the most re-
12 cent program year for which performance data
13 is available; and

14 “(C) was not subject to corrective action
15 by the Governor under section 184(a)(5)(A) for
16 a determination of non-compliance with the uni-
17 form administrative requirements described in
18 section 184(a)(3) for the program year for
19 which the determination under paragraph (2) is
20 made.”.

21 **SEC. 132. USE OF FUNDS FOR YOUTH WORKFORCE INVEST-**
22 **MENT ACTIVITIES.**

23 (a) OPPORTUNITY YOUTH.—Section 129 of the
24 Workforce Innovation and Opportunity Act (29 U.S.C.

1 3164) is amended by striking “out-of-school” each place
2 it appears and inserting “opportunity”.

3 (b) YOUTH PARTICIPANT ELIGIBILITY.—

4 (1) ELIGIBILITY DETERMINATION.—

5 (A) ELIGIBILITY.—Subparagraph (A) of
6 section 129(a)(1) of the Workforce Innovation
7 and Opportunity Act (29 U.S.C. 3164(a)(1) is
8 amended to read as follows:

9 “(A) ELIGIBILITY DETERMINATION.—

10 “(i) IN GENERAL.—To be eligible to
11 participate in activities carried out under
12 this chapter during any program year, an
13 individual shall, at the time the eligibility
14 determination is made, be an opportunity
15 youth or an in-school youth.

16 “(ii) ENROLLMENT.—If a one-stop
17 operator or eligible provider of youth work-
18 force activities carrying out activities under
19 this chapter reasonably believes that an in-
20 dividual is eligible to participate in such
21 activities, the operator or provider may
22 allow such individual to participate in such
23 activities for not more than a 30-day pe-
24 riod during which the operator or provider
25 shall obtain the necessary information to

1 make an eligibility determination with re-
2 spect to such individual (which may involve
3 working with such individual, other entities
4 in the local area, and available sources of
5 administrative data to obtain the necessary
6 information).

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

16 “(I) may—

17 “(aa) continue serving such
18 individual using non-Federal
19 funds; or

20 “(bb) end the participation
21 of such individual in activities
22 under this chapter and refer the
23 individual to other services that
24 may be available in the local area

1 for which the individual may be
2 eligible; and

3 “(II) shall be paid for any serv-
4 ices provided to such individual under
5 this chapter during the period de-
6 scribed in clause (ii) by the local area
7 involved using funds allocated to such
8 area under section 128(b).

9 “(iv) DETERMINATION PROCESS FOR
10 HOMELESS AND FOSTER YOUTH.—In de-
11 termining whether an individual is eligible
12 to participate in activities carried out
13 under this chapter on the basis of being an
14 individual who is a homeless child or
15 youth, or a youth in foster care, as de-
16 scribed in subparagraph (B)(iii)(V), the
17 one-stop operator or service provider in-
18 volved shall—

19 “(I) if determining whether the
20 individual is a homeless child or
21 youth, use a process that is in compli-
22 ance with the requirements of sub-
23 section (a) of section 479D of the
24 Higher Education Act of 1965, as
25 added by section 702(l) of the FAFSA

1 Simplification Act (Public Law 116–
2 260), for financial aid administrators;
3 and

4 “(II) if determining whether the
5 individual is a youth in foster care,
6 use a process that is in compliance
7 with the requirements of subsection
8 (b) of section 479D of the Higher
9 Education Act of 1965, as added by
10 section 702(l) of the FAFSA Sim-
11 plification Act (Public Law 116–260),
12 for financial aid administrators.”.

13 (B) DEFINITION OF OPPORTUNITY
14 YOUTH.—Subparagraph (B) of section
15 129(a)(1) of the Workforce Innovation and Op-
16 portunity Act (29 U.S.C. 3164(a)(1) is amend-
17 ed—

18 (i) in the subparagraph heading, by
19 striking “OUT-OF-SCHOOL” and inserting
20 “OPPORTUNITY”;

21 (ii) in clause (i), by inserting “, except
22 that an individual described in subpara-
23 graph (IV) or (V) of clause (iii) may be at-
24 tending school” after “(as defined under
25 State law)”;

1 (iii) in clause (ii), by inserting before
2 the semicolon at the end, the following : “,
3 except that an individual described in sub-
4 paragraph (IV) or (V) of clause (iii) may
5 be not younger than age 14 or older than
6 age 24”; and

7 (iv) in clause (iii)(III)—

8 (I) in the matter preceding item
9 (aa), by striking “and is” and insert-
10 ing “and”;

11 (II) in item (aa), by striking
12 “basic skills deficient;” and inserting
13 “has foundational skills needs;” and

14 (III) in item (bb), by striking
15 “an English language learner” and in-
16 serting “is an English learner”.

17 (C) DEFINITION OF IN-SCHOOL YOUTH.—

18 Subparagraph (C)(iv) of section 129(a)(1) of
19 the Workforce Innovation and Opportunity Act
20 (29 U.S.C. 3164(a)(1)) is amended—

21 (i) in subclause (I), by striking “Basic
22 skills deficient.” and inserting “An indi-
23 vidual who has foundational skills needs.”;

24 (ii) in subclause (II), by striking “lan-
25 guage”;

1 (iii) by striking subclauses (III) and
2 (IV); and
3 (iv) by redesignating subclauses (V),
4 (VI), and (VII) as subclauses (III), (IV),
5 and (V), respectively.

6 (2) EXCEPTION AND LIMITATION.—Section
7 129(a)(3) of the Workforce Innovation and Oppor-
8 tunity Act (29 U.S.C. 3164(a)(1)) is amended—

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

11 (B) in subparagraph (B)—

12 (i) by striking “5” inserting “10”;
13 and

14 (ii) by striking “paragraph
15 (1)(C)(iv)(VII)” and inserting “paragraph
16 (1)(C)(iv)(V)”.

17 (3) OPPORTUNITY YOUTH PRIORITY.—Section
18 129(a)(4) of the Workforce Innovation and Oppor-
19 tunity Act (29 U.S.C. 3164(a)(1)) is amended—

20 (A) in the paragraph heading, by striking
21 “OUT-OF-SCHOOL” and inserting “OPPOR-
22 TUNITY”;

23 (B) in subparagraph (A)—

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

1 (ii) by inserting “the total amount of”
2 before “funds available”; and

3 (iii) by inserting “in the State” after
4 “subsection (c)”;

5 (C) in subparagraph (B)(i), by striking
6 “75” and inserting “65”;

7 (D) by redesignating subparagraph (B), as
8 so amended, as subparagraph (C); and

9 (E) by inserting after subparagraph (A)
10 the following:

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

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

1 (1) in the matter preceding subparagraph (A),
2 by striking “sections 128(a)” and inserting “sections
3 128(a)(1)”;

4 (2) in subparagraph (B), by inserting “through
5 a website that is consumer-tested to ensure that the
6 website is easily understood, searchable, and navi-
7 gable and allows for comparison of eligible providers
8 based on the program elements offered by such pro-
9 viders and the performance of such providers on the
10 primary indicators of performance for the youth pro-
11 gram as described in section 116(b)(2)(A)(ii)” after
12 “under section 123”.

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

16 (1) in the matter preceding subparagraph (A),
17 by striking “sections 128(a)” and inserting “sections
18 128(a)(1)”;

19 (2) in subparagraph (C), by inserting “, which
20 may include providing guidance on career options in
21 in-demand industry sectors or occupations” after “in
22 the State”;

23 (3) in subparagraph (D)—

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

1 (B) by inserting after clause (v) the fol-
2 lowing:

3 “(vi) supporting the ability to under-
4 stand relevant tax information and obliga-
5 tions;”;

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

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

9 “(F) establishing, supporting, and expand-
10 ing work-based learning opportunities, including
11 transitional jobs, that are aligned with career
12 pathways;

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

22 “(H) developing partnerships between edu-
23 cational institutions (including area career and
24 technical schools and institutions of higher edu-
25 cation) and employers to create or improve

1 workforce development programs to address the
2 identified education and skill needs of the work-
3 force and the employment needs of employers in
4 the regions or local areas of the State, as deter-
5 mined based on the most recent analysis con-
6 ducted under subparagraphs (B) and (C) of
7 section 102(b)(1).”.

8 (e) LOCAL ELEMENTS AND REQUIREMENTS.—

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

12 (A) in subparagraph (B), by inserting
13 “(which, in the case of a participant 18 years
14 or older, may include co-enrollment in any em-
15 ployment or training activity provided under
16 section 134 for adults)” after “services for the
17 participant”;

18 (B) in subparagraph (C)(v), by inserting
19 “high-skill, high-wage, or” after “small employ-
20 ers, in”; and

21 (C) in subparagraph (D)—

22 (i) by striking “10” and inserting
23 “40”; and

24 (ii) by inserting before the period the
25 following: “, except that after 2 consecutive

1 years of the local board implementing such
2 a pay-for-performance contract strategy,
3 the local board may reserve and use not
4 more than 60 percent of such total funds
5 allocated to the local area for such strategy
6 if—

7 “(i) the local board demonstrates to
8 the Governor that such strategy resulted in
9 performance improvements; and

10 “(ii) the Governor approves a request
11 to use such percentage of total funds”.

12 (2) PROGRAM ELEMENTS.—Section 129(c)(2)
13 of the Workforce Innovation and Opportunity Act
14 (29 U.S.C. 3164(c)(2)) is amended—

15 (A) in subparagraph (C)—

16 (i) in clause (i)—

17 (I) by striking “other” and in-
18 serting “year-round”; and

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

22 (ii) in clause (iii), by striking “and job
23 shadowing; and” and inserting the fol-
24 lowing: “that, to the extent practicable, are
25 aligned with in-demand industry sectors or

1 occupations in the State or local area and
2 for which participants shall be paid (by the
3 entity providing the internship, through
4 funds allocated to the local area pursuant
5 to paragraph (1) for the program, or by
6 another entity) if such internships are
7 longer than—

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

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

15 (iii) by redesignating clause (iv) as
16 clause (v); and

17 (iv) by inserting after clause (iii), as
18 so amended, the following:

19 “(iv) job shadowing; and”;

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

23 (C) in subparagraph (M)—

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

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

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

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

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

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

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

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

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

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

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

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

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

23 “(i) shall include—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 (c) REALLOCATION AMONG LOCAL AREAS.—Section
13 133(c) of the Workforce Innovation and Opportunity Act
14 (29 U.S.C. 3173(c)) is amended—

15 (1) in paragraph (1), by inserting before the pe-
16 riod at the end, the following: “as performance-
17 based incentive payments”;

18 (2) in paragraph (4)—

19 (A) in subparagraph (A)—

20 (i) by striking “that does not” and in-
21 serting the following: “that—

22 “(i) does not”;

23 (ii) by striking “; and” and inserting
24 a semicolon; and

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

3 “(ii) has met or exceeded an average
4 of 100 percent of the local level of per-
5 formance described in section 116(c)(1)(B)
6 for the local area across all indicators for
7 the adult program authorized under this
8 chapter for the most recent program year
9 for which performance data is available;
10 and

11 “(iii) was not subject to corrective ac-
12 tion by the Governor under section
13 184(a)(5)(A) for a determination of non-
14 compliance with the uniform administrative
15 requirements described in section
16 184(a)(3) for the program year for which
17 the determination under paragraph (2) is
18 made; and”;

19 (B) in subparagraph (B)—

20 (i) by striking “that does not” and in-
21 serting the following: “that—

22 “(i) does not”;

23 (ii) by striking the period at the end
24 and inserting a semicolon; and

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

3 “(ii) has met or exceeded an average
4 of 100 percent of the local level of per-
5 formance described in section 116(c)(1)(B)
6 for the local area across all indicators for
7 the dislocated worker program authorized
8 under this chapter for the most recent pro-
9 gram year for which performance data is
10 available; and

11 “(iii) was not subject to corrective ac-
12 tion by the Governor under section
13 184(a)(5)(A) for a determination of non-
14 compliance with the uniform administrative
15 requirements described in section
16 184(a)(3) for the program year for which
17 the determination under paragraph (2) is
18 made; and”;

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

20 “(5) USE OF INCENTIVE FUNDS.—Any amounts
21 provided to a local area as a performance incentive
22 payment under this subsection shall not be subject
23 to the requirements described in section
24 134(c)(1)(B).”.

1 **SEC. 143. USE OF FUNDS FOR EMPLOYMENT AND TRAINING**
2 **ACTIVITIES.**

3 (a) STATEWIDE EMPLOYMENT AND TRAINING AC-
4 TIVITIES.—

5 (1) IN GENERAL.—Section 134(a)(1) of the
6 Workforce Innovation and Opportunity Act (29
7 U.S.C. 3174(a)(1))—

8 (A) in subparagraph (A), by striking
9 “and” at the end;

10 (B) in subparagraph (B)—

11 (i) in the matter preceding clause (i),
12 by striking “128(a)” and inserting
13 “128(a)(1)”; and

14 (ii) in clause (ii)—

15 (I) by striking the comma at the
16 end and inserting “or to establish and
17 administer a critical industry skills
18 fund under paragraph (4); and” ; and

19 (C) by inserting before the flush left text
20 at the end the following:

21 “(C) as described in section 128(a)(3),
22 shall be used to establish and administer a crit-
23 ical industry skills fund described in paragraph
24 (4).”.

25 (2) REQUIRED STATEWIDE EMPLOYMENT AND
26 TRAINING ACTIVITIES.—

1 (A) STATEWIDE RAPID RESPONSE ACTIVI-
2 TIES.—Section 134(a)(2)(A) of the Workforce
3 Innovation and Opportunity Act (29 U.S.C.
4 3174(a)(2)(A)) is amended—

5 (i) in clause (i)—

6 (I) in subclause (I)—

7 (aa) by striking “working”
8 and inserting “as a rapid re-
9 sponse unit working”; and

10 (bb) by striking “and” at
11 the end;

12 (II) in subclause (II), by striking
13 the period at the end and inserting “;
14 and”; and

15 (III) by adding at the end the
16 following:

17 “(III) provision of additional as-
18 sistance to a local area that has ex-
19 cess demand for individual training
20 accounts for dislocated workers in
21 such local area and requests such as-
22 sistance under paragraph (5) of sec-
23 tion 414(c) of the American Competi-
24 tiveness and Workforce Improvement
25 Act of 1998 (29 U.S.C. 3224a(5)),

1 upon a determination by the State
2 that, in using funds allocated to such
3 local area pursuant to paragraph (1)
4 of such section 414(c) and subsection
5 (c)(1)(B) of this section for the pur-
6 pose described in paragraph (2)(A) of
7 such section 414(c), the local area
8 was in compliance with the require-
9 ments of such section 414(c).”; and
10 (ii) by adding at the end the fol-
11 lowing:

12 “(iii) INSUFFICIENT FUNDS TO MEET
13 EXCESS DEMAND.—If a State determines
14 that a local area with excess demand as
15 described in clause (i)(III) met the compli-
16 ance requirements described in such
17 clause, but the State does not have suffi-
18 cient funds reserved under section
19 133(a)(2) to meet such excess demand, the
20 State—

21 “(I) shall notify the Secretary of
22 such excess demand; and

23 “(II) if eligible, may apply for a
24 national dislocated worker grant
25 under section 170 of this Act.”.

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

5 (i) in clause (i)—

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

8 (II) in subclause (IV)—

9 (aa) by inserting “the devel-
10 opment and education of staff to
11 increase expertise in providing
12 opportunities for covered vet-
13 erans (as defined in section
14 4212(a)(3)(A) of title 38, United
15 States Code) to enter in-demand
16 industry sectors or occupations
17 and nontraditional occupations,”
18 after “exemplary program activi-
19 ties,”; and

20 (bb) by adding “and” at the
21 end; and

22 (III) by adding at the end the
23 following:

24 “(V) local boards and eligible
25 training providers in carrying out the

1 performance reporting required under
2 section 116(d), including facilitating
3 data matches for program partici-
4 pants using quarterly wage record in-
5 formation (including the wage records
6 made available by any other State and
7 information provided from the Na-
8 tional Directory of New Hires in ac-
9 cordance with section 453(j)(8) of the
10 Social Security Act (42 U.S.C.
11 653(j)(8))) and other sources of infor-
12 mation, as necessary to measure the
13 performance of programs and activi-
14 ties conducted under chapter 2 or
15 chapter 3 of this subtitle;”;

16 (ii) in clause (v)—

17 (I) in subclause (II), by striking
18 “customized training” and inserting
19 “employer-directed skills develop-
20 ment”; and

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

23 (iii) in clause (vi), by striking the pe-
24 riod at the end and inserting a semicolon;

25 and

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

3 “(vii) coordinating (which may be
4 done in partnership with other States) with
5 industry organizations, employers (includ-
6 ing small and mid-sized employers), indus-
7 try or sector partnerships, training pro-
8 viders, local boards, and institutions of
9 higher education to identify or develop
10 competency-based assessments that are a
11 valid and reliable method of collecting in-
12 formation with respect to, and measuring,
13 the prior knowledge, skills, and abilities of
14 individuals who are adults or dislocated
15 workers for the purpose of—

16 “(I) awarding, based on the
17 knowledge, skills, and abilities of such
18 an individual validated by such assess-
19 ments—

20 “(aa) a recognized postsec-
21 ondary credential that is used by
22 employers in the State for re-
23 cruitment, hiring, retention, or
24 advancement purposes;

1 “(bb) postsecondary credit
2 toward a recognized postsec-
3 ondary credential aligned with in-
4 demand industry sectors and oc-
5 cupations in the State for the
6 purpose of accelerating attain-
7 ment of such credential; and

8 “(cc) postsecondary credit
9 for progress along a career path-
10 way developed by the State or a
11 local area within the State;

12 “(II) developing individual em-
13 ployment plans under subsection
14 (c)(2)(B)(vii)(II) that incorporate the
15 knowledge, skills, and abilities of such
16 an individual to identify—

17 “(aa) in-demand industry
18 sectors or occupations that re-
19 quire similar knowledge, skills,
20 and abilities; and

21 “(bb) any upskilling needed
22 for the individual to secure em-
23 ployment in such a sector or oc-
24 cupation; and

1 “(III) helping such an individual
2 communicate such knowledge, skills,
3 and abilities to prospective employers
4 through a skills-based resume, profile,
5 or portfolio; and

6 “(viii) disseminating to local areas
7 and employers information relating to the
8 competency-based assessments identified or
9 developed pursuant to clause (vii), includ-
10 ing—

11 “(I) any credential or credit
12 awarded pursuant to items (aa)
13 through (cc) of clause (vii)(I);

14 “(II) the industry organizations,
15 employers, training providers, and in-
16 stitutions of higher education located
17 within the State that recognize the
18 knowledge, skills, and abilities of an
19 individual validated by such assess-
20 ments;

21 “(III) how such assessments may
22 be provided to, and accessed by, indi-
23 viduals through the one-stop delivery
24 system; and

1 “(IV) information on the extent
2 to which such assessments are being
3 used by employers and local areas in
4 the State.”.

5 (3) ALLOWABLE STATEWIDE EMPLOYMENT AND
6 TRAINING ACTIVITIES.—Section 134(a)(3)(A) of the
7 Workforce Innovation and Opportunity Act (29
8 U.S.C. 3174(a)(3)(A))—

9 (A) in clause (i)—

10 (i) by inserting “or evidence-based”
11 after “innovative”; and

12 (ii) by striking “customized training”
13 and inserting “employer-directed skills de-
14 velopment”;

15 (B) in clause (ii), by inserting “, or bring-
16 ing evidence-based strategies to scale,” after
17 “strategies”;

18 (C) in clause (iii), by striking “ and prior
19 learning assessment to” and inserting “, prior
20 learning assessment, or a competency-based as-
21 sessment identified or developed by the State
22 under paragraph (2)(B)(vii), to”;

23 (D) in clause (viii)(II)—

1 (i) in item (dd), by striking “and lit-
2 eracy” and inserting “, literacy, and digital
3 literacy”;

4 (ii) in item (ee), by striking “ex-of-
5 fenders in reentering the workforce; and”
6 and inserting “ justice-involved individuals
7 in reentering the workforce;”; and

8 (iii) by adding at the end the fol-
9 lowing:

10 “(gg) programs under the
11 Older Americans Act of 1965 (42
12 U.S.C. 3001 et seq.) that support
13 employment and economic secu-
14 rity; and”;

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

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

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

20 “(xv) supporting employers seeking to
21 implement skills-based hiring practices,
22 which may include technical assistance on
23 the use and validation of employment as-
24 sessments (including competency-based as-
25 sessments developed or identified by the

1 State pursuant to paragraph (2)(B)(vii),
2 and support in the creation of skills-based
3 job descriptions;

4 “(xvi) developing partnerships be-
5 tween educational institutions (including
6 area career and technical education
7 schools, local educational agencies, and in-
8 stitutions of higher education) and employ-
9 ers to create or improve workforce develop-
10 ment programs to address the identified
11 education and skill needs of the workforce
12 and the employment needs of employers in
13 regions of the State, as determined by the
14 most recent analysis conducted under sub-
15 paragraphs (A), (B), and (C) of section
16 102(b)(1);

17 “(xvii) identifying and making avail-
18 able to residents of the State, free or re-
19 duced cost access to online skills develop-
20 ment programs that are aligned with in-de-
21 mand industries or occupations in the
22 State and lead to attainment of a recog-
23 nized postsecondary credential valued by
24 employers in such industries or occupa-
25 tions; and

1 “(xviii) establishing and administering
2 a critical industry skills fund under para-
3 graph (4).”.

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

8 “(4) CRITICAL INDUSTRY SKILLS FUND.—

9 “(A) PERFORMANCE-BASED PAYMENTS.—

10 A State shall use funds reserved under para-
11 graph (3)(A) of section 128(a), and any funds
12 reserved under paragraph (3)(B) of section
13 128(a), to establish and administer a critical in-
14 dustry skills fund to award performance-based
15 payments on a per-worker basis to eligible enti-
16 ties that provide eligible skills development pro-
17 grams to prospective workers or incumbent
18 workers (which may include youth age 18
19 through age 24) in industries and occupations
20 identified by the Governor under subparagraph
21 (B) that will result in employment or retention
22 with a participating employer.

23 “(B) INDUSTRIES AND OCCUPATIONS.—

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

1 “(I) shall identify the industries
2 and occupations for which an eligible
3 skills development program carried
4 out by an eligible entity in the State
5 may receive funds under this para-
6 graph; and

7 “(II) may select the industries
8 and occupations identified under sub-
9 clause (I) that will receive priority for
10 funds under this paragraph.

11 “(ii) HIGH GROWTH AND HIGH
12 WAGE.—In selecting industries or occupa-
13 tions to prioritize pursuant to clause
14 (i)(II), the Governor may consider—

15 “(I) industries that have, or are
16 expected to have, a high rate of
17 growth and an unmet demand for
18 skilled workers; and

19 “(II) occupations—

20 “(aa) with wages that are
21 significantly higher than an occu-
22 pation of similar level of skill or
23 needed skill development; or

1 “(bb) that are aligned with
2 career pathways into higher wage
3 occupations.

4 “(C) SUBMISSION OF PROPOSALS.—

5 “(i) IN GENERAL.—To be eligible to
6 receive a payment under the critical indus-
7 try skills fund established under this para-
8 graph by a State, an eligible entity shall
9 submit a proposal to the Governor in such
10 form and at such time as the Governor
11 may require (subject to the requirements
12 of clause (ii)), which shall include—

13 “(I) a description of the indus-
14 tries or occupations in which the par-
15 ticipating employer is seeking to fill
16 jobs, the specific skills or credentials
17 necessary for an individual to obtain
18 such a job, and the salary range of
19 such a job;

20 “(II) the expected number of in-
21 dividuals who will participate in the
22 skills development program to be car-
23 ried out by the eligible entity;

24 “(III) a description of the eligible
25 skills development program, including

1 the provider, the length of the pro-
2 gram, the skills to be gained, and any
3 recognized postsecondary credentials
4 that will be awarded;

5 “(IV) the total cost of providing
6 the program;

7 “(V) for purposes of receiving a
8 payment pursuant to subparagraph
9 (D)(i)(II)(bb), a commitment from the
10 participating employer in the eligible
11 entity to employ each participant of
12 the program for not less than a 6-
13 month period (or a longer period as
14 determined by the State) after suc-
15 cessful completion of the program;
16 and

17 “(VI) an assurance that the enti-
18 ty will—

19 “(aa) establish the written
20 agreements described in subpara-
21 graph (D)(ii)(I);

22 “(bb) maintain and submit
23 the documentation described in
24 subparagraph (D)(ii)(II); and

1 “(cc) maintain and submit
2 the necessary documentation for
3 the State to verify participant
4 outcomes and report such out-
5 comes as described in subpara-
6 graph (F).

7 “(ii) ADMINISTRATIVE BURDEN.—The
8 Governor shall ensure that the form and
9 manner in which a proposal required to be
10 submitted under clause (i) is designed to
11 minimize paperwork and administrative
12 burden for entities.

13 “(iii) APPROVAL OF SUBSEQUENT
14 PROPOSALS.—With respect to an eligible
15 entity that has had a proposal approved by
16 the Governor under this subparagraph and
17 that submits a subsequent proposal under
18 this subparagraph, the eligible entity may
19 only receive approval from the Governor
20 for the subsequent proposal if—

21 “(I) with respect to the most re-
22 cent proposal approved under this
23 subparagraph—

24 “(aa) the skills development
25 program has ended;

1 “(bb) for any participants
2 employed by the participating
3 employer in accordance with sub-
4 paragraph (C)(i)(V), the min-
5 imum periods of such employ-
6 ment described in such subpara-
7 graph have ended;

8 “(cc) all the payments under
9 subparagraph (D) owed to the el-
10 igible entity have been made; and

11 “(dd) not fewer than 70 per-
12 cent of the participants who en-
13 rolled in the skills development
14 program—

15 “(AA) completed such
16 program; and

17 “(BB) after such com-
18 pletion, were employed by
19 the participating employer
20 for the minimum period de-
21 scribed in subparagraph
22 (C)(i)(V); and

23 “(II) the eligible entity meets any
24 other requirements that the Governor
25 may establish with respect to eligible

1 entities submitting subsequent pro-
2 posals.

3 “(D) REIMBURSEMENT FOR APPROVED
4 PROPOSALS.—

5 “(i) STATE REQUIREMENTS.—

6 “(I) IN GENERAL.—With respect
7 to each eligible entity whose proposal
8 under subparagraph (C) has been ap-
9 proved by the Governor, the Governor
10 shall make payments (in an amount
11 determined by the Governor and sub-
12 ject to the requirements of subclause
13 (II) of this clause, subparagraphs (E)
14 and (G), and any other limitations de-
15 termined necessary by the State) from
16 the critical industry skills fund estab-
17 lished under this paragraph to such
18 eligible entity for each participant of
19 the eligible skills development pro-
20 gram described in such proposal and
21 with respect to whom the eligible enti-
22 ty meets the requirements of clause
23 (ii).

24 “(II) PAYMENTS.—In making
25 payments to an eligible entity under

1 subclause (I) with respect to a partici-
2 pant—

3 “(aa) 50 percent of the total
4 payment shall be made after the
5 participant completes the eligible
6 skills development program of-
7 fered by the eligible entity; and

8 “(bb) the remaining 50 per-
9 cent of such total payment shall
10 be made after the participant has
11 been employed by the partici-
12 pating employer for the minimum
13 period described in subparagraph
14 (C)(i)(V).

15 “(ii) ELIGIBLE ENTITY REQUIRE-
16 MENTS.—To be eligible to receive the pay-
17 ments described in clause (i) with respect
18 to a participant, an eligible entity de-
19 scribed in such clause shall—

20 “(I) establish a written agree-
21 ment with the participant that in-
22 cludes the information described in
23 subclauses (I) and (III) of subpara-
24 graph (C)(i); and

1 “(II) submit documentation as
2 the Governor determines necessary to
3 verify that such participant has com-
4 pleted the skills development program
5 offered by the eligible entity and has
6 been employed by the participating
7 employer for the minimum period de-
8 scribed in subparagraph (C)(i)(V).

9 “(E) NON-FEDERAL COST SHARING.—

10 “(i) LIMITS ON FEDERAL SHARE.—An
11 eligible entity may not receive funds under
12 subparagraph (D) with respect to a partici-
13 pant of the eligible skills development pro-
14 gram offered by the eligible entity in ex-
15 cess of the following costs of such pro-
16 gram:

17 “(I) In the case of a partici-
18 pating employer of such eligible entity
19 with 25 or fewer employees, 90 per-
20 cent of the costs.

21 “(II) In the case of a partici-
22 pating employer of such eligible entity
23 with more than 25 employees, but
24 fewer than 100 employees, 75 percent
25 of the costs.

1 “(III) In the case of a partici-
2 pating employer of such eligible entity
3 with 100 or more employees, 50 per-
4 cent of the costs.

5 “(ii) NON-FEDERAL SHARE.—

6 “(I) IN GENERAL.—Any costs of
7 the skills development program of-
8 fered to a participant by such eligible
9 entity that are not covered by the
10 funds received under subparagraph
11 (D) shall be the non-Federal share
12 provided by the eligible entity (in cash
13 or in-kind).

14 “(II) EMPLOYER COST SHAR-
15 ING.—If the eligible skills develop-
16 ment program is being provided on-
17 the-job, the non-Federal share pro-
18 vided by an eligible entity may include
19 the amount of the wages paid by the
20 participating employer of the eligible
21 entity to a participant while such par-
22 ticipant is receiving the training.

23 “(F) PERFORMANCE REPORTING.—

24 “(i) IN GENERAL.—The State shall
25 use the participant information provided

1 by eligible entities to submit to the Sec-
2 retary a report, on an annual basis, with
3 respect to the participants of the eligible
4 skills development programs for which the
5 eligible entities received funds under this
6 paragraph for the most recent program
7 year, which shall—

8 “(I) be made digitally available
9 by the Secretary using linked, open,
10 and interoperable data, which shall in-
11 clude; and

12 “(II) include—

13 “(aa) the number of individ-
14 uals who participated in pro-
15 grams, unless such information
16 would reveal personally identifi-
17 able information about an indi-
18 vidual); and

19 “(bb) performance outcomes
20 on the measures listed in clause
21 (ii).

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

1 “(I) The percentage of partici-
2 pants who completed the skills devel-
3 opment program.

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

8 “(III) The percentage of partici-
9 pants who were employed by the par-
10 ticipating employer as described in
11 subclause (II), and who remained em-
12 ployed by the participating employer 1
13 year after program completion.

14 “(IV) The median earnings of
15 program participants who are in un-
16 subsidized employment during the sec-
17 ond quarter after program completion.

18 “(V) The median earnings in-
19 crease of program participants, meas-
20 ured by comparing the earning of a
21 participant in the second quarter prior
22 to entry into the program to the earn-
23 ings of such participant in the second
24 quarter following completion of the
25 program.

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

2 “(i) ELIGIBLE ENTITY.—The term ‘el-
3 ible entity’ means an employer, a group
4 of employers, an industry or sector part-
5 nership, or another entity serving as an
6 intermediary (such as a local board) that is
7 in a partnership with at least one employer
8 in an industry or occupation identified by
9 the Governor under subparagraph (B)(i)
10 (referred to in this paragraph as the ‘par-
11 ticipating employer’).

12 “(ii) ELIGIBLE SKILLS DEVELOPMENT
13 PROGRAM.—The term ‘eligible skills devel-
14 opment program’, with respect to which a
15 State may set a maximum and minimum
16 length (in weeks)—

17 “(I) includes work-based edu-
18 cation or related occupational skills
19 instruction that—

20 “(aa) develops the specific
21 technical skills necessary for suc-
22 cessful performance of the occu-
23 pations in which participants are
24 to be employed upon completion;
25 and

1 “(bb) may be provided by
2 the eligible entity or by any
3 training provider selected by the
4 eligible entity and that is not re-
5 quired to be on a list of eligible
6 providers of training services de-
7 scribed in section 122(d); and

8 “(II) may not include employee
9 onboarding, orientation, or profes-
10 sional development generally provided
11 to employees.”.

12 (5) STATE-IMPOSED REQUIREMENTS.—Section
13 134(a) of the Workforce Innovation and Opportunity
14 Act (29 U.S.C. 3174(a)), as amended, is further
15 amended by adding at the end the following:

16 “(5) STATE-IMPOSED REQUIREMENTS.—When-
17 ever a State or outlying area implements any rule or
18 policy relating to the administration or operation of
19 activities authorized under this title that has the ef-
20 fect of imposing a requirement that is not imposed
21 under Federal law, or is not a requirement, process,
22 or criteria that the Governor or State is directed to
23 establish under Federal law, the State or outlying
24 area shall identify to local areas and eligible pro-

1 viders the requirement as being imposed by the
2 State or outlying area.”.

3 (b) REQUIRED LOCAL EMPLOYMENT AND TRAINING
4 ACTIVITIES.—

5 (1) MINIMUM AMOUNT FOR SKILLS DEVELOP-
6 MENT.—Section 134(c)(1) of the Workforce Innova-
7 tion and Opportunity Act (29 U.S.C. 3174(c)(1)) is
8 amended—

9 (A) in subparagraph (A)(iv), by striking
10 “to” and inserting “to provide business services
11 described in paragraph (4) and”;

12 (B) by redesignating subparagraph (B) as
13 subparagraph (C); and

14 (C) by inserting after subparagraph (A),
15 as so amended, the following:

16 “(B) MINIMUM AMOUNT FOR SKILLS DE-
17 VELOPMENT.—Not less than 50 percent of the
18 funds described in subparagraph (A) shall be
19 used by the local area—

20 “(i) for the payment of training serv-
21 ices—

22 “(I) provided to adults under
23 paragraph (3)(F)(iii); and

1 “(II) provided to adults and dis-
2 located workers under paragraph
3 (3)(G)(ii); and

4 “(ii) for the payment of training serv-
5 ices under paragraph (2)(A) of section
6 414(c) of the American Competitiveness
7 and Workforce Improvement Act of 1998
8 (29 U.S.C. 3224a(c)) after funds allocated
9 to such local area under paragraph (1) of
10 such section 414(c) have been exhausted.”;
11 and

12 (D) in subparagraph (C), as so redesign-
13 ated, by striking “and (ii)” and inserting “,
14 (ii), and (iv)”.

15 (2) CAREER SERVICES.—Section 134(c)(2) of
16 the Workforce Innovation and Opportunity Act (29
17 U.S.C. 3174(c)(2)) is amended—

18 (A) by redesignating subparagraphs (A)
19 through (C) as subparagraphs (B) through (D),
20 respectively;

21 (B) by inserting before subparagraph (B),
22 as so redesignated, the following:

23 “(A) BASIC CAREER SERVICES.—

24 “(i) IN GENERAL.—The one-stop de-
25 livery system—

1 “(I) shall coordinate with the
2 Employment Service office colocated
3 with the one-stop delivery system for
4 such Employment Service office to
5 provide, using the funds allotted to
6 the State under section 6 of the Wag-
7 ner-Peyser Act (29 U.S.C. 49e), basic
8 career services, which shall—

9 “(aa) include, at a min-
10 imum, the services listed in
11 clause (ii); and

12 “(bb) be available to individ-
13 uals who are adults or dislocated
14 workers in an integrated manner
15 to streamline access to assistance
16 for such individuals, to avoid du-
17 plication of services, and to en-
18 hance coordination of services;
19 and

20 “(II) may use funds allocated
21 under paragraph (1)(A), as necessary,
22 to supplement the services that are
23 provided pursuant to subclause (I) to
24 individuals who are adults or dis-
25 located workers.

1 “(ii) SERVICES.—The basic career
2 services provided pursuant to clause (i)
3 shall include—

4 “(I) provision of workforce and
5 labor market employment statistics in-
6 formation, including the provision of
7 accurate (and, to the extent prac-
8 ticable, real-time) information relating
9 to local, regional, and national labor
10 market areas, including—

11 “(aa) job vacancy listings in
12 such labor market areas;

13 “(bb) information on job
14 skills necessary to obtain the jobs
15 described in item (aa); and

16 “(cc) information relating to
17 local occupations in demand
18 (which may include entrepreneur-
19 ship opportunities), and the earn-
20 ings, skill requirements, and op-
21 portunities for advancement for
22 such occupations;

23 “(II) labor exchange services, in-
24 cluding job search and placement as-

1 sistance and, in appropriate cases, ca-
2 reer counseling, including—
3 “ (aa) provision of informa-
4 tion on in-demand industry sec-
5 tors and occupations;
6 “ (bb) provision of informa-
7 tion on nontraditional employ-
8 ment; and
9 “ (cc) provision of informa-
10 tion on entrepreneurship, as ap-
11 propriate;
12 “ (III)(aa) provision of informa-
13 tion, in formats that are usable by
14 and understandable to one-stop center
15 customers, relating to the availability
16 of supportive services or assistance,
17 including child care, child support,
18 medical or child health assistance
19 under title XIX or XXI of the Social
20 Security Act (42 U.S.C. 1396 et seq.
21 and 1397aa et seq.), benefits under
22 the supplemental nutrition assistance
23 program established under the Food
24 and Nutrition Act of 2008 (7 U.S.C.
25 2011 et seq.), assistance through the

1 earned income tax credit under sec-
2 tion 32 of the Internal Revenue Code
3 of 1986, and assistance under a State
4 program for temporary assistance for
5 needy families funded under part A of
6 title IV of the Social Security Act (42
7 U.S.C. 601 et seq.) and other sup-
8 portive services and transportation
9 provided through funds made avail-
10 able under such part, available in the
11 local area; and

12 “(bb) referral to the services or
13 assistance described in item (aa), as
14 appropriate;

15 “(IV) provision of information
16 and assistance regarding filing claims
17 for unemployment compensation; and

18 “(V) assistance in establishing
19 eligibility for programs of financial aid
20 assistance for training and education
21 programs that are not funded under
22 this Act.”;

23 (C) in subparagraph (B), as so redesign-
24 nated—

1 (i) in the heading, by striking the
2 heading and inserting “INDIVIDUALIZED
3 CAREER”;

4 (ii) by inserting “individualized” be-
5 fore “career services”;

6 (iii) by inserting “shall, to the extent
7 practicable, be evidence-based,” before
8 “and shall”;

9 (iv) in clause (iii), by inserting “, and
10 a determination (considering factors in-
11 cluding prior work experience, military
12 service, education, and in-demand industry
13 sectors and occupations in the local area)
14 of whether such an individual would ben-
15 efit from a competency-based assessment
16 developed or identified by the State pursu-
17 ant to subsection (a)(2)(B)(vii) to accel-
18 erate the time to obtaining employment
19 that leads to economic self-sufficiency or
20 career advancement” before the semi-colon
21 at the end;

22 (v) by striking clauses (iv), (vi), (ix),
23 (x), and (xi);

1 (vi) by redesignating clauses (v), (vii),
2 (viii), (xii), and (xiii) as clauses (iv), (v),
3 (vi), (vii), and (viii), respectively;

4 (vii) in clause (v), as so redesignated,
5 by inserting “and credential” after “by
6 program”; and

7 (viii) in clause (vii)(I)(aa), as so re-
8 designated, by inserting “, including a
9 competency-based assessment developed or
10 identified by the State pursuant to sub-
11 section (a)(2)(B)(vii)” after “tools”;

12 (D) by amending subparagraph (C), as so
13 redesignated, to read as follows:

14 “(C) USE OF PREVIOUS ASSESSMENTS.—A
15 one-stop operator or one-stop partner shall not
16 be required to conduct a new interview, evalua-
17 tion, or assessment of a participant under sub-
18 paragraph (B)(vii) if the one-stop operator or
19 one-stop partner determines that—

20 “(i) it is appropriate to use a recent
21 interview, evaluation, or assessment of the
22 participant conducted pursuant to another
23 education or training program; and

1 “(ii) using such recent interview, eval-
2 uation, or assessment will accelerate an eli-
3 gibility determination.”; and

4 (E) in subparagraph (D), as so redesign-
5 nated—

6 (i) by inserting “individualized” be-
7 fore “career”; and

8 (ii) in clause (ii), by inserting “, li-
9 braries, and community-based organiza-
10 tions” after “nonprofit service providers”.

11 (3) TRAINING SERVICES.—Section 134(c)(3) of
12 the Workforce Innovation and Opportunity Act (29
13 U.S.C. 3174(c)(3)) is amended—

14 (A) in subparagraph (A)—

15 (i) in clause (i), in the matter pre-
16 ceding subclause (I), by striking “clause
17 (ii)” and inserting “clause (ii) or (iii)”

18 (ii) in clause (i)(II)—

19 (I) by striking “or in” and in-
20 serting “in” and

21 (II) by inserting “, or that may
22 be performed remotely” after “relo-
23 cate”;

24 (iii) by redesignating clause (iii) as
25 clause (iv);

1 (iv) by inserting after clause (ii) the
2 following:

3 “(iii) EMPLOYER REFERRAL.—

4 “(I) IN GENERAL.—A one-stop
5 operator or one-stop partner shall not
6 be required to conduct an interview,
7 evaluation, or assessment of an indi-
8 vidual under clause (i)(I) if such indi-
9 vidual—

10 “(aa) is referred by an em-
11 ployer to receive on-the-job train-
12 ing or employer-directed skills de-
13 velopment in connection with
14 that employer; and

15 “(bb) has been certified by
16 the employer as being in need of
17 training services to obtain unsub-
18 sidized employment with such
19 employer and having the skills
20 and qualifications to successfully
21 participate in the selected pro-
22 gram of training services.

23 “(II) PRIORITY.—A one-stop op-
24 erator or one-stop partner shall follow
25 the priority described in subparagraph

1 (E) to determine whether an indi-
2 vidual that meets the requirements of
3 subclause (I) of this clause is eligible
4 to receive training services.”; and
5 (v) by adding at the end the following:
6 “(v) ADULT EDUCATION AND FAMILY
7 LITERACY ACTIVITIES.—In the case of an
8 individual who is determined to not have
9 the skills and qualifications to successfully
10 participate in the selected program of
11 training services under clause (i)(I)(cc),
12 the one-stop operator or one-stop partner
13 shall refer such individual to adult edu-
14 cation and literacy activities under title II,
15 including for co-enrollment in such activi-
16 ties, as appropriate.”;
17 (B) in subparagraph (B)—
18 (i) in clause (i)—
19 (I) in subclause (I), by striking
20 “other grant assistance for such serv-
21 ices, including” and inserting “assist-
22 ance for such services under”; and
23 (II) by striking “under other
24 grant assistance programs, including”
25 and inserting “under”; and

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

3 “(iv) PARTICIPATION DURING ELIGI-
4 BILITY DETERMINATION.—An individual
5 may participate in a program of training
6 services during the period which such indi-
7 vidual’s eligibility for training services
8 under clause (i) is being determined, ex-
9 cept that the provider of such a program
10 shall only receive reimbursement under
11 this Act for the individual’s participation
12 during such period if such individual is de-
13 termined to be eligible under clause (i).”;

14 (C) in subparagraph (D)(xi), by striking
15 “customized training” and inserting “employer-
16 directed skills development”;

17 (D) in subparagraph (E)—

18 (i) by striking “are basic skills defi-
19 cient” and inserting “have foundational
20 skill needs”; and

21 (ii) by striking “paragraph
22 (2)(A)(xii)” and inserting “paragraph
23 (2)(B)(vii)”;

24 (E) in subparagraph (G)(ii)—

1 (i) in subclause (II), by striking “cus-
2 tomized training” and inserting “employer-
3 directed skills development”; and

4 (ii) in subclause (IV), by striking “is
5 a” and inserting “is an evidence-based”;

6 (F) in subparagraph (H)—

7 (i) in clause (i), by striking “reim-
8 bursement described in section 3(44)” and
9 inserting “reimbursement described in the
10 definition of the term “on-the-job training”
11 in section 3”; and

12 (ii) in clause (ii)—

13 (I) in subclause (I), by inserting
14 “, such as the extent to which partici-
15 pants are individuals with barriers to
16 employment” after “participants”;
17 and

18 (II) in subclause (III), by insert-
19 ing “, including whether the skills a
20 participant will obtain are transferable
21 to other employers, occupations, or in-
22 dustries in the local area or the
23 State” after “opportunities”; and

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

1 “(I) EMPLOYER-DIRECTED SKILLS DEVEL-
2 OPMENT.—An employer may receive a contract
3 from a local board to provide employer-directed
4 skills development to a participant or group of
5 participants if the employer submits to the local
6 board an agreement that establishes—

7 “(i) the provider of the skills develop-
8 ment program, which may be the employer;

9 “(ii) the length of the skills develop-
10 ment program;

11 “(iii) the recognized postsecondary
12 credentials that will be awarded to, or the
13 occupational skills that will be gained by,
14 program participants;

15 “(iv) the cost of the skills development
16 program;

17 “(v) the amount of such cost that will
18 be paid by the employer, which shall not be
19 less than the amount specified in subpara-
20 graph (C) of the definition of the term
21 ‘employer-directed skills development’ in
22 section 3; and

23 “(vi) a commitment by the employer
24 to employ the participating individual or

1 individuals upon successful completion of
2 the program.”.

3 (c) BUSINESS SERVICES.—Section 134(c) of the
4 Workforce Innovation and Opportunity Act (29 U.S.C.
5 3174(c)) is further amended—

6 (1) in paragraph (1)(A)(iv), by inserting “pro-
7 vide business services described in paragraph (4)
8 and” before “establish”; and

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

10 “(4) BUSINESS SERVICES.—Funds described in
11 paragraph (1) shall be used to provide appropriate
12 recruitment and other business services and strate-
13 gies on behalf of employers, including small employ-
14 ers, that meet the workforce investment needs of
15 area employers, as determined by the local board
16 and consistent with the local plan under section 108,
17 which services—

18 “(A) may be provided through effective
19 business intermediaries working in conjunction
20 with the local board, and may also be provided
21 on a fee-for-service basis or through the
22 leveraging of economic development, philan-
23 thropic, and other public and private resources
24 in a manner determined appropriate by the
25 local board; and

1 “(B) may include one or more of the fol-
2 lowing:

3 “(i) Developing and implementing in-
4 dustry sector strategies (including strate-
5 gies involving industry partnerships, re-
6 gional skills alliances, industry skill panels,
7 and sectoral skills partnerships).

8 “(ii) Developing and delivering inno-
9 vative workforce investment services and
10 strategies for area employers, which may
11 include career pathways, skills upgrading,
12 skill standard development and certifi-
13 cation for recognized postsecondary creden-
14 tial or other employer use, apprenticeship,
15 and other effective initiatives for meeting
16 the workforce investment needs of area
17 employers and workers.

18 “(iii) Assistance to area employers in
19 managing reductions in force in coordina-
20 tion with rapid response activities provided
21 under subsection (a)(2)(A) and developing
22 strategies for the aversion of layoffs, which
23 strategies may include early identification
24 of firms at risk of layoffs, use of feasibility
25 studies to assess the needs of and options

1 for at-risk firms, and the delivery of em-
2 ployment and training activities to address
3 risk factors.

4 “(iv) The marketing of business serv-
5 ices offered under this title to appropriate
6 area employers, including small and mid-
7 sized employers.

8 “(v) Technical assistance or other
9 support to employers seeking to implement
10 skills-based hiring practices, which may in-
11 clude technical assistance on the use and
12 validation of employment assessments, in-
13 cluding competency-based assessments de-
14 veloped or identified by the State pursuant
15 to paragraph (2)(B)(vii), and support in
16 the creation of skills-based job descrip-
17 tions.

18 “(vi) Other services described in this
19 subsection, including providing information
20 and referral to microenterprise services, as
21 appropriate, and specialized business serv-
22 ices not traditionally offered through the
23 one-stop delivery system.”.

24 (d) PERMISSIBLE LOCAL EMPLOYMENT AND TRAIN-
25 ING ACTIVITIES.—

1 (1) ACTIVITIES.—Section 134(d)(1)(A) of the
2 Workforce Innovation and Opportunity Act (29
3 U.S.C. 3174(d)(1)(A)) is amended—

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

6 “(iii) implementation of a pay-for-per-
7 formance contract strategy for training
8 services, for which the local board may re-
9 serve and use not more than 40 percent of
10 the total funds allocated to the local area
11 under paragraph (2) or (3) of section
12 133(b), except that after 2 fiscal years of
13 a local board implementing such pay-for-
14 performance contract strategy, the local
15 board may request approval from the Gov-
16 ernor to reserve and use not more than 60
17 percent of the total funds allocated to the
18 local area under paragraph (2) or (3) of
19 section 133(b) for such strategy for the
20 following fiscal year if the local board can
21 demonstrate to the Governor the perform-
22 ance improvements achieved through the
23 use of such strategy;”;

24 (B) in clause (vii)—

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

3 (ii) in subclause (III), by inserting
4 “and” at the end; and

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

7 “(IV) to strengthen, through pro-
8 fessional development activities, the
9 knowledge and capacity of staff to use
10 the latest digital technologies, tools,
11 and strategies to deliver high quality
12 services and outcomes for jobseekers,
13 workers, and employers;”;

14 (C) in clause (ix)(II)—

15 (i) in item (cc), by striking “and” at
16 the end;

17 (ii) in item (dd), by inserting “and”
18 at the end; and

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

21 “(ee) technical assistance or
22 other support to employers seek-
23 ing to implement skills-based hir-
24 ing practices, which may include
25 technical assistance on the use

1 and validation of employment as-
2 sements, including competency-
3 based assessments developed or
4 identified by the State pursuant
5 to paragraph (2)(B)(vii), and
6 support in the creation of skills-
7 based job descriptions;”;

8 (D) in clause (xi), by striking “and” at the
9 end;

10 (E) in clause (xii), by striking the period
11 at the end and inserting a semicolon; and

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

13 “(xiii) the use of competency-based
14 assessments for individuals upon initial as-
15 sessment of skills (pursuant to subsection
16 (c)(2)(A)(iii)) or completion of training
17 services or other learning experiences; and

18 “(xiv) the development of partnerships
19 between educational institutions (including
20 area career and technical education
21 schools, local educational agencies, and in-
22 stitutions of higher education) and employ-
23 ers to create or improve workforce develop-
24 ment programs to address the identified
25 education and skill needs of the workforce

1 and the employment needs of employers in
2 a region, as determined based on the most
3 recent analysis conducted by the local
4 board under section 107(d)(2).”.

5 (2) INCUMBENT WORKER TRAINING PRO-
6 GRAMS.—

7 (A) IN GENERAL.—Section 134(d)(4)(A) of
8 the Workforce Innovation and Opportunity Act
9 (29 U.S.C. 3174(d)(4)(A)) is amended—

10 (i) in clause (i), by striking “20” and
11 inserting “30”

12 (ii) by redesignating clauses (ii) and
13 (iii) as clauses (iii) and (iv), respectively;
14 and

15 (iii) by inserting after clause (i) the
16 following:

17 “(ii) INCREASE IN RESERVATION OF
18 FUNDS.—Notwithstanding clause (i)—

19 “(I) with respect to a local area
20 that had a rate of unemployment of
21 not more than 3 percent for not less
22 than 6 months during the preceding
23 program year, clause (i) shall be ap-
24 plied by substituting ‘40 percent’ for
25 ‘30 percent’; or

1 “(II) with respect to a local area
2 that meets the requirement in sub-
3 clause (I) and is located in a State
4 that had a labor force participation
5 rate of not less than 68 percent for
6 not less than 6 months during the
7 preceding program year, clause (i)
8 shall be applied by substituting ‘45
9 percent’ for ‘30 percent’.”.

10 (B) INCUMBENT WORKER UPSKILLING AC-
11 COUNTS.—Section 134(d)(4) of the Workforce
12 Innovation and Opportunity Act (29 U.S.C.
13 3174(d)(4)) is further amended by adding at
14 the end the following:

15 “(E) INCUMBENT WORKER UPSKILLING
16 ACCOUNTS.—

17 “(i) IN GENERAL.—To establish in-
18 cumbent worker upskilling accounts
19 through which an eligible provider of train-
20 ing services under section 122 may be paid
21 for the program of training services pro-
22 vided to an incumbent worker, a local
23 board—

24 “(I) (aa) may use, from the
25 funds reserved by the local area under

1 subparagraph (A)(i), an amount that
2 does not exceed 5 percent of the funds
3 allocated to such local area under sec-
4 tion 133(b); or

5 “(b) if the local area reserved
6 funds under subparagraph (A)(ii),
7 may use, from the funds reserved by
8 the local area under subparagraph
9 (A)(ii), an amount that does not ex-
10 ceed 10 percent of the funds allocated
11 to such local area under section
12 133(b); and

13 “(II) may use funds reserved
14 under section 134(a)(2)(A) for state-
15 wide rapid response activities and pro-
16 vided by the State to local area to es-
17 tablish such accounts.

18 “(ii) ELIGIBILITY.—

19 “(I) IN GENERAL.—Subject to
20 subclause (II), a local board that
21 seeks to establish incumbent worker
22 upskilling accounts under clause (i)
23 shall establish criteria for determining
24 the eligibility of an incumbent worker

1 to receive such an account, which
2 shall take into account factors of—

3 “(aa) the wages of the in-
4 cumbent worker as of the date of
5 determining such worker’s eligi-
6 bility under this clause;

7 “(bb) the career advance-
8 ment opportunities for the in-
9 cumbent worker in the occupa-
10 tion of such worker as of such
11 date; and

12 “(cc) the ability of the in-
13 cumbent worker to, upon comple-
14 tion of the program of training
15 services selected by such worker,
16 secure employment in an in-de-
17 mand industry or occupation in
18 the local area that will lead to
19 economic self-sufficiency and
20 wages higher than the current
21 wages of the incumbent worker.

22 “(II) LIMITATION.—

23 “(aa) IN GENERAL.—An in-
24 cumbent worker described in item
25 (bb) shall be ineligible to receive

1 an incumbent worker upskilling
2 account under this subparagraph.

3 “(bb) INELIGIBILITY.—Item
4 (aa) shall apply to an incumbent
5 worker—

6 “(AA) whose total an-
7 nual wages for the most re-
8 cent year are greater than
9 the median household in-
10 come of the State; or

11 “(BB) who has earned
12 a baccalaureate or profes-
13 sional degree.

14 “(iii) COST SHARING FOR CERTAIN IN-
15 CUMBENT WORKERS.—With respect to an
16 incumbent worker determined to be eligible
17 to receive an incumbent worker upskilling
18 account who is not a low-income indi-
19 vidual—

20 “(I) such incumbent worker shall
21 pay not less than 25 percent of the
22 cost of the program of training serv-
23 ices selected by such worker; and

24 “(II) funds provided through the
25 incumbent worker upskilling account

1 established for such worker shall cover
2 the remaining 75 percent of the cost
3 of the program.”.

4 **CHAPTER 4—AUTHORIZATION OF**
5 **APPROPRIATIONS**

6 **SEC. 145. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 136 of the Workforce Innovation and Oppor-
8 tunity Act (29 U.S.C. 3181) is amended to read as follows:

9 **“SEC. 136. AUTHORIZATION OF APPROPRIATIONS.**

10 “(a) YOUTH WORKFORCE INVESTMENT ACTIVI-
11 TIES.—There are authorized to be appropriated to carry
12 out the activities described in section 127(a)
13 \$976,573,900 for each of the fiscal years 2025 through
14 2030.

15 “(b) ADULT EMPLOYMENT AND TRAINING ACTIVI-
16 TIES.—There are authorized to be appropriated to carry
17 out the activities described in section 132(a)(1)
18 \$912,218,500 for each of the fiscal years 2025 through
19 2030.

20 “(c) DISLOCATED WORKER EMPLOYMENT AND
21 TRAINING ACTIVITIES.—There are authorized to be ap-
22 propriated to carry out the activities described in section
23 132(a)(2) \$1,451,859,000 for each of the fiscal years
24 2025 through 2030.”.

1 **Subtitle D—Job Corps**

2 **SEC. 151. PURPOSES.**

3 Section 141 of the Workforce Innovation and Oppor-
4 tunity Act (29 U.S.C. 3191) is amended by striking “cen-
5 ters” each place it appears and inserting “campuses”.

6 **SEC. 152. DEFINITIONS.**

7 Section 142 of the Workforce Innovation and Oppor-
8 tunity Act (29 U.S.C. 3192) is amended—

9 (1) in paragraphs (1), (7), (8), and (10), by
10 striking “center” each place it appears and inserting
11 “campus”; and

12 (2) in paragraph (7), by striking “CENTER” in
13 the header and inserting “CAMPUS”.

14 **SEC. 153. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.**

15 Section 144 of the Workforce Innovation and Oppor-
16 tunity Act (29 U.S.C. 3194) is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (1)—

19 (i) by striking “21” and inserting
20 “24”;

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

23 “(A) an individual who is age 16 or 17
24 shall be eligible only upon an individual deter-
25 mination by the director of a Job Corps campus

1 that such individual meets the criteria described
2 in subparagraph (A) or (B) of section
3 145(b)(1); and”;

4 (iii) in subparagraph (B), by striking
5 “either”;

6 (B) in paragraph (2), by inserting after
7 “individual” the following: “or a resident of a
8 qualified opportunity zone as defined in section
9 1400Z-1(a) of the Internal Revenue Code of
10 1986”; and

11 (C) in paragraph (3), by amending sub-
12 paragraph (A) to read as follows:

13 “(A) Has foundational skill needs.”;

14 (2) in subsection (b), by inserting after “a vet-
15 eran” the following: “or a member of the Armed
16 Forces eligible for preseparation counseling of the
17 Transition Assistance Program under section 1142
18 of title 10, United States Code”; and

19 (3) by inserting at the end the following:

20 “(c) SPECIAL RULE FOR HOMELESS AND FOSTER
21 YOUTH.—In determining whether an individual is eligible
22 to enroll for services under this subtitle on the basis of
23 being an individual who is a homeless child or youth, or
24 a youth in foster care, as described in subsection
25 (a)(3)(C), staff shall—

1 “(1) if determining whether the individual is a
2 homeless child or youth, use a process that is in
3 compliance with the requirements of subsection (a)
4 of section 479D of the Higher Education Act of
5 1965, as added by section 702(l) of the FAFSA
6 Simplification Act (Public Law 116–260), for finan-
7 cial aid administrators; and

8 “(2) if determining whether the individual is a
9 youth in foster care, use a process that is in compli-
10 ance with the requirements of subsection (b) of such
11 section 479D of the Higher Education Act of 1965,
12 as added by section 702(l) of the FAFSA Simplifica-
13 tion Act (Public Law 116–260), for financial aid ad-
14 ministrators.”.

15 **SEC. 154. RECRUITMENT, SCREENING, SELECTION, AND AS-**
16 **SIGNMENT OF ENROLLEES.**

17 Section 145 of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3195) is amended—

19 (1) in subsection (a)—

20 (A) in paragraph (2)—

21 (i) by amending subparagraph (A) to
22 read as follows:

23 “(A) prescribe procedures for—

24 “(i) administering drug tests to en-
25 rollees; and

1 “(ii) informing such enrollees that
2 drug tests will be administered;”;

3 (ii) in subparagraph (D), by striking
4 “and”;

5 (iii) in subparagraph (E), by striking
6 the period and inserting “; and”; and

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

9 “(F) assist applicable one-stop centers and
10 other entities identified in paragraph (3) in de-
11 veloping joint applications for Job Corps,
12 YouthBuild, and the youth activities described
13 in section 129.”; and

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

15 “(6) DRUG TEST PROCEDURES.—The proce-
16 dures prescribed under paragraph (2)(A)(i) shall re-
17 quire that—

18 “(A) each enrollee take a drug test not
19 more than 48 hours after such enrollee arrives
20 on campus;

21 “(B) if the result of the drug test taken by
22 an enrollee pursuant to subparagraph (A) is
23 positive, the enrollee take a subsequent drug
24 test at the earliest appropriate time (consid-
25 ering the substance and potency levels identified

1 in the initial test) to determine if the enrollee
2 has continued to use drugs since arriving on
3 campus, the results of which must be received
4 not later than 50 days after the enrollee arrived
5 on campus; and

6 “(C) if the result of the subsequent test
7 administered under subparagraph (B) is posi-
8 tive, the enrollee be terminated from the pro-
9 gram and referred to a substance use disorder
10 treatment program.”; and

11 (2) in subsections (b), (c), and (d)—

12 (A) by striking “center” each place it ap-
13 pears and inserting “campus”; and

14 (B) by striking “centers” each place it ap-
15 pears and inserting “campus”.

16 **SEC. 155. JOB CORPS CAMPUSES.**

17 Section 147 of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3197) is amended—

19 (1) in the header, by striking “**CENTERS**” and
20 inserting “**CAMPUSES**”;

21 (2) in subsection (a)—

22 (A) in paragraph (1)—

23 (i) by striking “center” each place it
24 appears and inserting “campus”; and

- 1 (ii) in subparagraph (A), by inserting
2 after “area career and technical education
3 school,” the following: “an institution of
4 higher education,”;
- 5 (B) in paragraph (2)—
- 6 (i) in subparagraph (A)—
- 7 (I) by striking “center” each
8 place it appears and inserting “cam-
9 pus”; and
- 10 (II) by inserting after “United
11 States Code,” the following: “and
12 paragraph (2)(C)(iii) of section
13 159(f),”; and
- 14 (ii) in subparagraph (B)—
- 15 (I) in clause (i)—
- 16 (aa) by striking “operate a
17 Job Corps center” and inserting
18 “operate a Job Corps campus”;
- 19 (bb) by striking subclause
20 (IV);
- 21 (cc) by redesignating sub-
22 clauses (I), (II), (III), and (V),
23 as subclauses (III), (IV), (V),
24 and (VI), respectively;

1 (dd) by inserting before sub-
2 clause (III), as so redesignated,
3 the following:

4 “(I) (aa) in the case of an entity
5 that has previously operated a Job
6 Corps campus, a numeric metric of
7 the past achievement on the primary
8 indicators of performance for eligible
9 youth described in section
10 116(b)(2)(A)(ii); or

11 “(bb) in the case of an entity
12 that has not previously operated a Job
13 Corps campus, an alternative numeric
14 metric on the past effectiveness of the
15 entity in successfully assisting at-risk
16 youth to connect to the labor force,
17 based on such primary indicators of
18 performance for eligible youth;

19 “(II) in the case of an entity that
20 has previously operated a Job Corps
21 campus, any information regarding
22 the entity included in any report de-
23 veloped by the Office of Inspector
24 General of the Department of
25 Labor;”;

1 (ee) in subclauses (III) and
2 (IV), as so redesignated, by strik-
3 ing “center” each place it ap-
4 pears and inserting “campus”;

5 (ff) in subclause (V), as so
6 redesignated, by striking “center
7 is located” and inserting “cam-
8 pus is located, including agree-
9 ments to provide off-campus
10 work-based learning opportunities
11 aligned with the career and tech-
12 nical education provided to en-
13 rollees”; and

14 (gg) by amending subclause
15 (VI), as so redesignated, to read
16 as follows:

17 “(VI) the ability of the entity to
18 implement an effective behavior man-
19 agement plan, as described in section
20 152(a), and maintain a safe and se-
21 cure learning environment for enroll-
22 ees.”; and

23 (II) in clause (ii), by striking
24 “center” and inserting “campus”;

25 (C) in paragraph (3)—

1 (i) by striking “center” each place it
2 appears and inserting “campus”;

3 (ii) in subparagraph (D), by inserting
4 after “is located” the following: “, includ-
5 ing agreements to provide off-campus
6 work-based learning opportunities aligned
7 with the career and technical education
8 provided to enrollees”;

9 (iii) by redesignating subparagraphs
10 (E), (F), (G), (H), (I), (J), and (K) as
11 subparagraphs (F), (G), (H), (I), (J), (K),
12 and (L), respectively; and

13 (iv) by inserting after subparagraph
14 (D) the following:

15 “(E) A description of the policies that will
16 be implemented at the campus regarding secu-
17 rity and access to campus facilities, including
18 procedures to report on and respond to criminal
19 actions and other emergencies occurring on
20 campus.”;

21 (3) in subsection (b)—

22 (A) in the header, by striking “CENTERS”
23 and inserting “CAMPUSES”;

24 (B) by striking “center” each place it ap-
25 pears and inserting “campus”;

1 (C) by striking “centers” each place it ap-
2 pears and inserting “campuses”;

3 (D) in paragraph (2)(A), by striking “20
4 percent” and inserting “25 percent”; and

5 (E) by striking paragraph (3);

6 (4) in subsection (c)—

7 (A) by striking “centers” and inserting
8 “campuses”; and

9 (B) by striking “20 percent” and inserting
10 “30 percent”;

11 (5) in subsection (d) by striking “centers” each
12 place it appears and inserting “campuses”;

13 (6) in subsection (e)(1), by striking “centers”
14 and inserting “campuses”;

15 (7) in subsection (f), by striking “2-year pe-
16 riod” and inserting “3-year period”; and

17 (8) in subsection (g)—

18 (A) by striking “center” each place it ap-
19 pears and inserting “campus”;

20 (B) in paragraph (1)—

21 (i) by striking subparagraph (A);

22 (ii) by redesignating subparagraph

23 (B) as subparagraph (A);

24 (iii) by amending subparagraph (A),
25 as so redesignated—

1 (I) by striking “50 percent” and
2 inserting “80 percent”; and

3 (II) by striking the period at the
4 end and inserting “; or”; and

5 (iv) by inserting after subparagraph
6 (A), as so redesignated and amended, the
7 following:

8 “(B) failed to achieve an average of 80
9 percent of the level of enrollment that was
10 agreed to in the agreement described in sub-
11 section (a)(1)(A).”;

12 (C) in paragraph (3) by striking “shall
13 provide” and inserting “shall provide, at least
14 30 days prior to renewing the agreement”; and

15 (D) in paragraph (4)—

16 (i) in subparagraph (C), by striking
17 “and” after the semicolon;

18 (ii) by redesignating subparagraph
19 (D) as subparagraph (E); and

20 (iii) by inserting after subparagraph
21 (C) the following:

22 “(D) has maintained a safe and secure
23 campus environment; and”.

1 **SEC. 156. PROGRAM ACTIVITIES.**

2 Section 148 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3198) is amended—

4 (1) in subsection (a)—

5 (A) by striking “center” and inserting
6 “campus”;

7 (B) in paragraph (1), by inserting before
8 the period at the end the following: “, and pro-
9 ductive activities, such as tutoring or other
10 skills development opportunities, for enrollees to
11 participate in outside of regular class time and
12 work hours in order to increase supervision of
13 enrollees and reduce behavior infractions”; and

14 (2) in subsection (c)—

15 (A) by striking “centers” each place it ap-
16 pears and inserting “campuses”; and

17 (B) in paragraph (1)—

18 (i) by striking “the eligible providers”
19 and inserting “any eligible provider”; and

20 (ii) by inserting after “under section
21 122” the following: “that is aligned with
22 the career and technical education an en-
23 rollee has completed”.

24 **SEC. 157. SUPPORT.**

25 Section 150 of the Workforce Innovation and Oppor-
26 tunity Act (29 U.S.C. 3200) is amended—

1 (1) in subsection (a), by striking “centers” and
2 inserting “campuses”; and

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

4 “(d) PERIOD OF TRANSITION.—Notwithstanding the
5 requirements of section 146(b), a Job Corps graduate may
6 remain an enrollee and a resident of a Job Corps campus
7 for not more than one month after graduation as such
8 graduate transitions into independent living and employ-
9 ment if such graduate—

10 “(1) has not had a behavioral infraction in the
11 90 days prior to graduation; and

12 “(2) receives written approval from the director
13 of the Job Corps campus to remain such a resi-
14 dent.”.

15 **SEC. 158. OPERATIONS.**

16 Section 151 of the Workforce Innovation and Oppor-
17 tunity Act (29 U.S.C. 3201) is amended—

18 (1) by striking “center” each place it appears
19 and inserting “campus”; and

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

21 “(d) LOCAL AUTHORITY.—

22 “(1) IN GENERAL.—Subject to the limitations
23 of the budget approved by the Secretary for a Job
24 Corps campus, the operator of a Job Corps campus

1 shall have the authority, without prior approval from
2 the Secretary, to—

3 “(A) hire staff and provide staff profes-
4 sional development;

5 “(B) set terms and enter into agreements
6 with Federal, State, or local educational part-
7 ners, such as secondary schools, institutions of
8 higher education, child development centers,
9 units of Junior Reserve Officer Training Corps
10 programs established under section 2031 of
11 title 10, United States Code, or employers; and

12 “(C) engage with and educate stakeholders
13 about Job Corps operations and activities.

14 “(2) LIMITATION OF LIABILITY.—In the case of
15 an agreement described in paragraph (1)(B) that
16 does not involve the Job Corps operator providing
17 monetary compensation to the entity involved in
18 such agreement from the funds made available
19 under this subtitle, such agreement shall not be con-
20 sidered a subcontract (as defined in section 8701 of
21 title 41, United States Code).

22 “(e) PRIOR NOTICE.—Prior to making a change to
23 the agreement described in section 147(a) or an operating
24 plan described in this section, the Secretary shall solicit
25 from the operators of the Job Corps campuses information

1 on any operational costs the operators expect to result
2 from such change.”.

3 **SEC. 159. STANDARDS OF CONDUCT.**

4 Section 152 of the Workforce Innovation and Oppor-
5 tunity Act (29 U.S.C. 3202) is amended—

6 (1) by striking “centers” each place it appears
7 and inserting “campuses”;

8 (2) in subsection (a), by inserting “As part of
9 the operating plan required under section 151(a),
10 the director of each Job Corps campus shall develop
11 and implement a behavior management plan con-
12 sistent with the standards of conduct and subject to
13 the approval of the Secretary.” at the end; and

14 (3) in subsection (b)(2)(A), by striking “or dis-
15 ruptive”;

16 (4) by amending subsection (c) to read as fol-
17 lows:

18 “(c) APPEAL PROCESS.—

19 “(1) ENROLLEE APPEALS.—A disciplinary
20 measure taken by a director under this section shall
21 be subject to expeditious appeal in accordance with
22 procedures established by the Secretary.

23 “(2) DIRECTOR APPEALS.—

24 “(A) IN GENERAL.—The Secretary shall
25 establish an appeals process under which the di-

1 rector of a Job Corps campus may submit a re-
2 quest that an enrollee who has engaged in an
3 activity which is a violation of the guidelines es-
4 tablished pursuant to subsection (b)(2)(A) re-
5 main enrolled in the program, but be subject to
6 other disciplinary actions.

7 “(B) CONTENTS.—An request under para-
8 graph (A) shall include—

9 “(i) a signed certification from the di-
10 rector attesting that, to the belief of the di-
11 rector, the continued enrollment of such
12 enrollee would not impact the safety or
13 learning environment of the campus; and

14 “(ii) the behavioral records of such
15 enrollee.

16 “(C) TIMELINE.—The Secretary shall re-
17 view such appeal and either approve or deny the
18 appeal within 30 days of receiving such appeal.

19 “(D) INELIGIBILITY FOR APPEAL.—The
20 Secretary shall reject an appeal made by a di-
21 rector of a Job Corps campus if such campus
22 has been found out of compliance with the re-
23 quirements under subsection (d) at any time
24 during the previous 5 years.”; and

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

1 “(d) INCIDENT REPORTING.—

2 “(1) IN GENERAL.—The Secretary shall require
3 that the director of a Job Corps campus report to
4 the appropriate regional office—

5 “(A) not later than 2 hours after the cam-
6 pus management becomes aware of the occur-
7 rence of—

8 “(i) an enrollee or on-duty staff death;

9 “(ii) any incident—

10 “(I) requiring law enforcement
11 involvement;

12 “(II) involving a missing minor
13 student; or

14 “(III) where substantial property
15 damage has occurred; or

16 “(iii) a level 1 infraction;

17 “(B) in the case of a level 2 infraction, on
18 a quarterly basis, including the number and
19 type of such infractions that occurred during
20 such time period; and

21 “(C) in the case of a minor infraction, as
22 determined necessary by the Secretary.

23 “(2) INFRACTIONS DEFINED.—In this sub-
24 section:

1 “(A) LEVEL 1 INFRACTION.—The term
2 ‘level 1 infraction’ means an activity described
3 in subsection (b)(2)(A).

4 “(B) LEVEL 2 INFRACTION.—The term
5 ‘level 2 infraction’ means an activity, other than
6 a level 1 infraction, determined by the Sec-
7 retary to be a serious infraction.

8 “(C) MINOR INFRACTION.—The term
9 ‘minor infraction’ means an activity, other than
10 a level 1 or 2 infraction, determined by the Sec-
11 retary to be an infraction.

12 “(3) LAW ENFORCEMENT AGREEMENTS.—The
13 director of each Job Corps campus shall enter into
14 an agreement with the local law enforcement agency
15 with jurisdiction regarding procedures for the
16 prompt reporting and investigation of potentially il-
17 legal activity on Job Corps campuses.”.

18 **SEC. 160. COMMUNITY PARTICIPATION.**

19 Section 153 of the Workforce Innovation and Oppor-
20 tunity Act (29 U.S.C. 3203) is amended—

21 (1) by striking “center” each place it appears
22 and inserting “campus”;

23 (2) by striking “centers” each place it appears
24 and inserting “campuses”; and

1 (3) in subsection (c), in the heading, by striking
2 “CENTERS” and inserting “CAMPUSES”.

3 **SEC. 161. WORKFORCE COUNCILS.**

4 Section 154 of the Workforce Innovation and Oppor-
5 tunity Act (29 U.S.C. 3204) is amended—

6 (1) by striking “center” each place it appears
7 and inserting “campus”;

8 (2) in subsection (d), in the heading, by strik-
9 ing “NEW CENTERS” and inserting “NEW CAM-
10 PUSES”.

11 **SEC. 162. ADVISORY COMMITTEES.**

12 Section 155 of the Workforce Innovation and Oppor-
13 tunity Act (29 U.S.C. 3205) is amended—

14 (1) by striking “The Secretary” and inserting
15 “(a) IN GENERAL.—The Secretary”;

16 (2) by striking “centers” and inserting “cam-
17 puses”

18 (3) by striking “center” and inserting “cam-
19 pus”; and

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

21 “(b) ADVISORY COMMITTEE TO IMPROVE JOB CORPS
22 SAFETY.—Not later than 6 months after the date of en-
23 actment of the A Stronger Workforce for America Act,
24 the Secretary shall establish an advisory committee to pro-

1 vide recommendations on effective or evidence-based strat-
2 egies to improve—

3 “(1) safety, security, and learning conditions on
4 Job Corps campuses; and

5 “(2) the standards for campus safety estab-
6 lished under section 159(c)(4).”.

7 **SEC. 163. EXPERIMENTAL PROJECTS AND TECHNICAL AS-**
8 **SISTANCE.**

9 Section 156 of the Workforce Innovation and Oppor-
10 tunity Act (29 U.S.C. 3206) is amended—

11 (1) by striking “center” and inserting “cam-
12 pus”;

13 (2) by striking “centers” and inserting “cam-
14 puses”;

15 (3) by redesignating subsection (b) as sub-
16 section (c);

17 (4) by inserting the following after subsection
18 (a):

19 “(b) **JOB CORPS SCHOLARS.**—

20 “(1) **IN GENERAL.**—The Secretary may award
21 grants, on a competitive basis, to institutions of
22 higher education to enroll cohorts of Job Corps eligi-
23 ble youth in Job Corps Scholars activities for a 24-
24 month period and pay the tuition and necessary
25 costs for enrollees for such period.

1 “(2) ACTIVITIES.—Job Corps Scholar activities
2 shall include—

3 “(A) intensive counseling services and sup-
4 portive services;

5 “(B) a 12-month career and technical edu-
6 cation component aligned with in-demand in-
7 dustries and occupations in the State where the
8 institution of higher education that is receiving
9 the grant is located; and

10 “(C) a 12-month employment placement
11 period that follows the component described in
12 subparagraph (B).

13 “(3) PERFORMANCE DATA.—The Secretary
14 shall collect performance information from institu-
15 tions of higher education receiving grants under this
16 subsection on the primary indicators of performance
17 for eligible youth described in section
18 116(b)(2)(A)(ii), the cost per participant and cost
19 per graduate, and other information as necessary to
20 evaluate the success of Job Corps Scholars grantees
21 in improving outcomes for at-risk youth.

22 “(4) EVALUATION.—At the end of each 2-year
23 period for which the Secretary awards grants under
24 this subsection, the Secretary shall provide for an
25 independent, robust evaluation that compares—

1 “(A) the outcomes achieved by Job Corps
2 Scholars participants with the outcomes
3 achieved by other participants in the Job Corps
4 program during such 2-year period; and

5 “(B) the costs of the Job Corps Scholars
6 programs with the costs of other Job Corps
7 programs during such 2-year period.”; and

8 (5) in subsection (c)(1), as so redesignated, is
9 amended by striking “and” at the end of subpara-
10 graph (C) and by adding at the end the following:

11 “(D) in the development and implementa-
12 tion of a behavior management plan under sec-
13 tion 152(a); and

14 “(E) maintaining a safe and secure learn-
15 ing environment; and”.

16 **SEC. 164. SPECIAL PROVISIONS.**

17 Section 158 of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3208) is amended—

19 (1) by striking “center” each place it appears
20 and inserting “campus”; and

21 (2) in subsection (f)—

22 (A) by striking “may accept on behalf of
23 the Job Corps or individual Job Corps centers
24 charitable donations of cash” and inserting “,
25 on behalf of the Job Corps, or a Job Corps

1 campus operator, on behalf of such campus,
2 may accept grants, charitable donations of
3 cash,”; and

4 (B) by inserting at the end the following:
5 “Notwithstanding sections 501(b) and 522 of
6 title 40, United States Code, any property ac-
7 quired by a Job Corps campus shall be directly
8 transferred, on a nonreimbursable basis, to the
9 Secretary.”.

10 **SEC. 165. MANAGEMENT INFORMATION.**

11 (a) LEVELS OF PERFORMANCE.—Section 159 of the
12 Workforce Innovation and Opportunity Act (29 U.S.C.
13 3209) is amended—

14 (1) by striking “center” each place it appears
15 and inserting “campus”;

16 (2) in subsection (c)—

17 (A) in paragraph (1)—

18 (i) by striking “The Secretary” and
19 inserting the following:

20 “(A) IN GENERAL.—The Secretary”.

21 (ii) by inserting “that are ambitious
22 yet achievable and” after “program”; and

23 (iii) by adding at the end the fol-
24 lowing new subparagraphs:

1 “(B) LEVELS OF PERFORMANCE.—In es-
2 tablishing the expected performance levels
3 under subparagraph (A) for a Job Corps cam-
4 pus, the Secretary shall take into account—

5 “(i) how the levels involved compare
6 with the recent performance of such cam-
7 pus and the performance of other cam-
8 puses within the same State or geographic
9 region;

10 “(ii) the levels of performance set for
11 the primary indicators of performance for
12 eligible youth described in section
13 116(b)(2)(A)(ii) for the State in which the
14 campus is located;

15 “(iii) the differences in actual eco-
16 nomic conditions (including differences in
17 unemployment rates and job losses or
18 gains in particular industries) between the
19 local area of such campus and other local
20 areas with a campus; and

21 “(iv) the extent to which the levels in-
22 volved promote continuous improvement in
23 performance on the primary indicators of
24 performance by such campus and ensure

1 optimal return on the use of Federal
2 funds.

3 “(C) PERFORMANCE PER CONTRACT.—The
4 Secretary shall ensure the expected levels of
5 performance are established in the relevant con-
6 tract or agreement.

7 “(D) REVISIONS BASED ON ECONOMIC
8 CONDITIONS AND INDIVIDUALS SERVED DURING
9 THE PROGRAM YEAR.—

10 “(i) IN GENERAL.—In the event of a
11 significant economic downturn, the Sec-
12 retary may revise the applicable adjusted
13 levels of performance for each of the cam-
14 puses for a program year to reflect the ac-
15 tual economic conditions during such pro-
16 gram year.

17 “(ii) REPORT TO CONGRESS.—Prior
18 to implementing the revisions described in
19 clause (i), the Secretary shall submit to the
20 Committee on Education and the Work-
21 force of the House of Representatives and
22 the Committee on Health, Education,
23 Labor, and Pensions of the Senate a re-
24 port explaining the reason for such revi-
25 sions.

1 “(E) REVIEW OF PERFORMANCE LEV-
2 ELS.—The Office of Inspector General of the
3 Department of Labor shall, every 5 years, sub-
4 mit to the Committee on Education and the
5 Workforce of the House of Representatives and
6 the Committee on Health, Education, Labor,
7 and Pensions of the Senate, and publish in the
8 Federal Register and on a publicly available
9 website of the Department, a report con-
10 taining—

11 “(i) a quadrennial review of the ex-
12 pected levels of performance; and

13 “(ii) an evaluation of whether—

14 “(I) the Secretary is establishing
15 such expected levels of performance in
16 good faith; and

17 “(II) such expected levels have
18 led to continued improvement of the
19 Job Corps program.”;

20 (B) by redesignating paragraph (4) as
21 paragraph (5);

22 (C) by inserting after paragraph (3) the
23 following:

24 “(4) CAMPUS SAFETY.—

1 “(A) IN GENERAL.—The Secretary shall
2 establish campus and student safety standards.
3 A Job Corps campus failing to achieve such
4 standards shall be required to take the perform-
5 ance improvement actions described in sub-
6 section (f).

7 “(B) CONSIDERATIONS.—In establishing
8 the campus and student safety standards under
9 subparagraph (A), the Secretary shall take into
10 account—

11 “(i) incidents reported under section
12 152(d);

13 “(ii) survey data from enrollees, fac-
14 ulty, staff, and community members; and

15 “(iii) any other considerations identi-
16 fied by the Secretary after reviewing the
17 recommendations of the advisory group de-
18 scribed in section 155(b).”;

19 (D) in paragraph (5), as so redesignated—

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

22 (ii) in subparagraph (B), by striking
23 the period at the end and inserting a semi-
24 colon; and

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

3 “(C) the number of contracts that were
4 awarded a renewal compared to those eligible
5 for a renewal;

6 “(D) the number of campuses where the
7 contract was awarded to a new operator; and

8 “(E) the number of campuses that were
9 required to receive performance improvement,
10 as described under subsection (f)(2), including
11 whether any actions were taken as described in
12 subparagraphs (B) and (C) of such sub-
13 section.”; and

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

15 “(6) WAGE RECORDS.—The Secretary shall
16 make arrangements with a State or other appro-
17 priate entity to facilitate the use of State wage
18 records to evaluate the performance of Job Corps
19 campuses on the employment and earnings indica-
20 tors described in clause (i)(III) of subparagraph (A)
21 of section 116(b)(2)(A) and subclauses (I) and (II)
22 of clause (ii) of such subparagraph for the purposes
23 of the report required under paragraph (5).”;

24 (3) in subsection (d)(1)—

1 (A) by inserting “and make available on
2 the website of the Department pertaining to the
3 Job Corps program in a manner that is con-
4 sumer-tested to ensure it is easily understood,
5 searchable, and navigable,” after “subsection
6 (c)(4),”;

7 (B) in subparagraph (B), by striking “gen-
8 der” and inserting “sex”;

9 (C) by redesignating subparagraphs (J)
10 through (O) as subparagraphs (K) through (P),
11 respectively; and

12 (D) by inserting the following after sub-
13 paragraph (I):

14 “(J) the number of appeals under section
15 152(c) and a description of each appeal that
16 was approved;”;

17 (4) in subsection (g)(2), by striking “comply”
18 and inserting “attest to compliance”.

19 (b) PERFORMANCE ASSESSMENTS AND IMPROVE-
20 MENTS.—Section 159(f) of the Workforce Innovation and
21 Opportunity Act (29 U.S.C. 3209) is amended to read as
22 follows:

23 “(f) PERFORMANCE ASSESSMENTS AND IMPROVE-
24 MENTS.—

1 “(1) ASSESSMENTS.—The Secretary shall con-
2 duct an annual assessment of the performance of
3 each Job Corps campus on the primary indicators of
4 performance described in section 116(b)(2)(A)(ii),
5 where each indicator shall be given equal weight in
6 determining the overall performance of the campus.
7 Based on the assessment, the Secretary shall take
8 measures to continuously improve the performance
9 of the Job Corps program.

10 “(2) PERFORMANCE IMPROVEMENT.—

11 “(A) INITIAL FAILURE.—With respect to a
12 Job Corps campus that fails to meet an average
13 of 90 percent on the expected levels of perform-
14 ance across all the primary indicators of per-
15 formance specified in subsection (c)(1) or is
16 ranked among the lowest 10 percent of Job
17 Corps campuses, the Secretary shall, after each
18 program year of such performance failure, de-
19 velop and implement a performance improve-
20 ment plan for such campus. Such a plan shall
21 require action to be taken during a 1-year pro-
22 gram year period, which shall include providing
23 technical assistance to the campus.

24 “(B) REPEAT FAILURE.—With respect to
25 a Job Corps campus that, for two consecutive

1 program years, fails to meet an average of 85
2 percent on the expected levels of performance
3 across all the primary indicators of performance
4 or is ranked among the lowest 10 percent of
5 Job Corps campuses, the Secretary shall take
6 substantial action to improve the performance
7 of such campus, which shall include—

8 “(i) changing the management staff of
9 the campus;

10 “(ii) changing the career and tech-
11 nical education and training offered at the
12 campus;

13 “(iii) replacing the operator of the
14 campus; or

15 “(iv) reducing the capacity of the
16 campus.

17 “(C) CHRONIC FAILURE.—With respect to
18 a Job Corps campus that, for the two consecu-
19 tive program years immediately following the
20 Secretary taking substantial performance action
21 under subparagraph (B), fails to meet an aver-
22 age of 85 percent on the expected levels of per-
23 formance across all the primary indicators or is
24 ranked among the lowest 10 percent of Job
25 Corps campuses, the Secretary shall take fur-

1 ther substantial action to improve the perform-
2 ance of such campus, which shall include—

3 “(i) relocating the campus;

4 “(ii) closing the campus; or

5 “(iii) awarding funding directly to the
6 State in which the campus is located for
7 operation of the campus, and for which the
8 Secretary shall enter into a memorandum
9 of understanding with such State for pur-
10 poses of operating the campus in its cur-
11 rent location and may encourage innova-
12 tion in such memorandum of under-
13 standing by waiving any statutory or regu-
14 latory requirement of this subtitle except
15 for those related to participant eligibility
16 under section 144, standards of conduct
17 under section 152, and performance re-
18 porting and accountability under this sec-
19 tion.

20 “(3) ADDITIONAL PERFORMANCE IMPROVE-
21 MENT.—In addition to the performance improvement
22 plans required under paragraph (2), the Secretary
23 may develop and implement additional performance
24 improvement plans for a Job Corps campus that
25 fails to meet criteria established by the Secretary

1 other than the expected levels of performance de-
2 scribed in subsection (c)(1).

3 “(4) CIVILIAN CONSERVATION CENTERS.—With
4 respect to a Civilian Conservation Center that, for 3
5 consecutive program years, fails to meet an average
6 of 90 percent of the expected levels of performance
7 across all the primary indicators of performance
8 specified in subsection (c)(1), the Secretary of Labor
9 or, if appropriate, the Secretary of Agriculture shall
10 select, on a competitive basis, an entity to operate
11 part or all of the Civilian Conservation Center in ac-
12 cordance with the requirements of section 147.”.

13 (c) CONFORMING AMENDMENTS.—Section 159 of the
14 Workforce Innovation and Opportunity Act (29 U.S.C.
15 3209) is further amended—

16 (1) by striking “centers” each place it appears
17 and inserting “campuses”; and

18 (2) in subsection (g)(1), in the header, by strik-
19 ing “CENTER” and inserting “CAMPUS”.

20 **SEC. 166. JOB CORPS OVERSIGHT AND REPORTING.**

21 Section 161 of the Workforce Innovation and Oppor-
22 tunity Act (29 U.S.C. 3211) is amended—

23 (1) by redesignating subsection (d) as sub-
24 section (e); and

1 (2) by inserting after subsection (c) the fol-
2 lowing new subsection:

3 “(d) REPORT ON IMPLEMENTATION OF REC-
4 COMMENDATIONS.—The Secretary shall, on an annual
5 basis, prepare and submit to the appropriate committees
6 a report regarding the implementation of all outstanding
7 recommendations from the Office of Inspector General of
8 the Department of Labor or the Government Account-
9 ability Office.”.

10 **SEC. 167. AUTHORIZATION OF APPROPRIATIONS.**

11 Section 162 of the Workforce Innovation and Oppor-
12 tunity Act (29 U.S.C. 3212) is amended to read as follows:

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

14 “There are authorized to be appropriated to carry out
15 this subtitle \$1,760,155,000 for each of the fiscal years
16 2025 through 2030.”.

17 **Subtitle E—National Programs**

18 **SEC. 171. NATIVE AMERICAN PROGRAMS.**

19 Section 166 of the Workforce Innovation and Oppor-
20 tunity Act (29 U.S.C. 3221) is amended—

21 (1) in subsection (d)(1)—

22 (A) in subparagraph (A), by striking
23 “and”;

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

1 (C) by inserting at the end the following:

2 “(C) are evidence-based, to the extent
3 practicable.”;

4 (2) in subsection (d)(2)—

5 (A) by redesignating subparagraph (B) as
6 subparagraph (C); and

7 (B) by inserting after subparagraph (A)
8 the following:

9 “(B) ADMINISTRATIVE COSTS.—Not more
10 than 10 percent of the funds provided to an en-
11 tity under this section may be used for the ad-
12 ministrative costs of the activities and services
13 carried out under subparagraph (A).”;

14 (3) in subsection (h), by inserting after para-
15 graph (2) the following:

16 “(3) WAGE RECORDS.—The Secretary shall
17 make arrangements with a State or other appro-
18 priate entity to facilitate the use of State wage
19 records to evaluate the performance of entities fund-
20 ed under this section on the employment and earn-
21 ings indicators described in subclauses (I) through
22 (III) of section 116(b)(2)(A)(i) for the purposes of
23 the report required under paragraph (4).

24 “(4) PERFORMANCE RESULTS.—For each pro-
25 gram year, the Secretary shall make available on a

1 publicly accessible website of the Department a re-
2 port on the performance, during such program year,
3 of entities funded under this section on—

4 “(A) the primary indicators of performance
5 described in section 116(b)(2)(A);

6 “(B) any additional indicators established
7 under paragraph (1)(A); and

8 “(C) the adjusted levels of performance for
9 such entities as described in paragraph (2).”;
10 (4) in subsection (i)—

11 (A) in paragraph (3)(A), by striking “and
12 judicial review.” and inserting “judicial review,
13 and performance accountability pertaining to
14 the primary indicators of performance described
15 in section 116(b)(2)(A).”; and

16 (B) in paragraph (4)(B)—

17 (i) by striking “The Council” and in-
18 serting the following:

19 “(i) IN GENERAL.—The Council”; and

20 (ii) by inserting at the end the fol-
21 lowing:

22 “(ii) VACANCIES.—An individual ap-
23 pointed to fill a vacancy on the Council oc-
24 ccurring before the expiration of the term
25 for which the predecessor of such indi-

1 vidual was appointed shall be appointed
2 only for the remainder of that term. Such
3 an individual may serve on the Council
4 after the expiration of such term until a
5 successor is appointed.”; and

6 (5) by amending subsection (k)(2) to read as
7 follows:

8 “(2) AUTHORIZATION OF APPROPRIATIONS.—
9 There are authorized to be appropriated to carry out
10 this subsection \$542,000 for each of the fiscal years
11 2025 through 2030.”.

12 **SEC. 172. MIGRANT AND SEASONAL FARMWORKER PRO-**
13 **GRAMS.**

14 Section 167 of the Workforce Innovation and Oppor-
15 tunity Act (29 U.S.C. 3222) is amended—

16 (1) in subsection (c), by adding at the end the
17 following:

18 “(5) WAGE RECORDS.—The Secretary shall
19 make arrangements with a State or other appro-
20 priate entity to facilitate the use of State wage
21 records to evaluate the performance of entities fund-
22 ed under this section on the employment and earn-
23 ings indicators described in subclauses (I) through
24 (III) of section 116(b)(2)(A)(i) for the purposes of
25 the report required under paragraph (4).

1 “(6) PERFORMANCE RESULTS.—For each pro-
2 gram year, the Secretary shall make available on a
3 publicly accessible website of the Department a re-
4 port on the performance, during such program year,
5 of entities funded under this section on—

6 “(A) the primary indicators of performance
7 described in section 116(b)(2)(A); and

8 “(B) the adjusted levels of performance for
9 such entities as described in paragraph (3).”;

10 (2) by redesignating subsections (e), (f), (g),
11 (h), and (i) as subsections (f), (g), (h), (i), and (j),
12 respectively;

13 (3) by inserting after subsection (d) the fol-
14 lowing:

15 “(e) ADMINISTRATIVE COSTS.—Not more than 10
16 percent of the funds provided to an entity under this sec-
17 tion may be used for the administrative costs of the activi-
18 ties and services carried out under subsection (d).”;

19 (4) in subsection (i), as so redesignated, to read
20 as follows:

21 “(i) FUNDING ALLOCATION; FUNDING OBLIGA-
22 TION.—

23 “(1) FUNDING ALLOCATION.—From the funds
24 appropriated and made available to carry out this
25 section, the Secretary shall reserve not more than 1

1 percent for discretionary purposes, such as providing
2 technical assistance to eligible entities.

3 “(2) FUNDING OBLIGATION.—

4 “(A) IN GENERAL.—Funds appropriated
5 and made available to carry out this section for
6 any fiscal year may be obligated by the Sec-
7 retary during the period beginning on April 1
8 of the calendar year that begins during such
9 fiscal year and ending on June 30 of the fol-
10 lowing calendar year to be made available to an
11 entity described in subsection (b) for the period
12 described in subparagraph (B).

13 “(B) OBLIGATED AMOUNT.—Funds made
14 available under this section for a fiscal year to
15 any entity described in subsection (b) may be
16 spent or reserved for spending by such entity
17 during the period beginning on July 1 of the
18 calendar year that begins during such fiscal
19 year, and ending on June 30 of the following
20 calendar year.”.

21 **SEC. 173. TECHNICAL ASSISTANCE.**

22 (a) GENERAL TECHNICAL ASSISTANCE.—Section
23 168(a)(1) of the Workforce Innovation and Opportunity
24 Act (29 U.S.C. 3223(a)(1)) is amended—

1 (1) by striking “appropriate training, technical
2 assistance, staff development” and inserting “appro-
3 priate education, technical assistance, professional
4 development for staff”;

5 (2) in subparagraphs (B), (C), and (D), by
6 striking “training” each place it appears and insert-
7 ing “professional development”;

8 (3) by redesignating subparagraphs (G) and
9 (H) as subparagraphs (J) and (K), respectively; and

10 (4) by inserting after subparagraph (F) the fol-
11 lowing:

12 “(G) assistance to the one-stop delivery
13 system and the Employment Service established
14 under the Wagner-Peyser Act for the integra-
15 tion of basic career service activities pursuant
16 to section 134(c)(2)(A);

17 “(I) assistance to States with maintaining,
18 and making accessible to jobseekers and em-
19 ployers, the lists of eligible providers of training
20 services required under section 122;

21 “(H) assistance to States that apply for
22 such assistance under section 122(k) for the
23 purposes described in such subsection;”.

24 (b) PERFORMANCE ACCOUNTABILITY TECHNICAL
25 ASSISTANCE.—Section 168(b) of the Workforce Innova-

1 tion and Opportunity Act (29 U.S.C. 3223(b)) is amend-
2 ed—

3 (1) in the header, by striking “DISLOCATED
4 WORKER” and inserting “PERFORMANCE ACCOUNT-
5 ABILITY”; and

6 (2) in paragraph (1), in the first sentence—

7 (A) by inserting “, pursuant to paragraphs
8 (1) and (2) of section 116(f),” after “technical
9 assistance”; and

10 (B) by striking “with respect to employ-
11 ment and training activities for dislocated work-
12 ers” and inserting “with respect to the core
13 programs”.

14 (c) COMMUNITIES IMPACTED BY OPIOID USE DIS-
15 ORDERS.—Section 168 of the Workforce Innovation and
16 Opportunity Act (29 U.S.C. 3223) is further amended by
17 adding at the end the following:

18 “(d) COMMUNITIES IMPACTED BY OPIOID USE DIS-
19 ORDERS.—The Secretary shall, as part of the activities de-
20 scribed in subsection (c)(2), evaluate and disseminate to
21 States and local areas information regarding evidence-
22 based and promising practices for addressing the economic
23 workforce impacts associated with high rates of opioid use
24 disorders, which information shall—

1 “(1) be updated annually to reflect the most re-
2 cent and available research; and

3 “(2) include information—

4 “(A) shared by States and local areas re-
5 garding effective practices for addressing such
6 impacts; and

7 “(B) on how to apply for any funding that
8 may be available under section 170(b)(1)(E).”.

9 **SEC. 174. EVALUATIONS AND RESEARCH.**

10 (a) IN GENERAL.—Section 169 of the Workforce In-
11 novation and Opportunity Act (29 U.S.C. 3224) is amend-
12 ed—

13 (1) in subsection (a)—

14 (A) in paragraph (2)—

15 (i) in subparagraph (E), by inserting
16 “and” at the end;

17 (ii) in subparagraph (F), by striking
18 “; and” at the end and inserting a period;

19 and

20 (iii) by striking subparagraph (G);

21 (B) in paragraph (3)—

22 (i) by striking “The Secretary” and
23 inserting the following:

24 “(A) IN GENERAL.—The Secretary”; and

1 (ii) by adding at the end the following
2 new subparagraph:

3 “(B) LIMITATION.—The Secretary may
4 not use the authority described in subparagraph
5 (A) if the evaluations required under paragraph
6 (1) have not been initiated or completed in the
7 time period required.”; and

8 (C) in paragraph (4), by striking “2019”
9 and inserting “2028”; and
10 (2) in subsection (b)—

11 (A) by amending paragraph (4) to read as
12 follows:

13 “(4) STUDIES AND REPORTS.—

14 “(A) STUDY ON EMPLOYMENT CONDI-
15 TIONS.—The Secretary, in coordination with
16 other heads of Federal agencies, as appropriate,
17 may conduct a study examining the nature of
18 participants’ unsubsidized employment after
19 exit from programs carried out under this Act,
20 including factors such as availability of paid
21 time off, health and retirement benefits, work-
22 place safety standards, predictable and stable
23 work schedule, stackable credentials, and ad-
24 vancement opportunities.

1 “(B) STUDY ON IMPROVING WORKFORCE
2 SERVICES FOR INDIVIDUALS WITH DISABIL-
3 ITIES.—The Secretary of Labor, in coordination
4 with the Secretary of Education and the Sec-
5 retary of Health and Human Services, may con-
6 duct studies that analyze the access to services
7 by individuals with disabilities, including wheth-
8 er an individual who is unable to receive serv-
9 ices under title IV due to a wait list for such
10 services is able to receive services under titles I
11 through III.

12 “(C) STUDY ON THE EFFECTIVENESS OF
13 PAY FOR PERFORMANCE.—The Secretary shall,
14 not more than 4 years after the date of enact-
15 ment of A Stronger Workforce for America Act,
16 conduct a study that compares the effectiveness
17 of the pay-for-performance strategies used
18 under sections 129, 134, and 172 after such
19 date of enactment to the awarding of grants
20 and contracts under such sections as in effect
21 on the day before the date of enactment of such
22 Act.

23 “(D) STUDY ON INDIVIDUAL TRAINING AC-
24 COUNTS FOR DISLOCATED WORKERS.—The Sec-
25 retary shall, not more than 4 years after the

1 date of enactment of the A Stronger Workforce
2 for America Act, conduct a study that compares
3 the usage of Individual Training Accounts for
4 dislocated workers after such date of enactment
5 to the usage of such accounts prior to such date
6 of enactment, including—

7 “(i) the types of training services and
8 occupations targeted by dislocated workers
9 when using their Individual Training Ac-
10 counts; and

11 “(ii) the effectiveness of such skills
12 development.

13 “(E) STUDY ON STATEWIDE CRITICAL IN-
14 DUSTRY SKILLS FUNDS.—The Secretary shall,
15 not more than 4 years after the date of enact-
16 ment of the A Stronger Workforce for America
17 Act, conduct a study that will review the usage
18 of statewide critical industry skills funds estab-
19 lished by States under section 134(a)(4) and
20 identify, for purposes of measuring the overall
21 effectiveness of the program—

22 “(i) the industries targeted by such
23 Funds;

24 “(ii) the occupations workers are
25 being upskilled for;

1 “(iii) how frequently skills develop-
2 ment is provided to prospective workers
3 and incumbent workers, and

4 “(iv) the reported performance out-
5 comes.

6 “(F) STUDY ON THE EFFECTIVENESS OF
7 EMPLOYER-BASED TRAINING.—The Secretary
8 shall, not more than 4 years after the date of
9 enactment of the A Stronger Workforce for
10 America Act, conduct a study that measures
11 the effectiveness of on-the-job training, em-
12 ployer-directed skills training, apprenticeship,
13 and incumbent worker training under this title
14 in preparing jobseekers and workers, including
15 those with barriers to employment, for unsub-
16 sidized employment. Such study shall include
17 the cost per participant and wage and employ-
18 ment outcomes, as compared to other methods
19 of training.

20 “(G) REPORTS.—The Secretary shall pre-
21 pare and disseminate to the Committee on
22 Health, Education, Labor, and Pensions of the
23 Senate and the Committee on Education and
24 the Workforce of the House of Representatives,
25 and on the publicly available website of the De-

1 partment, reports containing the results of the
2 studies conducted under this paragraph.”; and

3 (B) in paragraph (5), by adding at the end
4 the following:

5 “(C) EVALUATION OF GRANTS.—

6 “(i) IN GENERAL.—For each grant or
7 contract awarded under this paragraph,
8 the Secretary shall conduct a rigorous eval-
9 uation of the multistate project to deter-
10 mine the impact of the activities supported
11 by the project, including the impact on the
12 employment and earnings of program par-
13 ticipants.

14 “(ii) REPORT.—The Secretary shall
15 prepare and disseminate to the Committee
16 on Health, Education, Labor, and Pen-
17 sions of the Senate and the Committee on
18 Education and the Workforce of the House
19 of Representatives, and to the public, in-
20 cluding through electronic means, reports
21 containing the results of evaluations con-
22 ducted under this subparagraph.”.

23 (b) WORKFORCE DATA QUALITY INITIATIVE.—Sec-
24 tion 169 of the Workforce Innovation and Opportunity Act

1 (29 U.S.C. 3224) is further amended by adding at the
2 end the following:

3 “(d) WORKFORCE DATA QUALITY INITIATIVE.—

4 “(1) GRANT PROGRAM.—Of amount made avail-
5 able pursuant to section 132(a)(2)(A) for any pro-
6 gram year, the Secretary shall use 5 percent of such
7 amount, and may also use funds authorized for pur-
8 poses of carrying out this section, to award grants
9 to eligible entities to create workforce longitudinal
10 data systems and associated resources for the pur-
11 poses of strengthening program quality, building
12 State capacity to produce evidence for decision-
13 making, meeting performance reporting require-
14 ments, protecting privacy, and improving trans-
15 parency.

16 “(2) APPLICATION.—To be eligible to receive a
17 grant under this subsection, an eligible entity shall
18 submit an application to the Secretary at such time
19 and in such manner as the Secretary may require,
20 which shall include—

21 “(A) a description of the proposed activi-
22 ties that will be conducted by the eligible entity,
23 including a description of the need for such ac-
24 tivities and a detailed budget for such activities;

1 “(B) a description of the expected out-
2 comes and outputs (such as systems or prod-
3 ucts) that will result from the proposed activi-
4 ties and the proposed uses of such outputs;

5 “(C) a description of how the proposed ac-
6 tivities will support the reporting of perform-
7 ance data, including employment and earnings
8 outcomes, for the performance accountability
9 requirements under section 116, including out-
10 comes for eligible training providers;

11 “(D) a description of the methods and pro-
12 cedures the eligible entity will use to ensure the
13 security and privacy of the collection, storage,
14 and use of all data involved in the systems and
15 resources supported through the grant, includ-
16 ing compliance with State and Federal privacy
17 and confidentiality statutes and regulations;
18 and

19 “(E) a plan for how the eligible entity will
20 continue the activities or sustain the use of the
21 outputs created with the grant funds after the
22 grant period ends.

23 “(3) PRIORITY.—In awarding grants under the
24 subsection, the Secretary shall give priority to—

25 “(A) eligible entities that are—

1 “(i) a State agency of a State that
2 has not previously received a grant from
3 the Secretary for the purposes of this sub-
4 section and demonstrates a substantial
5 need to improve its data infrastructure; or

6 “(ii) a consortium of State agencies
7 that is comprised of State agencies from
8 multiple States and includes at least one
9 State agency described in clause (i) and
10 has the capacity to make significant con-
11 tributions toward building interoperable,
12 cross-State data infrastructure; and

13 “(B) eligible entities that will use grant
14 funds to—

15 “(i) expand the adoption and use of
16 linked, open, and interoperable data on
17 credentials, including through the develop-
18 ment of a credential registry or other tools
19 and services designed to help learners and
20 workers make informed decisions, such as
21 the credential navigation feature described
22 in section 122(d)(2);

23 “(ii) participate in and contribute
24 data to a multistate data collaborative, in-

1 cluding data that provide participating
2 States the ability to better understand—

3 “(I) earnings and employment
4 outcomes of individuals who work out-
5 of-State; and

6 “(II) cross-State earnings and
7 employment trends;

8 “(iii) enhance collaboration with pri-
9 vate sector workforce and labor market
10 data entities and the end-users of work-
11 force and labor market data, including in-
12 dividuals, employers, economic development
13 agencies, and workforce development pro-
14 viders; or

15 “(iv) leverage the use of non-Federal
16 contributions to improve workforce data in-
17 frastructure, including staff capacity build-
18 ing.

19 “(4) USE OF FUNDS.—In addition to the activi-
20 ties described in paragraph (3)(B), an eligible entity
21 awarded a grant under this subsection may use
22 funds to carry out any of the following activities:

23 “(A) Developing or enhancing a State’s
24 workforce longitudinal data system, including
25 by participating and contributing data to the

1 State's data system, if applicable, that links
2 with elementary and secondary school and post-
3 secondary data.

4 “(B) Accelerating the replication and
5 adoption of data systems, projects, products, or
6 practices already in use in one or more States
7 to other States.

8 “(C) Research and labor market data im-
9 provement activities to improve the timeliness,
10 relevance, and accessibility of such data
11 through pilot projects that are developed locally
12 but designed to scale to other regions or States.

13 “(D) Establishing, enhancing, or con-
14 necting to a system of interoperable learning
15 and employment records that provides individ-
16 uals who choose to participate in such system
17 ownership of a verified and secure record of
18 their skills and achievements and the ability to
19 share such record with employers and education
20 providers.

21 “(E) Developing policies, guidelines, and
22 security measures for data collection, storing,
23 and sharing to ensure compliance with relevant
24 Federal and State privacy laws and regulations.

1 “(F) Increasing local board access to and
2 integration with the State’s workforce longitu-
3 dinal data system in a secure manner.

4 “(G) Creating or participating in a data
5 exchange for collecting and using standards-
6 based jobs and employment data including, at a
7 minimum, job titles or occupation codes.

8 “(H) Improving State and local staff ca-
9 pacity to understand, use, and analyze data to
10 improve decisionmaking and improve partici-
11 pant outcomes.

12 “(5) ADMINISTRATION.—

13 “(A) DURATION.—A grant awarded under
14 this subsection may be for a period of up to 3
15 years.

16 “(B) SUPPLEMENT, NOT SUPPLANT.—
17 Funds made available under this subsection
18 shall be used to supplement, and not supplant,
19 other Federal, State, or local funds used for de-
20 velopment of State data systems.

21 “(C) REPORT.—Each eligible entity that
22 receives a grant under this subsection shall sub-
23 mit a report to the Secretary not later than 180
24 days after the conclusion of the grant period on
25 the activities supported through the grant and

1 improvements in the use of workforce and labor
2 market information that have resulted from
3 such activities.

4 “(6) DEFINITIONS.—In this subsection, the
5 term ‘eligible entity’ means a State agency or con-
6 sortium of State agencies, including a multistate
7 data collaborative, that is or includes the State agen-
8 cies responsible for—

9 “(A) State employer wage records used by
10 the State’s unemployment insurance programs
11 in labor market information reporting and anal-
12 ysis and for fulfilling the reporting require-
13 ments of this Act;

14 “(B) the production of labor market infor-
15 mation; and

16 “(C) the direct administration of one or
17 more of the core programs.”.

18 **SEC. 175. NATIONAL DISLOCATED WORKER GRANTS.**

19 Section 170 of the Workforce Innovation and Oppor-
20 tunity Act (29 U.S.C. 3225) is amended—

21 (1) by amending subsection (a)(1) to read as
22 follows:

23 “(1) EMERGENCY OR DISASTER.—The term
24 ‘emergency or disaster’ means an emergency or a
25 major disaster, as defined in paragraphs (1) and (2),

1 respectively, of section 102 of the Robert T. Stafford
2 Disaster Relief and Emergency Assistance Act (42
3 U.S.C. 5122 (1) and (2)).”;

4 (2) in subsection (b)—

5 (A) in paragraph (1)—

6 (i) in subparagraph (C), by striking
7 “and” at the end;

8 (ii) in subparagraph (D)—

9 (I) in clause (i), by striking
10 “spouses described in section
11 3(15)(E)” and inserting “spouses de-
12 scribed in subparagraph (E) of the
13 definition of the term ‘dislocated
14 worker’ in section 3”; and

15 (II) in clause (ii), by striking the
16 period at the end and inserting “;
17 and”; and

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

20 “(E) to an entity described in subsection
21 (c)(1)(B) to provide employment and training
22 activities related to the prevention and treat-
23 ment of opioid use disorders, including addic-
24 tion treatment, mental health treatment, and
25 pain management, in an area that, as a result

1 of widespread opioid use, addiction, and
2 overdoses, has higher-than-average demand for
3 such activities that exceeds the availability of
4 State and local resources to provide such activi-
5 ties.”; and

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

7 “(3) PERFORMANCE RESULTS.—The Secretary
8 shall collect the necessary information from each en-
9 tity receiving a grant under this section to determine
10 the performance of such entity on the primary indi-
11 cators of performance described in section
12 116(b)(2)(A)(i) and make such information available
13 on the publicly accessible website of the Department
14 in a format that does not reveal personally identifi-
15 able information.”; and

16 (3) in subsection (c)—

17 (A) in paragraph (1)(A)—

18 (i) by striking “subsection (b)(1)(A)”
19 and inserting “subparagraph (A) or (E) of
20 subsection (b)(1)”; and

21 (ii) by striking “, in such manner, and
22 containing such information” and inserting
23 “and in such manner”; and

24 (B) in paragraph (2)—

25 (i) in subparagraph (B)—

1 (I) in the heading, by striking
2 “RETRAINING” and inserting
3 “RESKILLING”; and

4 (II) by striking “retraining” and
5 inserting “reskilling”;

6 (ii) by redesignating subparagraphs
7 (C) and (D) as subparagraphs (D) and
8 (E), respectively; and

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

11 “(C) OPIOID-RELATED GRANTS.—In order
12 to be eligible to receive employment and train-
13 ing assistance under a national dislocated work-
14 er grant awarded pursuant to subsection
15 (b)(1)(E), an individual shall be—

16 “(i) a dislocated worker;

17 “(ii) a long-term unemployed indi-
18 vidual;

19 “(iii) an individual who is unemployed
20 or significantly underemployed as a result
21 of widespread opioid use in the area; or

22 “(iv) an individual who is employed or
23 seeking employment in a health care pro-
24 fession involved in the prevention and
25 treatment of opioid use disorders, includ-

1 ing such professions that provide addiction
2 treatment, mental health treatment, or
3 pain management.”.

4 **SEC. 176. YOUTHBUILD PROGRAM.**

5 Section 171 of the Workforce Innovation and Oppor-
6 tunity Act (29 U.S.C. 3226) is amended—

7 (1) in subsection (c)—

8 (A) in paragraph (1), to read as follows:

9 “(1) AMOUNT OF GRANTS; RESERVATION.—

10 “(A) AMOUNT OF GRANTS.—Subject to
11 subparagraph (B), the Secretary is authorized
12 to make grants to applicants for the purpose of
13 carrying out YouthBuild programs approved
14 under this section.

15 “(B) RESERVATION FOR RURAL AREAS
16 AND INDIAN TRIBES.—

17 “(i) IN GENERAL.—In any fiscal year
18 in which the amount appropriated to carry
19 out this section is greater than
20 \$90,000,000, the Secretary shall reserve
21 not less than 20 percent of the amount ap-
22 propriated that is in excess of \$90,000,000
23 and use such reserved amount to make
24 grants to covered applicants (in addition to
25 any other grants that may be awarded

1 under this subsection for such fiscal year
2 to covered applicants) for the purpose of
3 carrying out YouthBuild programs ap-
4 proved under this section.

5 “(ii) COVERED APPLICANT DE-
6 FINED.—In this subparagraph, the term
7 ‘covered applicant’ means an applicant
8 that—

9 “(I) is located in a rural area; or

10 “(II) is an Indian Tribe or is car-
11 rying out a YouthBuild program ap-
12 proved under this section for the ben-
13 efit of members of an Indian Tribe.”;

14 (B) in paragraph (2)—

15 (i) in subparagraph (A)—

16 (I) in clause (iv)(II), by striking
17 “language learners” and inserting
18 “learners”; and

19 (II) in clause (vii), by inserting
20 after “enable individuals” the fol-
21 lowing: “, including those with disabil-
22 ities,”; and

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

1 “(I) Provision of meals and other food as-
2 sistance to participants in conjunction with an-
3 other activity described in this paragraph.”;

4 (C) in paragraph (3)—

5 (i) in subparagraph (A), by striking
6 “such time, in such manner, and con-
7 taining such information” and inserting
8 “such time and in such manner”; and

9 (ii) in subparagraph (B)—

10 (I) in the header, by striking
11 “MINIMUM REQUIREMENTS” and in-
12 serting “REQUIREMENTS”;

13 (II) by striking “, at a min-
14 imum”;

15 (III) in clause (xx), by striking
16 “and” at the end;

17 (IV) in clause (xxi) by striking
18 the period at the end and inserting “;
19 and”;

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

22 “(xxii) a description of the levels of
23 performance the applicant expects to
24 achieve on the primary indicators of per-

1 performance described in section
2 116(b)(2)(A)(ii).”; and

3 (D) in paragraph (4)—

4 (i) by striking “such selection criteria
5 as the Secretary shall establish under this
6 section, which shall include criteria” and
7 inserting “selection criteria”;

8 (ii) in subparagraph (J)(iii), by add-
9 ing “and” after the semicolon;

10 (iii) in subparagraph (K), by striking
11 “; and” and inserting a period; and

12 (iv) by striking subparagraph (L);

13 (2) in subsection (e)(1)—

14 (A) in subparagraph (A)(ii), by striking
15 “offender” and inserting “who is a justice-in-
16 volved individual”; and

17 (B) in subparagraph (B)(i), by striking
18 “are basic skills deficient” and inserting “have
19 foundational skill needs”;

20 (3) in subsection (f), by striking paragraph (2)
21 and inserting the following:

22 “(2) USE OF WAGE RECORDS.—The Secretary
23 shall make arrangements with a State or other ap-
24 propriate entity to facilitate the use of State wage
25 records to evaluate the performance of YouthBuild

1 programs funded under this section on the employ-
2 ment and earnings indicators described in section
3 116(b)(2)(A)(ii) for the purposes of the report re-
4 quired under paragraph (3).

5 “(3) PERFORMANCE RESULTS.—For each pro-
6 gram year, the Secretary shall make available, on a
7 publicly accessible website of the Department, a re-
8 port on the performance of YouthBuild programs,
9 during such program year, funded under this section
10 on—

11 “(A) the primary indicators of performance
12 described in section 116(b)(2)(A)(ii); and

13 “(B) the expected levels of performance for
14 such programs as described in paragraph (1).”;

15 (4) in subsection (g), by inserting at the end
16 the following:

17 “(4) ANNUAL RELEASE OF FUNDING OPPOR-
18 TUNITY ANNOUNCEMENT.—The Secretary shall, to
19 the greatest extent practicable, announce new fund-
20 ing opportunities for grants under this section dur-
21 ing the same time period each year for which such
22 grants are available.”; and

23 (5) by amending subsection (i) to read as fol-
24 lows:

1 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 \$108,150,000 for each of the fiscal years 2025 through
4 2030.”.

5 **SEC. 178. REENTRY EMPLOYMENT OPPORTUNITIES.**

6 Subtitle D of title I of the Workforce Innovation and
7 Opportunity Act (29 U.S.C. 3221 et seq.), is further
8 amended—

9 (1) by redesignating section 172 as section 174;

10 and

11 (2) by inserting after section 171 the following:

12 **“SEC. 172. REENTRY EMPLOYMENT OPPORTUNITIES.**

13 “(a) PURPOSES.—The purposes of this section are—

14 “(1) to improve the employment, earnings, and
15 skill attainment, and reduce recidivism, of adults
16 and youth who have been involved with the justice
17 system;

18 “(2) to prompt innovation and improvement in
19 the reentry of justice-involved individuals into the
20 workforce so that successful initiatives can be estab-
21 lished or continued and replicated; and

22 “(3) to further develop the evidence on how to
23 improve employment, earnings, and skill attainment,
24 and reduce recidivism, of justice-involved individuals,
25 through rigorous evaluations of specific services pro-

1 vided, including how they affect different popu-
2 lations and how they are best combined and
3 sequenced, and disseminate such evidence to entities
4 supporting the reentry of justice-involved individuals
5 into the workforce.

6 “(b) REENTRY EMPLOYMENT COMPETITIVE GRANTS,
7 CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHOR-
8 IZED.—

9 “(1) IN GENERAL.—From the amounts appro-
10 priated under section 174(e) and not reserved under
11 subsection (h), the Secretary—

12 “(A) shall, on a competitive basis, make
13 grants to, or enter into contracts or cooperative
14 agreements with, eligible entities to implement
15 reentry projects that serve eligible adults or eli-
16 gible youth;

17 “(B) may use not more than 30 percent of
18 such amounts to award funds under subpara-
19 graph (A) to eligible entities to serve as na-
20 tional or regional intermediaries to provide such
21 funds to other eligible entities to—

22 “(i) implement reentry projects de-
23 scribed in subparagraph (A); and

24 “(ii) monitor and support such enti-
25 ties;

1 “(C) shall use 30 percent of such amounts
2 to award funds under subparagraph (A) to eli-
3 gible entities using pay-for-performance con-
4 tracts—

5 “(i) that specify a fixed amount that
6 will be paid to the entity based on the
7 achievement of specified levels of perform-
8 ance on the indicators of performance de-
9 scribed in subsections (e)(1)(A)(i) and
10 (e)(2)(A) within a defined timetable; and

11 “(ii) which may provide for bonus
12 payments to such entity to expand capacity
13 to provide effective services; and

14 “(D) shall ensure grants awarded under
15 this section are awarded to eligible entities from
16 geographically diverse areas, in addition to the
17 priorities described in paragraph (4).

18 “(2) AWARD PERIODS.—The Secretary shall
19 award funds under this section for an initial period
20 of not more than 4 years.

21 “(3) ADDITIONAL AWARDS.—The Secretary
22 may award, for a period of not more than 4 years,
23 one or more additional grants to an eligible entity
24 that received a grant under this section if the eligi-
25 ble entity achieved the performance levels agreed

1 upon with the Secretary (as described in subsection
2 (e)(3)) for the most recent award period.

3 “(4) PRIORITY.—In awarding funds under this
4 section, the Secretary shall give priority to eligible
5 entities whose applications submitted under sub-
6 section (c) demonstrate a commitment to use such
7 funds to implement reentry projects—

8 “(A) that will serve high-poverty areas;

9 “(B) that will enroll eligible youth or eligi-
10 ble adults—

11 “(i) prior to the release of such indi-
12 viduals from incarceration in a correctional
13 institution; or

14 “(ii) not later than 90 days after such
15 release;

16 “(C) whose strategy and design are evi-
17 dence-based;

18 “(D) that establish partnerships with—

19 “(i) businesses; or

20 “(ii) institutions of higher education
21 or providers under section 122 (as deter-
22 mined by the State where services are
23 being provided) to provide project partici-
24 pants with programs of study leading to

1 recognized postsecondary credentials in in-
2 demand occupations; or

3 “(E) that provide training services, includ-
4 ing customized training and on-the-job training,
5 that are designed to meet the specific require-
6 ments of an employer (including a group of em-
7 ployers), industry, or sector, and are conducted
8 with a commitment by the employer to employ
9 individuals upon successful completion of the
10 preparation.

11 “(c) APPLICATION.—

12 “(1) FORM AND PROCEDURE.—To be qualified
13 to receive funds under this section, an eligible entity
14 shall submit an application at such time, and in
15 such manner, as determined by the Secretary, and
16 containing the information described in paragraph
17 (2).

18 “(2) CONTENTS.—An application submitted by
19 an eligible entity under paragraph (1) shall contain
20 the following:

21 “(A) A description of the eligible entity, in-
22 cluding the experience of the eligible entity in
23 providing employment and training services for
24 justice-involved individuals.

1 “(B) A description of the needs that will
2 be addressed by the reentry project supported
3 by the funds received under this section, and
4 the target participant population and the geo-
5 graphic area to be served.

6 “(C) A description of the proposed employ-
7 ment and training activities and supportive
8 services, if applicable, to be provided under
9 such reentry project, and how such activities
10 and services will prepare participants for em-
11 ployment in in-demand industry sectors and oc-
12 cupations within the geographic area to be
13 served by such reentry project.

14 “(D) The anticipated schedule for carrying
15 out the activities proposed under the reentry
16 project.

17 “(E) A description of—

18 “(i) the partnerships the eligible enti-
19 ty will establish with agencies and entities
20 within the criminal justice system, local
21 boards and one-stops, community-based or-
22 ganizations, and employers (including local
23 businesses) to provide participants of the
24 reentry project with work-based learning,

1 job placement, and recruitment (if applica-
2 ble); and

3 “(ii) how the eligible entity will co-
4 ordinate its activities with other services
5 and benefits available to justice-involved
6 individuals in the geographic area to be
7 served by the reentry project.

8 “(F) A description of the manner in which
9 individuals will be recruited and selected for
10 participation for the reentry project.

11 “(G) A detailed budget and a description
12 of the system of fiscal controls, and auditing
13 and accountability procedures, that will be used
14 to ensure fiscal soundness for the reentry
15 project.

16 “(H) A description of the expected levels of
17 performance to be achieved with respect to the
18 performance measures described in subsection
19 (e).

20 “(I) A description of the evidence-based
21 practices the eligible entity will use in adminis-
22 tration of the reentry project.

23 “(J) An assurance that the eligible entity
24 will collect, disaggregate by each subpopulation
25 of individuals with barriers to employment, and

1 by race, ethnicity, sex, and age, and report to
2 the Secretary the data required with respect to
3 the reentry project carried out by the eligible
4 entity for purposes of determining levels of per-
5 formance achieved and conducting the evalua-
6 tion under this section.

7 “(K) An assurance that the eligible entity
8 will provide matching funds, as described in
9 subsection (d)(4).

10 “(L) A description of how the eligible enti-
11 ty plans to continue the reentry project after
12 the award period.

13 “(3) ADDITIONAL CONTENT FOR INTER-
14 MEDIARY APPLICANTS.—An application submitted by
15 an eligible entity seeking to serve as a national or
16 regional intermediary as described in subsection
17 (b)(1)(B) shall also contain the following:

18 “(A) An identification and description of
19 the eligible entities that will be subgrantees of
20 such intermediary and implement the reentry
21 projects, which shall include subgrantees in—

22 “(i) three or more noncontiguous met-
23 ropolitan areas or rural areas; and

24 “(ii) not less than 2 States.

1 “(B) A description of the services and sup-
2 ports the intermediary will provide to the sub-
3 grantees, including administrative and fiscal
4 support to ensure the subgrantees comply with
5 all grant requirements.

6 “(C) A description of how the intermediary
7 will facilitate the replication of evidence-based
8 practices or other best practices identified by
9 the intermediary across all subgrantees.

10 “(D) If such intermediary is currently re-
11 ceiving, or has previously received, funds under
12 this section as an intermediary to implement a
13 reentry project, an assurance that none of the
14 subgrantees identified under subparagraph (A)
15 were previous subgrantees of the intermediary
16 for such reentry project and failed to meet the
17 levels of performance established for such re-
18 entry project.

19 “(d) USES OF FUNDS.—

20 “(1) REQUIRED ACTIVITIES.—An eligible entity
21 that receives funds under this section shall use such
22 funds to implement a reentry project for eligible
23 adults, eligible youth, or both that provides each of
24 the following:

1 “(A) One or more of the individualized ca-
2 reer services listed in subclauses (I) through
3 (IX) of section 134(c)(2)(A)(xii).

4 “(B) One or more of the training services
5 listed in clauses (i) through (x)(i) in section
6 134(c)(3)(D), including subsidized employment
7 opportunities through transitional jobs.

8 “(C) For participants who are eligible
9 youth, one or more of the program elements
10 listed in subparagraphs (A) through (N) of sec-
11 tion 129(c)(2).

12 “(2) ALLOWABLE ACTIVITIES.—An eligible enti-
13 ty that receives funds under this section may use
14 such funds to provide to eligible adults or eligible
15 youth the following:

16 “(A) Followup services after placement in
17 unsubsidized employment as described in sec-
18 tion 134(c)(2)(A)(xiii).

19 “(B) Apprenticeship programs.

20 “(C) Education in digital literacy skills.

21 “(D) Mentoring.

22 “(E) Assistance in obtaining employment,
23 including as a result of the eligible entity—

1 “(i) establishing and developing rela-
2 tionships and networks with large and
3 small employers; and

4 “(ii) coordinating with employers to
5 develop customized training programs and
6 on-the-job training.

7 “(F) Assistance with driver’s license rein-
8 statement and fees for driver’s licenses and
9 other necessary documents for employment.

10 “(G) Provision of or referral to evidence-
11 based mental health treatment by licensed prac-
12 titioners.

13 “(H) Provision of or referral to substance
14 use disorder treatment services, provided that
15 funds awarded under this section are only used
16 to provide such services to participants who are
17 unable to obtain such services through other
18 programs providing such services.

19 “(I) Provisions of or referral to supportive
20 services, provided that no more than 5 percent
21 of funds awarded to an eligible entity under
22 this section may be used to provide such serv-
23 ices to participants who are able to obtain such
24 services through other programs providing such
25 services.

1 “(3) ADMINISTRATIVE COST LIMIT.—An eligible
2 entity may not use more than 7 percent of the funds
3 received under this section for administrative costs,
4 including for costs related to collecting information,
5 analysis, and coordination for purposes of subsection
6 (e) or (f).

7 “(4) MATCHING FUNDS.—An eligible entity
8 shall provide a non-Federal contribution, which may
9 be provided in cash or in-kind, for the costs of the
10 project in an amount that is not less than 25 per-
11 cent of the total amount of funds awarded to the en-
12 tity for such period, except that the Secretary may
13 waive the matching funds requirement, on a case-by-
14 case basis and for not more than 20 percent of all
15 grants awarded, if the eligible entity demonstrates
16 significant financial hardship.

17 “(e) LEVELS OF PERFORMANCE.—

18 “(1) ESTABLISHMENT OF LEVELS.—

19 “(A) IN GENERAL.—The Secretary shall
20 establish expected levels of performance for re-
21 entry projects funded under this section for—

22 “(i) each of the primary indicators of
23 performance for adults and youth de-
24 scribed in section 116(b); and

1 “(ii) an indicator of performance es-
2 tablished by the Secretary with respect to
3 participant recidivism.

4 “(B) UPDATES.—The levels established
5 under subparagraph (A) shall be updated for
6 each 4-year-award period.

7 “(2) AGREEMENT ON PERFORMANCE LEVELS.—
8 In establishing and updating performance levels
9 under paragraph (1), the Secretary shall reach
10 agreement on such levels with the eligible entities re-
11 ceiving awards under this section that will be subject
12 to such levels, based on, as the Secretary determines
13 relevant for each indicator of performance, the fol-
14 lowing factors:

15 “(A) The expected performance levels of
16 each such eligible entity described in the appli-
17 cation submitted under subsection (c)(2)(H).

18 “(B) The local economic conditions of the
19 geographic area to be served by each such eligi-
20 ble entity, including differences in unemploy-
21 ment rates and job losses or gains in particular
22 industries.

23 “(C) The characteristics of project partici-
24 pants when entering the project involved, in-
25 cluding—

- 1 “(i) criminal records;
- 2 “(ii) indicators of poor work history;
- 3 “(iii) lack of work experience;
- 4 “(iv) lack of educational or occupa-
- 5 tional skills attainment;
- 6 “(v) low levels of literacy or English
- 7 proficiency;
- 8 “(vi) disability status;
- 9 “(vii) homelessness; and
- 10 “(viii) receipt of public assistance.

11 “(3) FAILURE TO MEET PERFORMANCE LEV-

12 ELS.—In the case of an eligible entity that fails to

13 meet the performance levels established under para-

14 graph (1) and updated to reflect the actual economic

15 conditions and characteristics of participants (as de-

16 scribed in paragraph (2)(C)) served by the reentry

17 project involved for any award year, the Secretary

18 shall provide technical assistance to the eligible enti-

19 ty, including the development of a performance im-

20 provement plan.

21 “(f) EVALUATION OF REENTRY PROJECTS.—

22 “(1) IN GENERAL.—Not later than 5 years

23 after the first award of funds under this section is

24 made, the Secretary (acting through the Chief Eval-

1 uation Officer) shall meet each of the following re-
2 quirements:

3 “(A) DESIGN AND CONDUCT OF EVALUA-
4 TION.—Design and conduct an evaluation to
5 evaluate the effectiveness of the reentry projects
6 funded under this section, which meets the re-
7 quirements of paragraph (2), and includes an
8 evaluation of each of the following:

9 “(i) The effectiveness of such projects
10 in assisting individuals with finding em-
11 ployment and maintaining employment at
12 the second quarter and fourth quarter
13 after unsubsidized employment is obtained.

14 “(ii) The effectiveness of such projects
15 in assisting individuals with earning recog-
16 nized postsecondary credentials.

17 “(iii) The effectiveness of such
18 projects in relation to their cost, including
19 the extent to which the projects improve
20 reentry outcomes, including in employ-
21 ment, compensation (which may include
22 wages earned and benefits), career ad-
23 vancement, measurable skills gains, creden-
24 tials earned, and recidivism of participants
25 in comparison to comparably situated indi-

1 individuals who did not participate in such
2 projects.

3 “(iv) The effectiveness of specific
4 services and interventions provided and of
5 the overall project design.

6 “(v) If applicable, the extent to which
7 such projects effectively serve various de-
8 mographic groups, including people of dif-
9 ferent geographic locations, ages, races,
10 national origins, sex, and criminal records,
11 and individuals with disabilities.

12 “(vi) If applicable, the appropriate se-
13 quencing, combination, or concurrent
14 structure, of services for each subpopula-
15 tion of individuals who are participants of
16 such projects, such as the order, combina-
17 tion, or concurrent structure and services
18 in which transitional jobs and occupational
19 skills development are provided, to ensure
20 that such participants are prepared to fully
21 benefit from employment and training
22 services provided under the project.

23 “(vii) Limitations or barriers to edu-
24 cation and employment as a result of occu-

1 pational or educational licensing restric-
2 tions.

3 “(B) DATA ACCESSIBILITY.—Make avail-
4 able, on the publicly accessible website of the
5 Department of Labor, data collected during the
6 course of evaluation under this subsection, in
7 an aggregated format that does not disclose
8 personally identifiable information.

9 “(2) DESIGN REQUIREMENTS.—An evaluation
10 under this subsection—

11 “(A) shall—

12 “(i) be designed by the Secretary (act-
13 ing through the Chief Evaluation Officer)
14 in conjunction with the eligible entities car-
15 rying out the reentry projects being evalu-
16 ated;

17 “(ii) include analysis of participant
18 feedback and outcome and process meas-
19 ures; and

20 “(iii) use designs that employ the
21 most rigorous analytical and statistical
22 methods that are reasonably feasible, such
23 as the use of control groups; and

24 “(B) may not—

1 “(i) collect personally identifiable in-
2 formation, except to the extent such infor-
3 mation is necessary to conduct the evalua-
4 tion; or

5 “(ii) reveal or share personally identi-
6 fiable information.

7 “(3) PUBLICATION AND REPORTING OF EVAL-
8 UATION FINDINGS.—The Secretary (acting through
9 the Chief Evaluation Officer) shall—

10 “(A) in accordance with the timeline deter-
11 mined to be appropriate by the Chief Evalua-
12 tion Officer, publish an interim report on such
13 evaluation;

14 “(B) not later than 90 days after the date
15 on which any evaluation is completed under this
16 subsection, publish and make publicly available
17 such evaluation; and

18 “(C) not later than 60 days after the com-
19 pletion date described in subparagraph (B),
20 submit to the Committee on Education and the
21 Workforce of the House of Representatives and
22 the Committee on Health, Education, Labor,
23 and Pensions of the Senate a report on such
24 evaluation.

25 “(g) ANNUAL REPORT.—

1 “(1) CONTENTS.—Subject to paragraph (2),
2 the Secretary shall post, using transparent, linked,
3 open, and interoperable data formats, on its publicly
4 accessible website, an annual report on—

5 “(A) the number of individuals who par-
6 ticipated in projects assisted under this section
7 for the preceding year;

8 “(B) the percentage of such individuals
9 who successfully completed the requirements of
10 such projects;

11 “(C) the performance of eligible entities on
12 such projects as measured by the performance
13 indicators set forth in subsection (e); and

14 “(D) an explanation of any waivers grant-
15 ed by the Secretary of the matching require-
16 ment under subsection (d)(4) .

17 “(2) DISAGGREGATION.—The information pro-
18 vided under subparagraphs (A) through (C) of para-
19 graph (1) with respect to a year shall be
20 disaggregated by each project assisted under this
21 section for such year.

22 “(h) RESERVATION OF FUNDS.—Of the funds appro-
23 priated under section 174(e) for a fiscal year, the Sec-
24 retary—

1 “(1) may reserve not more than 5 percent for
2 the administration of grants, contracts, and coopera-
3 tive agreements awarded under this section, of which
4 not more than 2 percent may be reserved for the
5 provision of—

6 “(A) technical assistance to eligible entities
7 that receive funds under this section; and

8 “(B) outreach and technical assistance to
9 eligible entities desiring to receive such funds,
10 including assistance with application develop-
11 ment and submission; and

12 “(2) shall reserve not less than 1 percent and
13 not more than 2.5 percent for the evaluation activi-
14 ties under subsection (f) or to support eligible enti-
15 ties with any required data collection, analysis, and
16 coordination related to such evaluation activities.

17 “(i) DEFINITIONS.—In this section:

18 “(1) CHIEF EVALUATION OFFICER.—The term
19 ‘Chief Evaluation Officer’ means the head of the
20 independent evaluation office located in the Office of
21 the Assistant Secretary for Policy of the Department
22 of Labor.

23 “(2) COMMUNITY SUPERVISION.—The term
24 ‘community supervision’ means mandatory oversight

1 (including probation and parole) of a formerly incar-
2 cerated person—

3 “(A) who was convicted of a crime by a
4 judge or parole board; and

5 “(B) who is living outside a secure facility.

6 “(3) CORRECTIONAL INSTITUTION.—The term
7 ‘correctional institution’ has the meaning given the
8 term in section 225(e).

9 “(4) ELIGIBLE ENTITY.—The term ‘eligible en-
10 tity’ means—

11 “(A) a private nonprofit organization
12 under section 501(c)(3) of the Internal Revenue
13 Code of 1986, including a community-based or
14 faith-based organization;

15 “(B) a local board;

16 “(C) a State or local government;

17 “(D) an Indian or Native American entity
18 eligible for grants under section 166;

19 “(E) a labor organization or joint labor-
20 management organization;

21 “(F) an industry or sector partnership;

22 “(G) an institution of higher education; or

23 “(H) a consortium of the entities described
24 in subparagraphs (A) through (H).

1 “(5) ELIGIBLE ADULT.—The term ‘eligible
2 adult’ means a justice-involved individual who is age
3 25 or older.

4 “(6) ELIGIBLE YOUTH.—The term ‘eligible
5 youth’ means a justice-involved individual who is not
6 younger than age 14 or older than age 24.

7 “(7) HIGH-POVERTY.—The term ‘high-poverty’,
8 when used with respect to a geographic area, means
9 an area with a poverty rate of at least 20 percent
10 as determined based on the most recently available
11 data from the American Community Survey con-
12 ducted by the Bureau of the Census.

13 “(8) JUSTICE-INVOLVED INDIVIDUAL.—The
14 term ‘justice-involved individual’ means—

15 “(A) an individual of any age who—

16 “(i) has been convicted and impris-
17 oned under Federal or State law; and

18 “(ii) was released from imprisonment
19 not more than 3 years prior to enrollment
20 in a project funded under this section; or

21 “(B) an individual who—

22 “(i) is not younger than age 14 or
23 older than age 24; and

24 “(ii) has been—

1 “(I) charged with, or convicted
2 of, any criminal offense in an adult
3 court; or

4 “(II) charged with, or adjud-
5 icated of, a delinquent act in a juve-
6 nile court.”.

7 **SEC. 179. STRENGTHENING COMMUNITY COLLEGES GRANT**
8 **PROGRAM.**

9 Subtitle D of title I of the Workforce Innovation and
10 Opportunity Act (29 U.S.C. 3221 et seq.), is further
11 amended by inserting after section 172, as added by the
12 preceding section, the following:

13 **“SEC. 173. STRENGTHENING COMMUNITY COLLEGES WORK-**
14 **FORCE DEVELOPMENT GRANTS PROGRAM.**

15 “(a) PURPOSES.—The purposes of this section are—

16 “(1) to establish, improve, or expand high-qual-
17 ity workforce development programs at community
18 colleges; and

19 “(2) to expand opportunities for individuals to
20 obtain recognized postsecondary credentials that are
21 nationally or regionally portable and stackable for
22 high-skill, high-wage, or in-demand industry sectors
23 or occupations.

24 “(b) STRENGTHENING COMMUNITY COLLEGES
25 WORKFORCE DEVELOPMENT GRANTS PROGRAM.—

1 “(1) IN GENERAL.—From the amounts appro-
2 priated to carry out this section under section 174(f)
3 and not reserved under paragraph (2), the Secretary
4 shall, on a competitive basis, make grants to eligible
5 institutions to carry out the activities described in
6 subsection (e).

7 “(2) RESERVATION.—Of the amounts appro-
8 priated to carry out this section under section
9 174(f), the Secretary may reserve not more than two
10 percent for the administration of grants awarded
11 under this section, including—

12 “(A) providing technical assistance and
13 targeted outreach to support eligible institu-
14 tions serving a high number or high percentage
15 of low-income individuals or individuals with
16 barriers to employment, and rural-serving eligi-
17 ble institutions, to provide guidance and assist-
18 ance in the process of applying for grants under
19 this section; and

20 “(B) evaluating and reporting on the per-
21 formance and impact of programs funded under
22 this section in accordance with subsections (f)
23 through (h).

24 “(c) AWARD PERIOD.—

1 “(1) INITIAL GRANT PERIOD.—Each grant
2 under this section shall be awarded for an initial pe-
3 riod of not more than 4 years.

4 “(2) SUBSEQUENT GRANTS.—An eligible insti-
5 tution that receives an initial grant under this sec-
6 tion may receive one or more additional grants
7 under this section for additional periods of not more
8 than 4 years each if the eligible institution dem-
9 onstrates that, during the most recently completed
10 grant period for a grant received under this section,
11 such eligible institution achieved the levels of per-
12 formance agreed to by the eligible institution with
13 respect to the performance indicators specified in
14 subsection (f).

15 “(d) APPLICATION.—

16 “(1) IN GENERAL.—To be eligible to receive a
17 grant under this section, an eligible institution shall
18 submit an application to the Secretary at such time
19 and in such manner as the Secretary may require.

20 “(2) CONTENTS.—An application submitted by
21 an eligible institution under paragraph (1) shall in-
22 clude a description of each the following:

23 “(A) The extent to which the eligible insti-
24 tution has demonstrated success building part-
25 nerships with employers in in-demand industry

1 sectors or occupations to provide students with
2 the skills needed for occupations in such indus-
3 tries and an explanation of the results of any
4 such partnerships.

5 “(B) The methods and strategies the eligi-
6 ble institution will use to engage with employers
7 in in-demand industry sectors or occupations,
8 including any arrangements to place individuals
9 who complete the workforce development pro-
10 grams supported by the grant into employment
11 with such employers.

12 “(C) The proposed eligible institution and
13 industry partnership that the eligible institution
14 will establish or maintain to comply with sub-
15 section (e)(1), including—

16 “(i) the roles and responsibilities of
17 each employer, organization, agency, or in-
18 stitution of higher education that the eligi-
19 ble institution will partner with to carry
20 out the activities under this section; and

21 “(ii) the needs that will be addressed
22 by such eligible institution and industry
23 partnership.

24 “(D) One or more industries that such
25 partnership will target and real-time labor mar-

1 ket data demonstrating that those industries
2 are aligned with employer demand in the geo-
3 graphic area to be served by the eligible institu-
4 tion.

5 “(E) The extent to which the eligible insti-
6 tution can—

7 “(i) leverage additional resources to
8 support the programs to be funded with
9 the grant, which shall include written com-
10 mitments of any leveraged or matching
11 funds for the proposed programs; and

12 “(ii) demonstrate the future sustain-
13 ability of each such program.

14 “(F) The steps the institution will take to
15 ensure the high quality of each program to be
16 funded with the grant, including the career
17 pathways within such programs.

18 “(G) The population and geographic area
19 to be served by the eligible institution, including
20 the number of individuals the eligible institution
21 intends to serve during the grant period.

22 “(H) The workforce development programs
23 to be supported by the grant.

24 “(I) The recognized postsecondary creden-
25 tials that are expected to be earned by partici-

1 pants in such workforce development programs
2 and the related high-wage, high skill, or in-de-
3 mand industry sectors or occupations for which
4 such programs will prepare participants.

5 “(J) The evidence upon which the edu-
6 cation and skills development strategies to be
7 used in such workforce development programs
8 are based and an explanation of how such evi-
9 dence influenced the design of the programs to
10 improve education and employment outcomes.

11 “(K) How activities of the eligible institu-
12 tion are expected to align with the workforce
13 strategies identified in—

14 “(i) any State plan or local plan sub-
15 mitted under this Act by the State, out-
16 lying area, or locality in which the eligible
17 institution is expected to operate;

18 “(ii) any State plan submitted under
19 section 122 of the Carl D. Perkins Career
20 and Technical Education Act of 2006 (20
21 U.S.C. 2342) by such State or outlying
22 area; and

23 “(iii) any economic development plan
24 of the chief executive of such State or out-
25 lying area.

1 “(L) The goals of the eligible institution
2 with respect to—

3 “(i) capacity building (as described in
4 subsection (f)(1)(B)); and

5 “(ii) the expected performance of indi-
6 viduals participating in the programs to be
7 offered by the eligible institution, including
8 with respect to any performance indicators
9 applicable under section 116 or subsection
10 (f) of this section.

11 “(3) CONSIDERATION OF PREVIOUS EXPERI-
12 ENCE.—The Secretary may not disqualify an eligible
13 institution from receiving a grant under this section
14 solely because such institution lacks previous experi-
15 ence in building partnerships, as described in para-
16 graph (2)(A).

17 “(4) PRIORITY.—In awarding grants under this
18 section, the Secretary shall give priority to eligible
19 institutions that—

20 “(A) will use the grant to serve—

21 “(i) individuals with barriers to em-
22 ployment; or

23 “(ii) incumbent workers who need to
24 gain or improve foundational skills to en-
25 hance their employability;

1 “(B) use competency-based assessments,
2 such as the competency-based assessment iden-
3 tified by the State in which the eligible institu-
4 tion is located under section 134(a)(2)(B)(vii),
5 to award academic credit for prior learning for
6 programs supported by the grant; or

7 “(C) have, or will seek to have, the career
8 education programs supported by the grant in-
9 cluded on the list of eligible providers of train-
10 ing services under section 122 for the State in
11 which the eligible institution is located.

12 “(e) USES OF FUNDS.—

13 “(1) ELIGIBLE INSTITUTION AND INDUSTRY
14 PARTNERSHIP.—For the purpose of carrying out the
15 activities specified in paragraphs (2) and (3), an eli-
16 gible institution that receives a grant under this sec-
17 tion shall establish a partnership (or continue an ex-
18 isting partnership) with one or more employers in an
19 in-demand industry sector or occupation (in this sec-
20 tion referred to as an ‘eligible institution and indus-
21 try partnership’) and shall maintain such partner-
22 ship for the duration of the grant period. The eligi-
23 ble institution shall ensure that the partnership—

24 “(A) targets one or more specific high-
25 skill, high-wage, or in-demand industries;

1 “(B) includes collaboration with the work-
2 force development system;

3 “(C) serves adult and dislocated workers,
4 incumbent workers, and new entrants to the
5 workforce;

6 “(D) uses an evidence-based program de-
7 sign that is appropriate for the activities carried
8 out by the partnership;

9 “(E) incorporates work-based learning op-
10 portunities, as defined in section 3 of the Carl
11 D. Perkins Career and Technical Education Act
12 of 2006 (20 U.S.C. 2302); and

13 “(F) incorporates, to the extent appro-
14 priate, virtual service delivery to facilitate tech-
15 nology-enabled learning.

16 “(2) REQUIRED ACTIVITIES.—An eligible insti-
17 tution that receives a grant under this section shall,
18 in consultation with the employers in the eligible in-
19 stitution and industry partnership described in para-
20 graph (1)—

21 “(A) establish, improve, or expand high
22 quality, evidence-based workforce development
23 programs, career pathway programs, or work-
24 based learning programs (including apprentice-
25 ship programs or preapprenticeships);

1 “(B) provide career services to individuals
2 participating in the programs funded with the
3 grant to facilitate retention and program com-
4 pletion, which may include—

5 “(i) career navigation, coaching,
6 mentorship, and case management serv-
7 ices, including providing information and
8 outreach to individuals with barriers to
9 employment to encourage such individuals
10 to participate in programs funded with the
11 grant; and

12 “(ii) providing access to course mate-
13 rials, technological devices, required equip-
14 ment, and other supports necessary for
15 participation in and successful completion
16 of such programs; and

17 “(C) make available, in a format that is
18 open, searchable, and easily comparable, infor-
19 mation on—

20 “(i) curricula and recognized postsec-
21 ondary credentials offered through pro-
22 grams funded with the grant, including
23 any curricula or credentials created or fur-
24 ther developed using such grant, which for

1 each recognized postsecondary credential,
2 shall include—

3 “(I) the issuing entity of such
4 credential;

5 “(II) any third-party endorse-
6 ments of such credential;

7 “(III) the occupations for which
8 the credential prepares individuals;

9 “(IV) the skills and competencies
10 necessary to achieve to earn such cre-
11 dential;

12 “(V) the level of mastery of such
13 skills and competencies (including how
14 mastery is assessed); and

15 “(VI) any transfer value or
16 stackability of the credential;

17 “(ii) any skills or competencies devel-
18 oped by individuals who participate in such
19 programs beyond the skills and com-
20 petencies identified as part of the recog-
21 nized postsecondary credential awarded;
22 and

23 “(iii) related employment and earn-
24 ings outcomes on the primary indicators of

1 performance described in subclauses (I)
2 through (III) of section 116(b)(2)(A)(i).

3 “(3) ADDITIONAL ACTIVITIES.—In addition to
4 the activities required under paragraph (2), an eligi-
5 ble institution that receives a grant under this sec-
6 tion shall, in consultation with the employers in the
7 eligible institution and industry partnership de-
8 scribed in paragraph (1), carry out one or more of
9 the following activities:

10 “(A) Establish, improve, or expand—

11 “(i) articulation agreements (as de-
12 fined in section 486A(a) of the Higher
13 Education Act of 1965 (20 U.S.C.
14 1093a(a));

15 “(ii) credit transfer agreements;

16 “(iii) corequisite remediation pro-
17 grams that enable a student to receive re-
18 medial education services while enrolled in
19 a postsecondary course rather than requir-
20 ing the student to receive remedial edu-
21 cation before enrolling in a such a course;

22 “(iv) dual or concurrent enrollment
23 programs;

24 “(v) competency-based education and
25 assessment; or

1 “(vi) policies and processes to award
2 academic credit for prior learning or for
3 the programs described in paragraph
4 (2)(A).

5 “(B) Establish or implement plans for pro-
6 viders of the programs described in paragraph
7 (2)(A) to meet the criteria and carry out the
8 procedures necessary to be included on the eli-
9 gible training services provider list described in
10 section 122(d).

11 “(C) Purchase, lease, or refurbish special-
12 ized equipment as necessary to carry out such
13 programs, provided that not more than 15 per-
14 cent of the funds awarded to the eligible insti-
15 tution under this section may be used for activi-
16 ties described in this subparagraph.

17 “(D) Reduce or eliminate unmet financial
18 need relating to the cost of attendance (as de-
19 fined under section 472 of the Higher Edu-
20 cation Act of 1965 (20 U.S.C. 1087ll)) of par-
21 ticipants in such programs.

22 “(4) ADMINISTRATIVE COST LIMIT.—An eligible
23 institution may use not more than 7 percent of the
24 funds awarded under this section for administrative
25 costs, including costs related to collecting informa-

1 tion, analysis, and coordination for purposes of sub-
2 section (f).

3 “(f) PERFORMANCE LEVELS AND PERFORMANCE
4 REVIEWS.—

5 “(1) IN GENERAL.—The Secretary shall develop
6 and implement guidance that establishes the levels
7 of performance that are expected to be achieved by
8 each eligible institution receiving a grant under this
9 section. Such performance levels shall be established
10 on the following indicators:

11 “(A) Each of the primary indicators of
12 performance for adults described in section
13 116(b), which shall be applied for all individuals
14 who participated in a program that received
15 funding from a grant under this section.

16 “(B) The extent to which the eligible insti-
17 tution built capacity by—

18 “(i) increasing the breadth and depth
19 of employer engagement and investment in
20 workforce development programs in the in-
21 demand industry sectors and occupations
22 targeted by the eligible institution and in-
23 dustry partnership established or main-
24 tained by the eligible institution under sub-
25 section (e)(1);

1 “(ii) designing or implementing new
2 and accelerated instructional techniques or
3 technologies, including the use of advanced
4 online and technology-enabled learning
5 (such as immersive technology); and

6 “(iii) increasing program and policy
7 alignment across systems and decreasing
8 duplicative services or service gaps.

9 “(C) With respect to individuals who par-
10 ticipated in a workforce development program
11 funded with the grant—

12 “(i) the percentage of participants
13 who successfully completed the program;
14 and

15 “(ii) of the participants who were in-
16 cumbent workers at the time of enrollment
17 in the program, the percentage who ad-
18 vanced into higher level positions during or
19 after completing the program.

20 “(2) CONSULTATION AND DETERMINATION OF
21 PERFORMANCE LEVELS.—

22 “(A) CONSIDERATION.—In developing per-
23 formance levels in accordance with paragraph
24 (1), the Secretary shall take into consideration

1 the goals of the eligible institution pursuant to
2 subsection (d)(2)(L).

3 “(B) DETERMINATION.—After completing
4 the consideration required under subparagraph
5 (A), the Secretary shall separately determine
6 the performance levels that will apply to each
7 eligible institution, taking into account—

8 “(i) the expected performance levels of
9 each eligible institution with respect to the
10 goals described by the eligible institution
11 pursuant to subsection (d)(2)(L); and

12 “(ii) local economic conditions in the
13 geographic area to be served by the eligible
14 institution, including differences in unem-
15 ployment rates and job losses or gains in
16 particular industries.

17 “(C) NOTICE AND ACKNOWLEDGMENT.—

18 “(i) NOTICE.—The Secretary shall
19 provide each eligible institution with a
20 written notification that sets forth the per-
21 formance levels that will apply to the eligi-
22 ble institution, as determined under sub-
23 paragraph (B).

24 “(ii) ACKNOWLEDGMENT.—After re-
25 ceiving the notification described in clause

1 (i), each eligible institution shall submit to
2 the Secretary written confirmation that the
3 eligible institution—

4 “(I) received the notification; and

5 “(II) agrees to be evaluated in
6 accordance with the performance lev-
7 els determined by the Secretary.

8 “(3) PERFORMANCE REVIEWS.—On an annual
9 basis during each year of the grant period, the Sec-
10 retary shall evaluate the performance during such
11 year of each eligible institution receiving a grant
12 under this section in a manner consistent with the
13 performance levels determined for such institution
14 pursuant to paragraph (2).

15 “(4) FAILURE TO MEET PERFORMANCE LEV-
16 ELS.—After conducting an evaluation under para-
17 graph (3), if the Secretary determines that an eligi-
18 ble institution did not achieve the performance levels
19 applicable to the eligible institution under paragraph
20 (2), the Secretary shall—

21 “(A) provide technical assistance to the eli-
22 gible institution; and

23 “(B) develop a performance improvement
24 plan for the eligible institution.

25 “(g) EVALUATIONS AND REPORTS.—

1 “(1) IN GENERAL.—Not later than 4 years
2 after the date on which the first grant is made
3 under this section, the Secretary shall design and
4 conduct an evaluation to determine the overall effec-
5 tiveness of the eligible institutions receiving a grant
6 under this section.

7 “(2) ELEMENTS.—The evaluation of the effec-
8 tiveness of eligible institutions conducted under
9 paragraph (1) shall include an assessment of the
10 general effectiveness of programs and activities sup-
11 ported by the grants awarded to such eligible insti-
12 tutions under this section, including the extent to
13 which the programs and activities—

14 “(A) developed new, or expanded existing,
15 successful industry sector strategies, including
16 the extent to which such eligible institutions
17 deepened employer engagement and developed
18 workforce development programs that met in-
19 dustry skill needs;

20 “(B) created, expanded, or enhanced ca-
21 reer pathways, including the extent to which the
22 eligible institutions developed or improved com-
23 petency-based education and assessment, credit
24 for prior learning, modularized and self-paced
25 curricula, integrated education and workforce

1 development, dual enrollment in secondary and
2 postsecondary career pathways, stacked and
3 latticed credentials, and online and distance
4 learning;

5 “(C) created alignment between eligible in-
6 stitutions and the workforce development sys-
7 tem;

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) provided equal access to various de-
13 mographic groups, including people of different
14 geographic locations, ages, races, national ori-
15 gins, and sexes.

16 “(3) DESIGN REQUIREMENTS.—The evaluation
17 under this subsection shall—

18 “(A) be designed by the Secretary (acting
19 through the Chief Evaluation Officer) in con-
20 junction with the eligible institutions being eval-
21 uated;

22 “(B) include analysis of program partici-
23 pant feedback and outcome and process meas-
24 ures; and

1 “(C) use designs that employ the most rig-
2 orous analytical and statistical methods that
3 are reasonably feasible, such as the use of con-
4 trol groups.

5 “(4) DATA ACCESSIBILITY.—The Secretary
6 shall make available on a publicly accessible website
7 of the Department of Labor any data collected as
8 part of the evaluation under this subsection. Such
9 data shall be made available in an aggregated for-
10 mat that does not reveal personally identifiable in-
11 formation and that ensures compliance with relevant
12 Federal laws, including section 444 of the General
13 Education Provisions Act (commonly known as the
14 ‘Family Educational Rights and Privacy Act of
15 1974’) (20 U.S.C. 1232g).

16 “(5) PUBLICATION AND REPORTING OF EVAL-
17 UATION FINDINGS.—The Secretary (acting through
18 the Chief Evaluation Officer) shall—

19 “(A) in accordance with the timeline deter-
20 mined to be appropriate by the Chief Evalua-
21 tion Officer, publish an interim report on the
22 preliminary results of the evaluation conducted
23 under this subsection;

24 “(B) not later than 60 days after the date
25 on which the evaluation is completed under this

1 subsection, submit to the Committee on Edu-
2 cation and the Workforce of the House of Rep-
3 resentatives and the Committee on Health,
4 Education, Labor, and Pensions of the Senate
5 a report on such evaluation; and

6 “(C) not later than 90 days after such
7 completion date, publish and make the results
8 of such evaluation available on a publicly acces-
9 sible website of the Department of Labor.

10 “(h) ANNUAL REPORTS.—The Secretary shall make
11 available on a publicly accessible website of the Depart-
12 ment of Labor, in transparent, linked, open, and inter-
13 operable data formats, the following information:

14 “(1) The performance of eligible institutions on
15 the capacity-building performance indicator set forth
16 under subsection (f)(1)(B).

17 “(2) The performance of eligible institutions on
18 the workforce development participant outcome per-
19 formance indicators set forth under subsection
20 (f)(1)(C).

21 “(3) The number of individuals enrolled in
22 workforce development programs funded with a
23 grant under this section.

24 “(i) DEFINITIONS.—In this section:

1 “(1) COMMUNITY COLLEGE.—The term ‘com-
2 munity college’ means—

3 “(A) a public institution of higher edu-
4 cation (as defined in section 101(a) of the
5 Higher Education Act (20 U.S.C. 1001(a)), at
6 which—

7 “(i) the highest degree awarded is an
8 associate degree; or

9 “(ii) an associate degree is the most
10 frequently awarded degree;

11 “(B) a branch campus of a 4-year public
12 institution of higher education (as defined in
13 section 101 of the Higher Education Act of
14 1965 (20 U.S.C. 1001)), if, at such branch
15 campus—

16 “(i) the highest degree awarded is an
17 associate degree; or

18 “(ii) an associate degree is the most
19 frequently awarded degree;

20 “(C) a 2-year Tribal College or University
21 (as defined in section 316(b)(3) of the Higher
22 Education Act of 1965 (20 U.S.C.
23 1059c(b)(3))); or

24 “(D) a degree-granting Tribal College or
25 University (as defined in section 316(b)(3) of

1 the Higher Education Act of 1965 (20 U.S.C.
2 1059c(b)(3))) at which—

3 “(i) the highest degree awarded is an
4 associate degree; or

5 “(ii) an associate degree is the most
6 frequently awarded degree.

7 “(2) ELIGIBLE INSTITUTION.—The term ‘eligi-
8 ble institution’ means—

9 “(A) a community college;

10 “(B) a postsecondary vocational institution
11 (as defined in section 102(c) of the Higher
12 Education Act of 1965 (20 U.S.C. 1002(c))); or

13 “(C) a consortium of such colleges or insti-
14 tutions.

15 “(j) SUPPLEMENT NOT SUPPLANT.—Funds made
16 available under this section shall be used to supplement,
17 and not supplant, other Federal, State, and local public
18 funds made available for carrying out the activities de-
19 scribed in this section.”.

20 **SEC. 180. AUTHORIZATION OF APPROPRIATIONS.**

21 Section 174 of the Workforce Innovation and Oppor-
22 tunity Act, as so redesignated, is amended—

23 (1) by redesignating subsections (e) and (f) as
24 subsections (g) and (h), respectively; and

1 (2) by striking subsections (a) through (d) and
2 inserting the following:

3 “(a) NATIVE AMERICAN PROGRAMS.—There are au-
4 thorized to be appropriated to carry out section 166 (not
5 including subsection (k) of such section) \$61,800,000 for
6 each of the fiscal years 2025 through 2030.

7 “(b) MIGRANT AND SEASONAL FARMWORKER PRO-
8 GRAMS.—There are authorized to be appropriated to carry
9 out section 167 \$100,317,900 for each of the fiscal years
10 2025 through 2030.

11 “(c) TECHNICAL ASSISTANCE.—There are authorized
12 to be appropriated to carry out section 168 \$5,000,000
13 for each of the fiscal years 2025 through 2030.

14 “(d) EVALUATIONS AND RESEARCH.—There are au-
15 thorized to be appropriated to carry out section 169
16 \$12,720,000 for each of the fiscal years 2025 through
17 2030.

18 “(e) REENTRY PROGRAM.—There are authorized to
19 be appropriated to carry out section 172 \$115,000,000 for
20 each of the fiscal years 2025 through 2030.

21 “(f) STRENGTHENING COMMUNITY COLLEGES PRO-
22 GRAM.—There are authorized to be appropriated to carry
23 out section 173 \$65,000,000 for each of the fiscal years
24 2025 through 2030.”.

1 **Subtitle F—Administration**

2 **SEC. 191. REQUIREMENTS AND RESTRICTIONS.**

3 (a) LABOR STANDARDS.—Section 181(b) of the
4 Workforce Innovation and Opportunity Act (29 U.S.C.
5 3241(b)) is amended by adding at the end the following:

6 “(8) CONSULTATION.—If an employer provides
7 on-the-job training, incumbent worker training, or
8 employer-directed skills development with funds
9 made available under this title directly to employees
10 of such employer that are subject to a collective bar-
11 gaining agreement with the employer, the employer
12 shall consult with the labor organization that rep-
13 resents such employees on the planning and design
14 of such training or development.”.

15 (b) RELOCATION.—Section 181(d) of the Workforce
16 Innovation and Opportunity Act (29 U.S.C. 3241(d)) is
17 amended by striking “incumbent worker training,” and in-
18 serting “incumbent worker training, employer-directed
19 skills development,”.

20 **SEC. 192. GENERAL WAIVERS OF STATUTORY OR REGU-**
21 **LATORY REQUIREMENTS.**

22 Section 189(i)(3)(A)(i) of the Workforce Innovation
23 and Opportunity Act (29 U.S.C. 3249(i)(3)(A)(i)) is
24 amended by striking “procedures for review and approval
25 of plans” and inserting “the procedures for review and

1 approval of plans, the performance reports described in
2 section 116(d), and the requirement described in section
3 134(e)(1)(B)”.

4 **SEC. 193. STATE INNOVATION DEMONSTRATION AUTHOR-**
5 **ITY.**

6 Section 190 of the Workforce Innovation and Oppor-
7 tunity Act (29 U.S.C. 3250) is amended to read as follows:

8 **“SEC. 190. STATE INNOVATION DEMONSTRATION AUTHOR-**
9 **ITY.**

10 “(a) PURPOSE.—The purpose of this section is to—

11 “(1) authorize States to apply under this sec-
12 tion, in the case of an eligible State, on behalf of the
13 entire State, or for any State, on behalf of a local
14 area or a consortium of local areas in the State, to
15 receive the allotments or allocations of the State or
16 the local areas, respectively, for youth workforce in-
17 vestment activities and adult and dislocated worker
18 employment and training activities under this Act,
19 as a consolidated grant for 5 years for the purpose
20 of carrying out a demonstration project to pursue in-
21 novative reforms to achieve better outcomes for job-
22 seekers, employers, and taxpayers; and

23 “(2) require that rigorous evaluations be con-
24 ducted to demonstrate if better outcomes and associ-

1 ated innovative reforms were achieved as a result of
2 such demonstration projects.

3 “(b) GENERAL AUTHORITY.—

4 “(1) WAIVERS AND DEMONSTRATION GRANT
5 AMOUNTS.—Notwithstanding any other provision of
6 law, during the demonstration period applicable to a
7 demonstration project approved for a State pursuant
8 to subsection (d)(3), the Secretary shall comply with
9 each of the following:

10 “(A) WAIVERS.—Subject to paragraph (2),
11 waive for the State as a whole, or for the local
12 area or the consortium of local areas in such
13 State selected by the State to carry out such
14 demonstration project, all the statutory and
15 regulatory requirements of subtitle A and sub-
16 title B.

17 “(B) DEMONSTRATION GRANT
18 AMOUNTS.—For each fiscal year applicable to
19 such demonstration period:

20 “(i) STATE AS A WHOLE.—In a case
21 of a State approved to carry out a dem-
22 onstration project under this section on be-
23 half of the State as a whole, distribute as
24 a consolidated sum to the State, for pur-
25 poses of carrying out the project, the

1 State’s total allotment for such fiscal year
2 under—

3 “(I) subsections (b)(1)(C) and
4 subsection (c) of section 127; and

5 “(II) paragraphs (1)(B) and
6 (2)(B) of section 132(b); and

7 “(III) section 132(c).

8 “(ii) LOCAL AREA.—In a case of a
9 local area selected by a State to carry out
10 a demonstration project under this section,
11 require the State to—

12 “(I) distribute as a consolidated
13 sum to the local board for such local
14 area, for purposes of carrying out the
15 project, the local area’s allocation for
16 such fiscal year under—

17 “(aa) subsections (b) and (c)
18 of section 128; and

19 “(bb) subsections (b) and
20 (c) of section 133; or

21 “(II) if the local board of the
22 local area enters into a written agree-
23 ment with the State for the State to
24 serve as the fiscal agent for the local
25 board during the demonstration

1 project, use the funds described in
2 subclause (I) for purposes of carrying
3 out the project on behalf of the local
4 board.

5 “(iii) CONSORTIUM OF LOCAL
6 AREAS.—In a case of a consortium of local
7 areas selected by a State to carry out a
8 demonstration project under this section,
9 require the State to—

10 “(I) distribute as a consolidated
11 sum to the consortium, for purposes
12 of carrying out the project, the total
13 amount of the allocations for the local
14 areas in such consortium for such fis-
15 cal year under—

16 “(aa) subsections (b) and (c)
17 of section 128; and

18 “(bb) subsections (b) and
19 (c) of section 133; or

20 “(II) if the consortium enters
21 into a written agreement with the
22 State for the State to serve as the fis-
23 cal agent for the consortium during
24 the demonstration project, use the
25 funds described in subclause (I) for

1 purposes of carrying out the project
2 on behalf of such consortium.

3 “(2) EXCEPTIONS.—

4 “(A) IN GENERAL.—A State, local area, or
5 consortium of local areas carrying out a dem-
6 onstration project under this section shall com-
7 ply with statutory or regulatory requirements of
8 this Act relating to—

9 “(i) performance accountability and
10 reporting, except as otherwise provided in
11 this section;

12 “(ii) the membership of local or State
13 boards in instances where a State carrying
14 out a demonstration project will maintain
15 the use of such boards during the dem-
16 onstration period; and

17 “(iii) the priority of service described
18 in section 134(c)(3)(E).

19 “(B) APPLICABILITY OF DEFINED
20 TERMS.—In carrying out a demonstration
21 project under this section, a State, local area,
22 or consortium of local areas may only use a
23 term defined in section 3 to describe an activity
24 carried out under such demonstration project if
25 the State, local area, or consortium of local

1 areas gives such term the same meaning as
2 such term is given under such section.

3 “(3) AUTHORITY FOR THIRD-PARTY EVALUA-
4 TION.—

5 “(A) IN GENERAL.—Not later than 180
6 days after the first demonstration project is ap-
7 proved under this section, the Secretary shall
8 contract with a third-party evaluator to conduct
9 a rigorous evaluation of each demonstration
10 project approved under this section. The evalua-
11 tion shall—

12 “(i) cover the 5-year period of each
13 demonstration project;

14 “(ii) compare the employment and
15 earnings outcomes of participants in activi-
16 ties carried out under the demonstration
17 project to—

18 “(I) the outcomes of similarly sit-
19 uated individuals that do not partici-
20 pate in such activities who are located
21 in such State, local area, or a local
22 area in such consortium; and

23 “(II) the outcomes of partici-
24 pants in activities under this chapter
25 in the State, local area, or a local area

1 in the consortium that was awarded a
2 waiver prior to the award of such
3 waiver;

4 “(iii) conduct a qualitative analysis
5 that identifies any promising practices or
6 innovate strategies that—

7 “(I) would not have been con-
8 ducted without the waiving of statu-
9 tory or regulatory provisions through
10 the demonstration project; and

11 “(II) lead to positive employment
12 and earnings outcomes for the partici-
13 pants; and

14 “(iv) compare the outcomes for sub-
15 clauses (I) and (II) of clause (i) with re-
16 spect to the subpopulations described in
17 section 116(d)(2)(B).

18 “(B) REPORT.—Not later than 2 years
19 after the fifth year of each demonstration
20 project approved under this section, the Sec-
21 retary shall submit to the Committee on Edu-
22 cation and the Workforce of the House of Rep-
23 resentatives and the Committee on Health,
24 Education, Labor, and Pensions, the results of

1 the evaluation of such conducted under this
2 paragraph.

3 “(c) DEMONSTRATION PERIOD; LIMITATIONS.—

4 “(1) IN GENERAL.—A demonstration project
5 approved under this section for a State, local area,
6 or consortium—

7 “(A) shall be carried out for a 5-year dem-
8 onstration period; and

9 “(B) may be renewed for an additional 5-
10 year demonstration period, if the State, local
11 area, or consortium—

12 “(i) for each of the final 3 years of
13 the preceding 5-year demonstration period,
14 meets its expected levels of performance
15 established under subsection (f)(1)(C); and

16 “(ii) on the final year of the preceding
17 5-year demonstration period, achieves a
18 performance improvement of not less than
19 an average of a 5-percent increase across
20 all of the indicators of performance de-
21 scribed in clauses (i) and (ii) of subsection
22 (f)(1)(A), compared with—

23 “(I) the highest level of perform-
24 ance for the corresponding indicators
25 of performance, as described in sub-

1 section (f)(1)(B)(i) with respect to
2 such State, for the most recent pro-
3 gram year that ended prior to the be-
4 ginning of the first year of the pre-
5 ceding 5-year demonstration period;
6 or

7 “(II) the alternate baseline level
8 of performance for the corresponding
9 indicators of performance that is
10 agreed upon between the State and
11 the Secretary under subsection
12 (f)(1)(B)(ii).

13 “(2) LIMITATIONS.—

14 “(A) DEMONSTRATION PERIOD LIMITA-
15 TIONS.—For each 5-year demonstration period
16 (including renewals of such period) the Sec-
17 retary may not approve—

18 “(i) more than 4 demonstration
19 projects for States described in paragraph
20 (3) to carry out a demonstration project
21 described in subsection (b)(1)(B)(i); and

22 “(ii) more than 6 demonstration
23 projects for local areas (or consortia of
24 local areas) to carry out a demonstration

1 project described in clause (ii) or (iii) of
2 subsection (b)(1)(B).

3 “(B) STATE LIMITATIONS.—No more than
4 1 demonstration project may be approved under
5 this section per State. For purposes of this sub-
6 paragraph, a demonstration project described in
7 clause (ii) or (iii) of subsection (b)(1)(B) ap-
8 proved for a local area or a consortium of local
9 areas, respectively, in a State shall be consid-
10 ered a demonstration project approved under
11 this section for the State.

12 “(3) ELIGIBLE STATES.—The Secretary may
13 not approve a demonstration project for a State as
14 a whole described in subsection (b)(1)(B)(i) unless,
15 at the time of submission of the application, such
16 State is—

17 “(A) a State designated as a single State
18 local area; or

19 “(B) a State with—

20 “(i) a labor force participation rate
21 that is less than 60 percent for the most
22 recent program year; and

23 “(ii) a population of less than
24 6,000,000, as determined by the most re-
25 cent data released by the Census Bureau.

1 “(d) APPLICATION.—

2 “(1) IN GENERAL.—To be eligible to carry out
3 a demonstration project under this section, a State
4 shall submit to the Secretary an application at such
5 time and in such manner as the Secretary may rea-
6 sonably require, and containing the information de-
7 scribed in paragraph (2).

8 “(2) CONTENT.—Each application submitted by
9 a State under this subsection shall include the fol-
10 lowing:

11 “(A) A description of the demonstration
12 project to be carried out under this section, in-
13 cluding—

14 “(i) whether the project will be car-
15 ried out—

16 “(I) by the State as a whole;

17 “(II) by a local area, and if so—

18 “(aa) an identification of—

19 “(AA) such local area;

20 “(BB) whether the
21 local board for such local
22 area is the fiscal agent for
23 the project, or whether the
24 local board has entered into
25 a written agreement with

1 the State for the State to
2 serve as the fiscal agent dur-
3 ing the project; and

4 “(bb) written verification
5 from the local board for such
6 local area that such local board
7 agrees—

8 “(AA) to carry out such
9 project; and

10 “(BB) to the fiscal
11 agent identified in item
12 (aa)(BB); and

13 “(III) by a consortium of local
14 areas in the State, and if so—

15 “(aa) an identification of—

16 “(AA) each local area
17 that comprises the consor-
18 tium; and

19 “(BB) the local area
20 that will serve as the fiscal
21 agent for the consortium
22 during the project, or wheth-
23 er the consortium has en-
24 tered into a written agree-
25 ment with the State for the

1 State to serve as the fiscal
2 agent; and

3 “(bb) written verification
4 from each local board of each
5 local area identified in item
6 (aa)(AA) that such local board
7 agrees—

8 “(AA) to carry out such
9 project as a consortium; and

10 “(BB) to the fiscal
11 agent for the consortium
12 identified in item (aa)(BB);

13 “(ii) a description of the activities to
14 be carried out under the project; and

15 “(iii) the goals the State, local area,
16 or consortium intends to achieve through
17 such activities, which shall be aligned with
18 purpose described in subsection (a).

19 “(B) A description of the performance out-
20 comes the State, the local area, or consortium
21 expects to achieve for such activities for each
22 year of the demonstration period as described
23 in subsection (f)(1).

24 “(C) A description of how the State, local
25 area, or consortium consulted with employers,

1 the State board, and the local boards in the
2 State in determining the activities to carry out
3 under the demonstration project.

4 “(D) A description of how the State will
5 make such activities available to jobseekers and
6 employers in each of the local areas in the State
7 or, in a case of a project that will be carried out
8 by a local area or a consortium, a description
9 of how such services will be made available to
10 jobseekers and employers in such local area or
11 each of the local areas in the consortium.

12 “(E) A description, if appropriate, of how
13 the State, local area, or consortium will inte-
14 grate the funds received, and the activities car-
15 ried out, under the demonstration project under
16 this section with State workforce development
17 programs and other Federal, State, or local
18 workforce, education, or social service programs
19 (including the programs and activities listed in
20 section 103(a)(2), the program of adult edu-
21 cation and literacy activities authorized under
22 title II, and the program authorized under title
23 I of the Rehabilitation Act of 1973 (29 U.S.C.
24 720 et seq.)).

1 “(F) An assurance that the State, local
2 area, or consortium will meet the requirements
3 of this section.

4 “(3) SECRETARIAL APPROVAL.—

5 “(A) IN GENERAL.—Not later than 60
6 days after the date on which a State submits an
7 application under this subsection, the Secretary
8 shall—

9 “(i) in a case in which the application
10 meets the requirements of this section and
11 is not subject to the limitations described
12 in subsection (c)(2), approve such applica-
13 tion and the demonstration project de-
14 scribed in such application; or

15 “(ii) provide to the State a written ex-
16 planation of initial disapproval that meets
17 the requirements of subparagraph (C).

18 “(B) DEFAULT APPROVAL.—With respect
19 to an application submitted by a State under
20 this subsection that is not subject to the limita-
21 tions described in subsection (c), if the Sec-
22 retary fails to approve such application or pro-
23 vide an explanation of initial disapproval for
24 such application as required under subpara-
25 graph (A), the application and the demonstra-

1 tion project described in such application shall
2 be deemed approved by the Secretary.

3 “(C) INITIAL DISAPPROVAL.—An expla-
4 nation of initial disapproval provided by the
5 Secretary to a State under subparagraph (A)(ii)
6 shall provide the State—

7 “(i) a detailed explanation of why the
8 application does not meet the requirements
9 of this section; and

10 “(ii) if the State is not subject to the
11 limitations described in subsection (c), an
12 opportunity to revise and resubmit the
13 State’s application under this section.

14 “(e) STATE DEMONSTRATION PROJECT REQUIRE-
15 MENTS.—A State, local area, or consortium that has been
16 approved to carry out a demonstration project under this
17 section shall meet each of the following requirements:

18 “(1) USE OF FUNDS.—Use the funds received
19 pursuant to subsection (b)(1)(B) solely to carry out
20 the activities of the demonstration project to achieve
21 the goals described in subsection (d)(2)(A).

22 “(2) ADMINISTRATIVE COSTS LIMITATION.—
23 Use not more than 10 percent of the funds received
24 pursuant to subsection (b)(1)(B) for a fiscal year for

1 the administrative costs of carrying out the dem-
2 onstration project.

3 “(3) PRIORITY FOR SERVICES.—Give priority
4 for services under the project to veterans and their
5 eligible spouses in accordance with the requirements
6 of section 4215 of title 38, United States Code, re-
7 cipients of public assistance, low-income individuals,
8 and individuals who have foundational skills needs.

9 “(4) NUMBER OF PARTICIPANTS.—Serve a
10 number of participants under the activities of the
11 demonstration project for each year of the dem-
12 onstration period that—

13 “(A) is greater than the number of partici-
14 pants served by such State, local area, or con-
15 sortium under the programs described in sub-
16 paragraph (A) of the definition of the term
17 ‘core program provision’ under section 3 for the
18 most recent program year that ended prior to
19 the beginning of the first year of the dem-
20 onstration period; or

21 “(B) is not less than the number of par-
22 ticipants to be served under the activities of the
23 demonstration project that is agreed upon be-
24 tween the State, local area, or consortium, and
25 the Secretary—

1 “(i) prior to the Secretary’s approval
2 of the application submitted under sub-
3 section (d); and

4 “(ii) after the Secretary takes into ac-
5 count—

6 “(I) the goals the State, local
7 area, or consortium intends to achieve
8 through the demonstration project;
9 and

10 “(II) the participants the State,
11 local area, or consortium intends to
12 serve under such project; and

13 “(iii) prior to approval of the applica-
14 tion submitted under subsection (d).

15 “(5) REPORTING OUTCOMES.—Submit, on an
16 annual basis, to the Secretary a report, with respect
17 to such State, local area, or consortium, on—

18 “(A) participant outcomes for each indi-
19 cator of performance described in subsection
20 (f)(1)(A) for the activities carried out under the
21 project; and

22 “(B) the applicable requirements of section
23 116(d)(2), including subparagraphs (B)
24 through (G) and subparagraph (J), as such

1 subparagraphs are applicable to activities under
2 the demonstration project.

3 “(6) COMPLIANCE WITH CERTAIN EXISTING RE-
4 QUIREMENTS.—Comply with the statutory or regu-
5 latory requirements listed in subsection (b)(2).

6 “(f) PERFORMANCE ACCOUNTABILITY.—

7 “(1) ESTABLISHMENT OF BASELINE LEVEL
8 FOR PERFORMANCE.—

9 “(A) IN GENERAL.—Each State shall de-
10 scribe in the application submitted under sub-
11 section (d), for each year of the demonstration
12 period—

13 “(i) with respect to participants who
14 are at least 25 years old, the expected lev-
15 els of performance for each of the indica-
16 tors of performance under section
17 116(b)(2)(A)(i) for the activities carried
18 out under the project under this section,
19 which shall meet the requirements of sub-
20 paragraph (B); and

21 “(ii) with respect to participants who
22 are at least 16 years old and no older than
23 24 years old, the expected levels of per-
24 formance for each of the indicators of per-
25 formance under section 116(b)(2)(A)(ii)

1 for the activities carried out under the
2 project under this section, which shall meet
3 the requirements of subparagraph (B).

4 “(B) 5TH YEAR.—Each of the expected
5 levels of performance established pursuant to
6 subparagraph (A) for each of the indicators of
7 performance for the 5th year of the demonstra-
8 tion period shall be higher than—

9 “(i) the highest level of performance
10 for the corresponding indicator of perform-
11 ance for the programs described in sub-
12 paragraph (A) of the definition of the term
13 ‘core program provisions’ under section 3
14 for the most recent program year for such
15 State that ended prior to the beginning of
16 the first year of the demonstration period;
17 or

18 “(ii) an alternate baseline level of per-
19 formance that is agreed upon between the
20 State and the Secretary—

21 “(I) prior to the Secretary’s ap-
22 proval of the application submitted
23 under subsection (d); and

24 “(II) after the Secretary takes
25 into account—

1 “(aa) the goals the State in-
2 tends to achieve through the
3 demonstration project; and

4 “(bb) the participants the
5 State intends to serve under such
6 project.

7 “(C) AGREED LEVEL FOR PERFORMANCE
8 ON EXPECTED LEVELS OF PERFORMANCE.—
9 Prior to approving an application for a dem-
10 onstration project submitted by a State, and
11 using the expected levels of performance de-
12 scribed in such application, the Secretary shall
13 reach an agreement with such State on the ex-
14 pected levels of performance for each of the in-
15 dicators of performance. In reaching an agree-
16 ment on such expected levels of performance,
17 the Secretary and the State may consider the
18 factors described in section 116(b)(3)(A)(v).

19 “(2) SANCTIONS.—

20 “(A) IN GENERAL.—The sanctions de-
21 scribed in section 116(f)(1)(B) shall apply to a
22 State, local area, or consortium beginning on
23 the 3rd year of the demonstration period for
24 such State, local area, or consortium, except

1 that the levels of performance established under
2 subsection (f)(1)(C) of this section shall be—

3 “(i) deemed to be the State negotiated
4 levels of performance for purposes of this
5 paragraph; and

6 “(ii) adjusted at the end of each pro-
7 gram year to reflect the actual characteris-
8 tics of participants served and the actual
9 economic conditions experienced using a
10 statistical adjustment model similar to the
11 model described in section
12 116(b)(3)(A)(viii).

13 “(B) INELIGIBILITY FOR RENEWAL.—A
14 State, local area, or consortium that is subject
15 to such sanctions shall be ineligible to renew its
16 demonstration period under subsection (c).

17 “(3) IMPACT OF LOCAL OR CONSORTIUM DEM-
18 ONSTRATIONS ON STATEWIDE ACCOUNTABILITY.—
19 With respect to a State with an approved dem-
20 onstration project for a local area or consortium of
21 local areas in the State—

22 “(A) the performance of such local area or
23 consortium for the programs described in sub-
24 paragraph (A) of the definition of the term
25 ‘core program provision’ under section 3 shall

1 not be included in the levels of performance for
2 such State for any of such programs for pur-
3 poses of section 116 for any program year that
4 is applicable to any year of the demonstration
5 period; and

6 “(B) with respect to any local areas of the
7 State that are not part of the demonstration
8 project, the State shall reach a new agreement
9 with the Secretary, for purposes of section
10 116(b)(3)(A), on levels of performance for such
11 programs for such program years.

12 “(g) TERMINATION.—Except as provided under sub-
13 section (e)(1)(B), the Secretary may not approve a dem-
14 onstration project after December 31, 2030.”.

15 **TITLE II—ADULT EDUCATION** 16 **AND LITERACY**

17 **SEC. 201. PURPOSE.**

18 Section 202 of the Workforce Innovation and Oppor-
19 tunity Act (29 U.S.C. 3271) is amended—

20 (1) in paragraph (1), by inserting “(including
21 digital literacy skills)” before “necessary”; and

22 (2) in paragraph (4), by striking “English lan-
23 guage learners” and inserting “English learners”.

1 **SEC. 202. DEFINITIONS.**

2 Section 203 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3272) is amended—

4 (1) in paragraph (1)—

5 (A) in subparagraph (A), by inserting “lis-
6 ten,” after “write,”;

7 (B) in subparagraph (B), by striking
8 “and” at the end;

9 (C) by redesignating subparagraph (C) as
10 subparagraph (D); and

11 (D) by inserting after subparagraph (B)
12 the following:

13 “(C) develop and use digital literacy skills;
14 and”;

15 (2) by redesignating paragraphs (3) through
16 (17) as paragraphs (4) through (18), respectively;

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

19 “(3) **DIGITAL LITERACY SKILLS.**—The term
20 ‘digital literacy skills’ means the skills associated
21 with using existing and emerging technologies to
22 find, evaluate, organize, create, communicate infor-
23 mation, and to complete tasks.”;

24 (4) in paragraph (5)(C) (as so redesignated)—

25 (A) by striking clause (i) and inserting the
26 following:

1 “(i) has foundational skills needs;”;

2 and

3 (B) in clause (iii), by striking “English
4 language learner” and inserting “English learn-
5 er”;

6 (5) in paragraph (7)(A) (as so redesignated), by
7 striking “English language learners” and inserting
8 “English learners”;

9 (6) in paragraph (8) (as so redesignated)—

10 (A) in the paragraph header, by striking
11 “LANGUAGE”; and

12 (B) in the matter preceding subparagraph
13 (A), by striking “English language learner” and
14 inserting “English learner”;

15 (7) in the matter preceding subparagraph (A)
16 in paragraph (10) (as so redesignated), by inserting
17 “and educational” after “the economic”;

18 (8) in paragraph (13) (as so redesignated)—

19 (A) by striking “English language learn-
20 ers” and inserting “English learners”; and

21 (B) by striking “workforce training” and
22 inserting “skills development, preparation for
23 postsecondary education or employment, and fi-
24 nancial literacy instruction”; and

25 (9) in paragraph (14) (as so redesignated)—

1 (A) by striking “and solve” and inserting
2 “solve”; and

3 (B) by inserting “and use digital tech-
4 nology,” after “problems,”.

5 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

6 Section 206 of the Workforce Innovation and Oppor-
7 tunity Act (29 U.S.C. 3275) is amended to read as follows:

8 **“SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

9 “There are authorized to be appropriated to carry out
10 this title \$751,042,100 for each of the fiscal years 2025
11 through 2030.”.

12 **SEC. 204. SPECIAL RULE.**

13 Section 211(e)(3) of the Workforce Innovation and
14 Opportunity Act (29 U.S.C. 3291(e)(3)) is amended by
15 striking “period described in section 3(45)” and inserting
16 “period described in subparagraph (B) of the definition
17 of the term ‘outlying area’ in section 3”.

18 **SEC. 205. PERFORMANCE ACCOUNTABILITY SYSTEM.**

19 Section 212 of the Workforce Innovation and Oppor-
20 tunity Act (29 U.S.C. 3292) is amended by striking “sec-
21 tion 116.” and inserting “section 116, except that the in-
22 dicator described in subsection (b)(2)(A)(i)(VI) of such
23 section shall be applied as if it were the percentage of pro-
24 gram participants who exited the program during the pro-

1 gram year and completed an integrated education and
2 training program.”.

3 **SEC. 206. MATCHING REQUIREMENT.**

4 Section 222(b) of the Workforce Innovation and Op-
5 portunity Act (29 U.S.C. 3302(b)) is amended by adding
6 at the end the following:

7 “(3) PUBLIC AVAILABILITY OF INFORMATION
8 ON MATCHING FUNDS.—Each eligible agency shall
9 maintain, on a publicly accessible website of such
10 agency and in an easily accessible format, informa-
11 tion documenting the non-Federal contributions
12 made available to adult education and family literacy
13 programs pursuant to this subsection, including—

14 “(A) the sources of such contributions, ex-
15 cept that in the case of private contributions,
16 names of the individuals or entities providing
17 such contributions may not be disclosed; and

18 “(B) in the case of funds made available
19 by a State or outlying area, an explanation of
20 how such funds are distributed to eligible pro-
21 viders.”.

22 **SEC. 207. STATE LEADERSHIP ACTIVITIES.**

23 Section 223(a) of the Workforce Innovation and Op-
24 portunity Act (29 U.S.C. 3303(a)) is amended—

25 (1) in paragraph (1)—

1 (A) in subparagraph (A), by striking “ac-
2 tivities.” and inserting “activities and the iden-
3 tification of opportunities to coordinate with ac-
4 tivities supported under the Carl D. Perkins
5 Career and Technical Education Act of 2006
6 (20 U.S.C. 2301 et seq.) to expand integrated
7 education and training programs.”;

8 (B) in subparagraph (C)—

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

11 (ii) in clause (iii), by striking the pe-
12 riod at the end and inserting “; and”; and

13 (iii) by adding at the end the fol-
14 lowing:

15 “(iv) assistance in reporting partici-
16 pant outcomes for the performance ac-
17 countability system described in section
18 212, including facilitating partnerships
19 with the appropriate State entities to con-
20 duct matches with State administrative
21 data (such as wage records) to determine
22 program performance on the indicators of
23 performance described in subclauses (I)
24 through (III) of section 116(b)(2)(A)(i).”;

1 (C) by redesignating subparagraph (D) as
2 subparagraph (F); and

3 (D) by inserting after subparagraph (C)
4 the following:

5 “(D) The development or identification
6 (which may be done in coordination with other
7 States) of instructional materials that—

8 “(i) are designed to meet the needs of
9 adult learners and English learners;

10 “(ii) to the extent practicable, are evi-
11 dence-based; and

12 “(iii) will improve the instruction pro-
13 vided pursuant to the local activities re-
14 quired under section 231(b).

15 “(E) The dissemination of instructional
16 materials described in subparagraph (D) to eli-
17 gible providers to improve the instruction pro-
18 vided pursuant to the local activities required
19 under section 231(b), including instructional
20 materials that—

21 “(i) were developed for integrated
22 education and training in an in-demand in-
23 dustry or occupation within the State; and

1 “(ii) lead to English language acqui-
2 sition, a recognized postsecondary credential,
3 or both.”; and

4 (2) in paragraph (2)—

5 (A) in subparagraph (I)(i)—

6 (i) by striking “mathematics, and
7 English” and inserting “mathematics,
8 English”; and

9 (ii) by striking “acquisition;” and in-
10 serting “acquisition, and digital literacy
11 skills;”;

12 (B) in subparagraph (J), by striking “re-
13 tention.” and inserting “retention, such as the
14 development and maintenance of policies for
15 awarding recognized postsecondary credentials
16 to adult educators who demonstrate effective-
17 ness at improving the achievement of adult stu-
18 dents.”;

19 (C) in subparagraph (K), by striking
20 “English language learners,” and inserting
21 “English learners,”;

22 (D) by redesignating subparagraph (M) as
23 subparagraph (P); and

24 (E) by inserting after subparagraph (L)
25 the following:

1 “(M) Performance incentive payments to
2 eligible providers, including incentive payments
3 linked to increased use of integrated employ-
4 ment and training or other forms of instruction
5 linking adult education with the development of
6 occupational skills for an in-demand occupation
7 in the State.

8 “(N) Strengthening the quality and effec-
9 tiveness of adult education and family literacy
10 programs in the State through support for pro-
11 gram quality standards and accreditation re-
12 quirements.

13 “(O) Raising public awareness (including
14 through public service announcements, such as
15 social media campaigns) about career and tech-
16 nical education programs and community-based
17 organizations, and other endeavors focused on
18 programs that prepare individuals for in-de-
19 mand industry sectors or occupations.”.

20 **SEC. 208. PROGRAMS FOR CORRECTIONS EDUCATION AND**
21 **OTHER INSTITUTIONALIZED INDIVIDUALS.**

22 Section 225 of the Workforce Innovation and Oppor-
23 tunity Act (29 U.S.C. 3305)) is amended—

24 (1) by redesignating subsections (d) and (e) as
25 subsections (e) and (f), respectively; and

1 (2) by inserting after subsection (c) the fol-
2 lowing:

3 “(d) COORDINATION.—Each eligible agency that is
4 using assistance provided under this section to carry out
5 a program for criminal offenders within a correctional in-
6 stitution shall—

7 “(1) coordinate such educational programs with
8 career and technical education activities provided to
9 individuals in State institutions from funds reserved
10 under section 112(a)(2)(A) of the Carl D. Perkins
11 Career and Technical Education Act of 2006 (20
12 U.S.C. 2322(a)(2)(A)); and

13 “(2) identify opportunities to develop integrated
14 education and training opportunities for such indi-
15 viduals.”.

16 **SEC. 209. GRANTS AND CONTRACTS FOR ELIGIBLE PRO-**
17 **VIDERS.**

18 Section 231 of the Workforce Innovation and Oppor-
19 tunity Act (29 U.S.C. 3321) is amended—

20 (1) in subsection (e)—

21 (A) in paragraph (1)(B)(ii), by striking
22 “English language learners” and inserting
23 “English learners”;

24 (B) in paragraph (5)—

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

3 (ii) in subparagraph (B), by adding
4 “and” at the end; and

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

7 “(C) uses instructional materials that are
8 designed to meet the needs of adult learners
9 and English learners and are evidence-based (to
10 the extent practicable), which may include, but
11 shall not be required to include, the instruc-
12 tional materials disseminated by the State
13 under section 223(a)(1)(D);” and

14 (C) in paragraph (6)—

15 (i) by striking “speaking,” and insert-
16 ing “speaking and listening;” and

17 (ii) by inserting before the semicolon
18 at the end the following: “, which may in-
19 clude the application of the principles of
20 universal design for learning”; and

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

22 “(f) COST ANALYSIS.—In determining the amount of
23 funds to be awarded in grants or contracts under this sec-
24 tion, the eligible agency may consider the costs of pro-
25 viding learning in context, including integrated education

1 and training and workplace adult education and literacy
2 activities, and the extent to which the eligible provider in-
3 tends to serve individuals using such activities, in order
4 to align the amount of funds awarded with such costs.”.

5 **SEC. 210. LOCAL APPLICATION.**

6 Section 232 of the Workforce Innovation and Oppor-
7 tunity Act (29 U.S.C. 3322) is amended—

8 (1) in paragraph (4), by inserting “and coordi-
9 nate with the appropriate State entity” after “data”;

10 (2) in paragraph (6), by striking “and” at the
11 end;

12 (3) by redesignating paragraph (7) as para-
13 graph (8); and

14 (4) by inserting after paragraph (6) the fol-
15 lowing:

16 “(7) a description of how the eligible provider
17 will provide learning in context, including through
18 partnerships with employers to offer workplace adult
19 education and literacy activities and integrated edu-
20 cation and training; and”.

21 **SEC. 211. LOCAL ADMINISTRATIVE COST LIMITS.**

22 Section 233(a) of the Workforce Innovation and Op-
23 portunity Act (29 U.S.C. 3323(a)) is amended—

24 (1) in paragraph (1), by striking “95” and in-
25 serting “85”; and

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

3 “(2) of the remaining amount—

4 “(A) not more than 10 percent may be
5 used for professional development for adult edu-
6 cators; and

7 “(B) not more than 5 percent shall be
8 used for planning, administration (including
9 carrying out the requirements of section 116),
10 professional development of administrative
11 staff, and the activities described in paragraphs
12 (3) and (5) of section 232.”.

13 **SEC. 212. NATIONAL LEADERSHIP ACTIVITIES.**

14 Section 242 of the Workforce Innovation and Oppor-
15 tunity Act (29 U.S.C. 3332) is amended—

16 (1) in subsection (b)(1), by striking “116;” and
17 inserting “116, including the dissemination of effec-
18 tive practices used by States to use administrative
19 data to determine program performance and reduce
20 the data collection and reporting burden on eligible
21 providers;”;

22 (2) in paragraphs (1)(B) and (2)(C)(vii)(I) of
23 subsection (c), by striking “English language learn-
24 ers” and inserting “English learners”; and

25 (3) in subsection (c)(2)—

1 (A) in subparagraph (F), by striking
2 “and” at the end;

3 (B) by redesignating subparagraph (G) as
4 subparagraph (I); and

5 (C) by inserting after subparagraph (F)
6 the following:

7 “(G) developing and rigorously evaluating
8 programs for the preparation of effective adult
9 educators and disseminating the results of such
10 evaluations;

11 “(H) carrying out initiatives to support the
12 effectiveness and impact of adult education,
13 that States may adopt on a voluntary basis,
14 through—

15 “(i) the development and dissemina-
16 tion of staffing models that prioritize dem-
17 onstrated effectiveness and continuous im-
18 provement in supporting the learning of
19 adult students; and

20 “(ii) the evaluation and improvement
21 of program quality standards and accredi-
22 tation requirements; and”.

1 **SEC. 213. INTEGRATED ENGLISH LITERACY AND CIVICS**
2 **EDUCATION.**

3 Section 243(c)(1) of the Workforce Innovation and
4 Opportunity Act (29 U.S.C. 3333(c)(1)) is amended by
5 striking “English language learners” and inserting
6 “English learners”.

7 **TITLE III—AMENDMENTS TO**
8 **OTHER LAWS**

9 **SEC. 301. AMENDMENTS TO THE WAGNER-PEYSER ACT.**

10 (a) **DEFINITIONS.**—Section 2(5) of the Wagner-
11 Peyser Act (29 U.S.C. 49a(5)) is amended by inserting
12 “the Commonwealth of the Northern Mariana Islands,
13 American Samoa,” after “Guam,”.

14 (b) **UNEMPLOYMENT COMPENSATION LAW REQUIRE-**
15 **MENT.**—Section 5(b)(1) of such Act is amended by insert-
16 ing “the Commonwealth of the Northern Mariana Islands,
17 American Samoa,” after “Guam,”.

18 (c) **ALLOTMENTS.**—Section 6 of such Act (29 U.S.C.
19 49e) is amended—

20 (1) in subsection (a)—

21 (A) by striking “except for Guam” and in-
22 serting “except for Guam, the Commonwealth
23 of the Northern Mariana Islands, and American
24 Samoa”;

1 (B) by striking “first allot to Guam and
2 the Virgin Islands” and inserting the following:

3 “first allot—

4 “(1) to Guam and the Virgin Islands”;

5 (C) by striking the period at the end and
6 inserting “; and”; and

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

8 “(2) beginning with the first fiscal year for
9 which the total amount available for allotments
10 under this section is greater than the total amount
11 available for allotments under this section for fiscal
12 year 2024, and for each succeeding fiscal year, to
13 each of the Commonwealth of the Northern Mariana
14 Islands and American Samoa, an amount which is
15 equal to one-half of the amount allotted to Guam
16 under paragraph (1) for such fiscal year.”; and

17 (2) in subsection (b)(1), in the matter following
18 subparagraph (B), by inserting “, the Common-
19 wealth of the Northern Mariana Islands, American
20 Samoa,” after “Guam”.

21 (d) USE OF FUNDS.—Section 7 of such Act (29
22 U.S.C. 49f) is amended—

23 (1) in subsection (a)(1), by striking “and refer-
24 ral to employers” and inserting “referral to employ-
25 ers, and the services described in section

1 134(c)(2)(A)(ii) of the Workforce Innovation and
2 Opportunity Act (29 U.S.C. 3174(c)(2)(A)(ii)) when
3 provided by the employment service office colocated
4 with the one-stop delivery system”; and

5 (2) in subsection (e), by inserting before the pe-
6 riod at the end the following: “and in accordance
7 with the requirements of section 134(c)(2)(A)(i)(I)
8 of the Workforce Innovation and Opportunity Act
9 (29 U.S.C. 3174(c)(2)(A)(i)(I))”.

10 (e) WORKFORCE AND LABOR MARKET INFORMATION
11 SYSTEM.—Section 15 of such Act (29 U.S.C. 491–2) is
12 amended—

13 (1) in subsection (a)(1)—

14 (A) in subparagraph (A)—

15 (i) in the matter preceding clause (i),
16 by striking “timely manner” and inserting
17 “manner that is as close to real-time as
18 practicable”;

19 (ii) in clause (i), by striking “part-
20 time, and seasonal workers” and inserting
21 “part-time, contingent, and seasonal work-
22 ers, and workers engaged in alternative
23 employment arrangements”;

1 (iii) by redesignating clauses (iii) and
2 (iv) as clauses (iv) and (v), respectively;
3 and

4 (iv) by inserting after clause (ii), the
5 following:

6 “(iii) real-time trends in new and
7 emerging occupational roles, and in new
8 and emerging skills by occupation and in-
9 dustry, with particular attention paid to
10 State and local conditions;”;

11 (B) in subparagraph (B)(i), by inserting
12 “(including, to the extent practicable, real-
13 time)” after “current”; and

14 (C) in subparagraph (G), by striking
15 “user-friendly manner and” and inserting
16 “manner that is available on-demand and is
17 user-friendly;”;

18 (2) in subsection (b)(2)(F)—

19 (A) in clause (i), by striking “; and” and
20 inserting “(including, to the extent practicable,
21 provided in real time);”;

22 (B) by redesignating clause (ii) as clause
23 (iii); and

24 (C) by inserting after clause (i), as so
25 amended, the following:

1 “(ii) the capabilities of digital tech-
2 nology and modern data collection ap-
3 proaches are effectively utilized; and”; and
4 (3) by amending subsection (g) to read as fol-
5 lows:

6 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to carry out this section
8 \$64,532,600 for each of the fiscal years 2025 through
9 2030.”.

10 **SEC. 302. JOB TRAINING GRANTS.**

11 Section 414(c) of the American Competitiveness and
12 Workforce Improvement Act of 1998 (29 U.S.C. 3224a)
13 is amended to read as follows:

14 “(c) JOB TRAINING GRANTS.—

15 “(1) ALLOTMENT.—

16 “(A) IN GENERAL.—Of the funds available
17 under section 286(s)(2) of the Immigration and
18 Nationality Act (8 U.S.C. 1356(s)(2)), the Sec-
19 retary of Labor shall—

20 “(i) return permanently 12 percent of
21 such amounts in each fiscal year to the
22 general fund of the Treasury; and

23 “(ii) of the remainder, make allot-
24 ments to each State that receives an allot-
25 ment under section 132(b) of the Work-

1 force Innovation and Opportunity Act (29
2 U.S.C. 3172) for the purpose of providing
3 training services through individual train-
4 ing accounts for eligible dislocated workers
5 as described in paragraph (2)(A).

6 “(B) RESERVATION; ALLOTMENT AMONG
7 STATES.—

8 “(i) RESERVATION.—From the
9 amount made available under subpara-
10 graph (A)(ii) for a fiscal year, the Sec-
11 retary shall reserve not more than $\frac{1}{4}$ of 1
12 percent of such amount to provide assist-
13 ance to the outlying areas for the purpose
14 described in paragraph (2)(A).

15 “(ii) ALLOTMENT AMONG STATES.—
16 The Secretary shall use the remainder of
17 the amount made available under subpara-
18 graph (A)(ii) for a fiscal year to make al-
19 lotments to States described in such sub-
20 paragraph on the following basis:

21 “(I) $\frac{33}{100}$ and $\frac{1}{3}$ percent shall be
22 allotted on the basis of the relative
23 number of unemployed individuals in
24 each such State, compared to the total

1 number of unemployed individuals in
2 all such States.

3 “(II) 33 and $\frac{1}{3}$ percent shall be
4 allotted based on the relative number
5 of disadvantaged adults in each such
6 State, compared to the total number
7 of disadvantaged adults in all such
8 States.

9 “(III) 33 and $\frac{1}{3}$ percent shall be
10 allotted on the basis of the relative
11 number of individuals in the civilian
12 labor force in each such State, com-
13 pared to the total number in the civil-
14 ian labor force in all such States.

15 “(iii) DISADVANTAGED ADULT DE-
16 FINED.—For purposes of this subpara-
17 graph and subparagraph (C), the term
18 ‘disadvantaged adult’ has the meaning
19 given such term in section
20 132(b)(1)(B)(v)(IV) of the Workforce In-
21 novation and Opportunity Act (29 U.S.C.
22 3172(b)(1)(B)(v)(IV)).

23 “(iv) REALLOTMENT.—

24 “(I) IN GENERAL.—The Sec-
25 retary of Labor shall, in accordance

1 with this clause, reallocate to eligible
2 States amounts that are made avail-
3 able to States from allotments made
4 under this subparagraph (referred to
5 individually in this subsection as a
6 ‘State allotment’) and that are avail-
7 able for reallocation.

8 “(II) AMOUNT.—The amount
9 available for reallocation for a pro-
10 gram year is equal to the amount by
11 which the unobligated balance of the
12 State allotment, at the end of the pro-
13 gram year prior to the program year
14 for which the determination under
15 this subclause is made, exceeds 20
16 percent of such allotment for the prior
17 program year.

18 “(III) REALLOTMENT.—In mak-
19 ing reallocations to eligible States of
20 amounts available pursuant to sub-
21 clause (II) for a program year, the
22 Secretary shall allocate to each eligible
23 State an amount based on the relative
24 amount of the State allotment for the
25 program year for which the deter-

1 mination is made, as compared to the
2 total amount of the State allotments
3 for all eligible States for such pro-
4 gram year.

5 “(IV) ELIGIBILITY.—For pur-
6 poses of this subsection, an eligible
7 State means a State that does not
8 have an amount available for reallocot-
9 ment under subclause (II) for the pro-
10 gram year for which the determina-
11 tion under subclause (II) is made.

12 “(C) WITHIN STATE ALLOCATIONS.—

13 “(i) IN GENERAL.—The Governor
14 shall allocate the funds allotted to the
15 State under subparagraph (B)(ii) for a fis-
16 cal year to the local areas in the State on
17 the following basis:

18 “(I) 33 and $\frac{1}{3}$ percent of the
19 funds on the basis described in sub-
20 paragraph (B)(ii)(I).

21 “(II) 33 and $\frac{1}{3}$ percent of the
22 funds on the basis described in sub-
23 paragraph (B)(ii)(II).

1 “(III) 33 and $\frac{1}{3}$ percent of the
2 funds on the basis described in sub-
3 paragraph (B)(ii)(III).

4 “(ii) APPLICATION.—For purposes of
5 carrying out clause (i)—

6 “(I) references in subparagraph
7 (B)(ii) to a State shall be deemed to
8 be references to a local area; and

9 “(II) references in subparagraph
10 (B)(ii) to all States shall be deemed to
11 be references to all local areas in the
12 State involved.

13 “(iii) REALLOCATION AMONG LOCAL
14 AREAS.—

15 “(I) IN GENERAL.—The Gov-
16 ernor may, in accordance with this
17 clause and after consultation with the
18 State board, reallocate to eligible local
19 areas within the State amounts that
20 are made available to local areas from
21 allocations made under this subpara-
22 graph (referred to individually in this
23 subsection as a ‘local allocation’) and
24 that are available for reallocation.

1 “(II) AMOUNT.—The amount
2 available for reallocation for a pro-
3 gram year is equal to the amount by
4 which the unobligated balance of the
5 local allocation, at the end of the pro-
6 gram year prior to the program year
7 for which the determination under
8 this subclause is made, exceeds 20
9 percent of such allocation for the
10 prior program year.

11 “(III) REALLOCATION.—In mak-
12 ing reallocations to eligible local areas
13 of amounts available pursuant to sub-
14 clause (II) for a program year, the
15 Governor shall allocate to each eligible
16 local area within the State an amount
17 based on the relative amount of the
18 local allocation for the program year
19 for which the determination is made,
20 as compared to the total amount of
21 the local allocations for all eligible
22 local areas in the State for such pro-
23 gram year.

24 “(IV) ELIGIBILITY.—For pur-
25 poses of this subsection, an eligible

1 local area means a local area that
2 does not have an amount available for
3 reallocation under subclause (II) for
4 the program year for which the deter-
5 mination under subclause (II) is
6 made.

7 “(2) USE OF FUNDS.—

8 “(A) IN GENERAL.—Funds allocated pur-
9 suant to paragraph (1) to a local area shall be
10 used to pay, through the use of an individual
11 training account in the accordance with section
12 134(c)(3)(F)(iii) of the Workforce Innovation
13 and Opportunity Act (29 U.S.C.
14 3174(c)(3)(F)(iii)), an eligible provider of train-
15 ing services from the list of eligible providers of
16 training services described in section 122(d) of
17 such Act (29 U.S.C. 3152(d)) for training serv-
18 ices provided to eligible dislocated workers in
19 the local area.

20 “(B) REQUIREMENTS FOR LOCAL
21 AREAS.—As a condition of receipt of funds
22 under paragraph (1), a local area shall agree to
23 each of the following:

24 “(i) REQUIRED NOTICE TO WORK-
25 ERS.—Prior to an eligible dislocated work-

1 er selecting a program of training services
2 from the list of eligible providers of train-
3 ing services under section 122(d) of the
4 Workforce Innovation and Opportunity Act
5 (29 U.S.C. 3152(d)), the local area shall
6 inform such dislocated worker of any op-
7 portunities the dislocated worker may have
8 to participate in on-the-job training or em-
9 ployer-directed skills development funded
10 through such local area.

11 “(ii) AMOUNTS AVAILABLE.—Except
12 as provided in clause (iv)(II), a local
13 area—

14 “(I) may not limit the maximum
15 amount available for an individual
16 training account for an eligible dis-
17 located worker under subparagraph
18 (A) to an amount that is less than
19 \$5,000; and

20 “(II) may not pay an amount,
21 through the use of an individual train-
22 ing account under subparagraph (A),
23 for training services provided to an el-
24 ible dislocated worker that exceeds
25 the costs of such services.

1 “(iii) WIOA FUNDS.—A local area
2 may not use funds made available to the
3 local area for a fiscal year pursuant to sec-
4 tion 134(c)(1)(B) of the Workforce Innova-
5 tion and Opportunity Act (29 U.S.C.
6 3174(c)(1)(B)) to make payments under
7 subparagraph (A) until the funds allocated
8 to the local area pursuant to paragraph (1)
9 of this subsection for such fiscal year have
10 been exhausted.

11 “(iv) EXHAUSTION OF ALLOCA-
12 TIONS.—Upon the exhaustion of the funds
13 allocated to the local area pursuant to
14 paragraph (1) of this subsection, for the
15 purpose of paying, through the use of indi-
16 vidual training accounts under subpara-
17 graph (A), the costs of training services for
18 eligible dislocated workers in the local area
19 seeking such services, the local area—

20 “(I) shall use any funds made
21 available to the local area pursuant to
22 section 134(c)(1)(B) of the Workforce
23 Innovation and Opportunity Act (29
24 U.S.C. 3174(c)(1)(B)) to pay for such
25 costs under subparagraph (A) (other

1 than any costs that exceed the limit
2 set by the local area pursuant to sub-
3 clause (II)); and

4 “(II) for any eligible dislocated
5 worker who is not a low-income indi-
6 vidual, may limit the maximum
7 amount available for the individual
8 training account under subparagraph
9 (A) for such worker to an amount
10 that is less than \$5,000.

11 “(3) ELIGIBLE DISLOCATED WORKER.—A dis-
12 located worker shall be an eligible dislocated worker
13 for purposes of this subsection if the dislocated
14 worker—

15 “(A) meets the requirements under section
16 134(c)(3)(A)(i) of the Workforce Innovation
17 and Opportunity Act (29 U.S.C.
18 3174(c)(3)(A)(i)) to be eligible for training
19 services;

20 “(B) has not received training services
21 through an individual training account under
22 this subsection or under section
23 134(c)(3)(F)(iii) of the Workforce Innovation
24 and Opportunity Act (29 U.S.C.
25 3174(c)(3)(F)(iii)) during the preceding 5-year

1 period or, if such a worker has received such
2 training services during such period, the worker
3 has been granted an exception by the local area
4 due to an exceptional circumstance, as deter-
5 mined by the local area; and

6 “(C) is not subject to any limitations es-
7 tablished by the local area or State involved
8 pursuant to paragraph (4), which would dis-
9 qualify such dislocated worker from being an el-
10 igible dislocated worker under this subsection.

11 “(4) STATE OR LOCAL AREA LIMITATIONS.—A
12 State or local area may establish limitations on the
13 eligibility of an otherwise eligible dislocated worker
14 who has previously received training services through
15 an individual training account under this subsection
16 or under section 134(c)(3)(F)(iii) of the Workforce
17 Innovation and Opportunity Act (29 U.S.C.
18 3174(c)(3)(F)(iii)) to receive a subsequent individual
19 training account under this subsection.

20 “(5) EXCESS DEMAND.—Upon the exhaustion
21 of the funds allocated to a local area pursuant to
22 paragraph (1) of this subsection and any funds that
23 may be available to such local area pursuant to sec-
24 tion 134(c)(1)(B) of the Workforce Innovation and
25 Opportunity Act (29 U.S.C. 3174(c)(1)(B)) for the

1 purpose described in paragraph (2)(A) of this sub-
2 section, the local area—

3 “(A) may request additional funds for such
4 purpose from the Governor under section
5 134(a)(2)(A)(i)(III) of the Workforce Innova-
6 tion and Opportunity Act (29 U.S.C.
7 3174(a)(2)(A)(i)(III)); and

8 “(B) shall not be required to pay for train-
9 ing services or establish an individual training
10 account for an eligible dislocated worker.

11 “(6) DEFINITIONS.—Except as otherwise speci-
12 fied, a term used in this subsection shall have the
13 meaning given such term in section 3 of the Work-
14 force Innovation and Opportunity Act (29 U.S.C.
15 3102).

16 “(7) RULE OF CONSTRUCTION.—Nothing in
17 this subsection shall be construed to provide an indi-
18 vidual with an entitlement to a service under this
19 subsection or under title I of the Workforce Innova-
20 tion and Opportunity Act (29 U.S.C. 3111 et seq.)
21 or to mandate a State or local area to provide a
22 service if Federal funds are not available for such
23 service.”.

1 **SEC. 303. ACCESS TO NATIONAL DIRECTORY OF NEW**
2 **HIRES.**

3 Section 453(j)(8) of the Social Security Act (42
4 U.S.C. 653(j)(8)) is amended—

5 (1) in subparagraph (A)—

6 (A) by inserting “or conducting the report-
7 ing and evaluation activities required under sec-
8 tion 116 of the Workforce Innovation and Op-
9 portunity Act (29 U.S.C. 3141)” after “State
10 law”; and

11 (B) by striking “such program” and in-
12 serting “such programs” ; and

13 (2) in subparagraph (C)(i), by striking “pur-
14 poses of administering a program referred to” and
15 inserting “the purposes specified”.