

**SUBSTITUTE FOR THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 8210
OFFERED BY MR. SCOTT**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

4 (b) TABLE OF CONTENTS.—The table of contents for
5 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.

1 (2) CONFORMING AMENDMENTS.—Section 503
2 of the Workforce Innovation and Opportunity Act
3 (29 U.S.C. 3343) is repealed (and by striking the
4 item relating to such section in the table of contents
5 of such Act).

6 **TITLE I—WORKFORCE**
7 **DEVELOPMENT ACTIVITIES**
8 **Subtitle A—General Provisions**

9 **SEC. 101. DEFINITIONS.**

10 (a) FOUNDATIONAL SKILL NEEDS.—Section 3(5) of
11 the Workforce Innovation and Opportunity Act (29 U.S.C.
12 3102(5)) is amended to read as follows:

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

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

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

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

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

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

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

17 “(C) for which the employer pays a portion
18 of the cost of the program, as determined by
19 the local board involved, which shall not be less
20 than—

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

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

1 “(iii) 50 percent of the cost, in the
2 case of an employer with 100 or more em-
3 ployees.”.

4 (c) DISLOCATED WORKER.—Section 3(15)(E)(ii) of
5 the Workforce Innovation and Opportunity Act (29 U.S.C.
6 3102(15)(E)(ii)) is amended by striking “who meets the
7 criteria described in paragraph (16)(B)” and inserting
8 “who meets the criteria described in subparagraph (B) of
9 the definition of the term ‘displaced homemaker’ in this
10 section”.

11 (d) DISPLACED HOMEMAKER.—Section 3(16) of the
12 Workforce Innovation and Opportunity Act (29 U.S.C.
13 3102(16)) is amended, in the matter preceding subpara-
14 graph (A), by striking “family members” and inserting “a
15 family member”.

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

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

23 (1) in paragraph (21)—

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

1 (B) by striking “language”; and

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

4 (g) JUSTICE-INVOLVED INDIVIDUAL.—Section 3 of
5 the Workforce Innovation and Opportunity Act (29 U.S.C.
6 3102) is further amended—

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

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

10 (2) in paragraph (38)—

11 (A) in the heading, by striking “OF-
12 FENDER” and inserting “JUSTICE-INVOLVED
13 INDIVIDUAL”; and

14 (B) in the matter preceding subparagraph
15 (A), by striking “offender” and inserting “jus-
16 tice-involved individual”.

17 (h) OPPORTUNITY YOUTH.—Section 3(46) of the
18 Workforce Innovation and Opportunity Act (29 U.S.C.
19 3102(46)) is amended—

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

22 (2) by striking “out-of-school” and inserting
23 “opportunity”.

24 (i) PAY-FOR-PERFORMANCE CONTRACT STRAT-
25 EGY.—Section 3(47) of the Workforce Innovation and Op-

1 portunity Act (29 U.S.C. 3102(47)) is amended to read
2 as follows:

3 “(47) PAY-FOR-PERFORMANCE CONTRACT
4 STRATEGY.—The term ‘pay-for-performance contract
5 strategy’ means a specific type of performance-based
6 acquisition that uses pay-for-performance contracts
7 in the provision of services described in paragraph
8 (2) or (3) of section 134(c) or activities described in
9 section 129(c)(2), and includes—

10 “(A) contracts, each of which—

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

23 “(ii) may not be required by the Sec-
24 retary to be informed by a feasibility
25 study; and

1 “(iii) may provide for bonus payments
2 to such service provider to expand capacity
3 to provide effective services and training;

4 “(B) a strategy for validating the achieve-
5 ment of the performance described in subpara-
6 graph (A); and

7 “(C) a description of how the State or
8 local area will reallocate funds not paid to a
9 provider because the achievement of the per-
10 formance described in subparagraph (A) did not
11 occur, for further activities related to such a
12 procurement strategy, subject to section
13 189(g)(4).”.

14 (j) RAPID RESPONSE ACTIVITY.—Section 3(51) of
15 the Workforce Innovation and Opportunity Act (29 U.S.C.
16 3102(51)) is amended—

17 (1) in the matter preceding subparagraph (A),
18 by inserting “, through a rapid response unit” after
19 “designated by a State”;

20 (2) in subparagraph (B), by inserting before
21 the semicolon at the end the following: “, including
22 individual training accounts for eligible dislocated
23 workers under section 414(e) of the American Com-
24 petitiveness and Workforce Improvement Act of
25 1998 (29 U.S.C. 3224a)”;

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

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

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

7 “(E) assistance in identifying employees el-
8 igible for assistance, including workers who
9 work a majority of their time off-site or re-
10 motely;”;

11 (6) in subparagraph (F), as so redesignated, by
12 striking the period at the end and inserting “; and”;
13 and

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

15 “(G) business engagement or layoff aver-
16 sion strategies and other activities designed to
17 prevent or minimize the duration of unemploy-
18 ment, such as—

19 “(i) connecting employers to short-
20 term compensation or other programs de-
21 signed to prevent layoffs;

22 “(ii) conducting employee skill assess-
23 ment and matching programs to different
24 occupations;

1 “(iii) establishing incumbent worker
2 training or other upskilling approaches, in-
3 cluding incumbent worker upskilling ac-
4 counts described in section 134(d)(4)(E);

5 “(iv) facilitating business support ac-
6 tivities, such as connecting employers to
7 programs that offer access to credit, finan-
8 cial support, and business consulting; and

9 “(v) partnering or contracting with
10 business-focused organizations to assess
11 risks to companies, and to propose, imple-
12 ment, and measure the impact of strategies
13 and services to address such risks.”.

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

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

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

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

5 “(73) DIGITAL LITERACY SKILLS.—The term
6 ‘digital literacy skills’ has the meaning given the
7 term in section 203.

8 “(74) EVIDENCE-BASED.—The term ‘evidence-
9 based’, when used with respect to an activity, serv-
10 ice, strategy, or intervention, means an activity,
11 service, strategy, or intervention that—

12 “(A) demonstrates a statistically signifi-
13 cant effect on improving participant outcomes
14 or other relevant outcomes based on—

15 “(i) strong evidence from at least 1
16 well-designed and well-implemented experi-
17 mental study;

18 “(ii) moderate evidence from at least
19 1 well-designed and well-implemented
20 quasi-experimental study; or

21 “(iii) promising evidence from at least
22 1 well-designed and well-implemented cor-
23 relational study with statistical controls for
24 selection bias; or

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

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

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

13 “(76) WORK-BASED LEARNING.—The term
14 ‘work-based learning’ has the meaning given the
15 term in section 3 of the Carl D. Perkins Career and
16 Technical Education Act of 2006 (20 U.S.C.
17 2302).”; and

18 (2) by reordering paragraphs (1) through (71),
19 as amended by this section, and the paragraphs
20 added by paragraph (1) of this subsection in alpha-
21 betical order, and renumbering such paragraphs as
22 so reordered.

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

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

1 (1) by redesignating the item relating to section
2 172 as section 174;

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

“Sec. 172. Reentry employment opportunities.

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

5 (3) by striking the item relating to section 190
6 and inserting the following:

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

7 **Subtitle B—System Alignment**

8 **CHAPTER 1—STATE PROVISIONS**

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

10 Section 101(b)(1)(C)(ii)(IV) of the Workforce Inno-
11 vation and Opportunity Act (29 U.S.C.
12 3112(b)(1)(C)(ii)(IV)) is amended by striking “out-of-
13 school youth” and inserting “opportunity youth”.

14 **SEC. 112. UNIFIED STATE PLAN.**

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

17 (1) in subsection (b)—

18 (A) in paragraph (1)—

19 (i) by redesignating subparagraphs
20 (C) through (E) as subparagraphs (D)
21 through (F), respectively;

22 (ii) by inserting the following after
23 subparagraph (B):

- 1 “(C) a description of—
- 2 “(i) how the State will use real-time
- 3 labor market information to continually as-
- 4 sess the economic conditions and workforce
- 5 trends described in subparagraphs (A) and
- 6 (B); and
- 7 “(ii) how the State will communicate
- 8 changes in such conditions or trends to the
- 9 workforce system in the State;”;
- 10 (iii) in subparagraph (D), as so redesi-
- 11 gnated, by inserting “the extent to which
- 12 such activities are evidence-based,” after
- 13 “of such activities,”;
- 14 (iv) in subparagraph (E), as so redesi-
- 15 gnated, by striking “and” at the end;
- 16 (v) in subparagraph (F), as so redesi-
- 17 gnated, by striking the period at the end
- 18 and inserting a semicolon; and
- 19 (vi) by adding at the end the fol-
- 20 lowing:
- 21 “(G) a description of any activities the
- 22 State is conducting to expand economic oppor-
- 23 tunity for individuals and reduce barriers to
- 24 labor market entry by—

1 “(i) developing, in cooperation with
2 employers, education and training pro-
3 viders, and other stakeholders, statewide
4 skills-based initiatives that promote the use
5 of demonstrated skills and competencies as
6 an alternative to the exclusive use of de-
7 gree attainment as a requirement for em-
8 ployment or advancement in a career; and

9 “(ii) evaluating the existing occupa-
10 tional licensing policies in the State and
11 identifying potential changes to recommend
12 to the appropriate State entity to—

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

15 “(II) improve the reciprocity of
16 licensing, including through partici-
17 pating in interstate licensing com-
18 pacts; and

19 “(H) an analysis of the opportunity youth
20 population in the State, including the estimated
21 number of opportunity youth and any gaps in
22 services provided to such population by other
23 existing workforce development activities, as
24 identified under subparagraph (D).”; and

25 (B) in paragraph (2)—

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

4 (ii) in subparagraph (C)—

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

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

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

12 (IV) by striking clause (viii);

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

15 (iv) in subparagraph (E)—

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

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

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

22 (2) in subsection (c)(3)—

23 (A) in subparagraph (A), by striking
24 “shall” the second place it appears and insert-
25 ing “may”; and

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

10 **CHAPTER 2—LOCAL PROVISIONS**

11 **SEC. 115. WORKFORCE DEVELOPMENT AREAS.**

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

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

21 “(A) review each region in the State iden-
22 tified under this subsection (as such subsection
23 was in effect on the day before the date of en-
24 actment of the A Stronger Workforce for Amer-
25 ica Act); and

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

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

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

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

12 (1) in paragraph (1)—

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

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

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

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

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

4 “(3) INITIAL ALIGNMENT REVIEW.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 “(5) INTERIM REVISIONS.—

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

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

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

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

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

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

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

19 “(i) performed successfully;

20 “(ii) sustained fiscal integrity; or

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

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

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

4 “(6) APPEALS.—

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

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

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

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

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

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

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

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

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

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

23 (1) in paragraph (1)—

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

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

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

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

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

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

20 “(3) REGIONAL CONSORTIUMS.—

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

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

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

6 “(i) one of the chief elected officials in
7 the planning region shall be responsible for
8 designating the fiscal agent for the consor-
9 tium;

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

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

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

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

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

5 “(2) NEW DESIGNATION.—

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

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

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

1 (e) DEFINITION OF “PERFORMED SUCCESS-
2 FULLY”.—Section 106(e)(1) of the Workforce Innovation
3 and Opportunity Act (29 U.S.C. 3121(e)) is amended by
4 striking “adjusted levels of performance” and inserting
5 “adjusted levels of performance described in section
6 116(g)(1)”.

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

8 (a) MEMBERSHIP.—Section 107(b)(2)(B)(iv) of the
9 Workforce Innovation and Opportunity Act (29 U.S.C.
10 3122(b)(2)(B)(iv)) is amended by striking “out-of-school
11 youth” and inserting “opportunity youth”.

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

15 (1) in paragraph (3), by inserting “, including,
16 to the extent practicable, local representatives of the
17 core programs and the programs described in section
18 121(b)(1)(B),” after “system stakeholders”;

19 (2) in paragraph (4)(D)—

20 (A) by striking “proven” and inserting
21 “evidence-based”;

22 (B) by inserting “individual” after “needs
23 of”; and

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

1 (3) in paragraph (5), by inserting “and which,
2 to the extent practicable, shall be aligned with career
3 and technical education programs of study (as de-
4 fined in section 3 of the Carl D. Perkins Career and
5 Technical Education Act of 2006 (20 U.S.C.
6 2302(3)) offered within the local area” before the
7 period at the end;

8 (4) in paragraph (6)—

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

11 (B) in subparagraph (A)—

12 (i) by striking “proven” and inserting
13 “evidence-based”;

14 (ii) by inserting “and covered veterans
15 (as defined in section 4212(a)(3)(A) of
16 title 38, United States Code)” after “em-
17 ployment”;

18 (iii) by inserting “, and give priority
19 to covered persons in accordance with sec-
20 tion 4215 of title 38, United States Code”
21 after “delivery system”; and

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

24 (5) in paragraph (10)(C)—

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

3 (B) by inserting “that operate in or are ac-
4 cessible to individuals” after “training serv-
5 ices”; and

6 (6) in paragraph (12)(A), by striking “activi-
7 ties” and inserting “funds allocated to the local area
8 under section 128(b) and section 133(b) for the
9 youth workforce development activities described in
10 section 129 and local employment and training ac-
11 tivities described in section 134(b), and the activi-
12 ties”.

13 **SEC. 117. LOCAL PLAN.**

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

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

18 (2) in subsection (b)—

19 (A) in paragraph (1)—

20 (i) by redesignating subparagraphs
21 (D), (E), and (F) as subparagraphs (E),
22 (F), and (H), respectively;

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

25 “(D) a description of—

1 “(i) how the local area will use real-
2 time labor market information to contin-
3 ually assess the economic conditions and
4 workforce trends described in subpara-
5 graphs (A), (B), and (C); and

6 “(ii) how changes in such conditions
7 or trends will be communicated to job-
8 seekers, education and training providers,
9 and employers in the local area;”;

10 (iii) in subparagraph (F), as so redes-
11 ignated, by striking “and” at the end; and

12 (iv) by inserting after subparagraph
13 (F), as so redesignated, the following:

14 “(G) an analysis of the opportunity youth
15 population in the local area, including the esti-
16 mated number of such youth and any gaps in
17 services for such population from other existing
18 workforce development activities, as identified
19 under paragraph (9), and a description of how
20 the local board will address any such gaps in
21 services identified in such analysis; and”;

22 (B) in paragraph (4)—

23 (i) in subparagraph (A)—

24 (I) by striking “and” at the end
25 of clause (iii); and

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

3 “(v) carry out any statewide skills-
4 based initiatives identified in the State
5 plan that promote the use of demonstrated
6 skills and competencies as an alternative to
7 the exclusive use of degree attainment as a
8 requirement for employment or advance-
9 ment in a career; and”;

10 (ii) in subparagraph (B), by striking
11 “customized training” and inserting “em-
12 ployer-directed skills development”;

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

16 (D) in paragraph (9)—

17 (i) by striking “including activities”
18 and inserting the following: “including—

19 “(A) the availability of community based
20 organizations that serve youth primarily during
21 nonschool time hours to carry out activities
22 under section 129; and

23 “(B) activities”; and

24 (ii) by inserting “or evidence-based”
25 after “successful”; and

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

4 **CHAPTER 3—PERFORMANCE**

5 **ACCOUNTABILITY**

6 **SEC. 119. PERFORMANCE ACCOUNTABILITY SYSTEM.**

7 (a) STATE PERFORMANCE ACCOUNTABILITY MEAS-
8 URES.—

9 (1) PRIMARY INDICATORS OF PERFORMANCE.—

10 Section 116(b)(2)(A) of the Workforce Innovation
11 and Opportunity Act (29 U.S.C. 3141(b)(2)(A)) is
12 amended—

13 (A) in clause (i)—

14 (i) in subclause (II)—

15 (I) by striking “fourth” and in-
16 serting “second”; and

17 (II) by inserting “and remain in
18 unsubsidized employment during the
19 fourth quarter after exit from the pro-
20 gram” after “the program”;

21 (ii) in subclause (V)—

22 (I) by striking “, during a pro-
23 gram year,”;

24 (II) by striking “are in” and in-
25 serting “enter into”; and

1 (III) by inserting before the
2 semicolon at the end the following:
3 “within 6 months after the quarter in
4 which the participant enters into the
5 education and training program”; and
6 (iii) by amending subclause (VI) to
7 read as follows:

8 “(VI) of the program partici-
9 pants who received training services
10 and who exited the program during a
11 program year, the percentage of such
12 program participants who completed,
13 prior to such exit, on-the-job training,
14 employer-directed skills development,
15 incumbent worker training, or an ap-
16 prenticeship.”;

17 (B) in clause (ii)—

18 (i) in subelause (II)—

19 (I) by striking “fourth” and in-
20 serting “second”;

21 (II) by inserting “, and who re-
22 main in such activities or unsub-
23 sidized employment during the fourth
24 quarter after exit from the program”
25 after “the program”; and

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

3 (ii) in subclause (III)—

4 (I) by striking “(VI)” and insert-
5 ing “(V)”; and

6 (II) by striking the period at the
7 end and inserting “; and”; and

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

10 “(IV) of the program partici-
11 pants who exited a program during a
12 program year, the percentage of such
13 program participants who completed,
14 prior to such exit, paid or unpaid
15 work experiences as described in sec-
16 tion 129(c)(2)(C).”; and

17 (C) by striking clause (iv).

18 (2) LEVELS OF PERFORMANCE.—Section
19 116(b)(3)(A) of the Workforce Innovation and Op-
20 portunity Act (29 U.S.C. 3141(b)(3)(A)) is amend-
21 ed—

22 (A) by amending clause (iii) to read as fol-
23 lows:

24 “(iii) IDENTIFICATION IN STATE
25 PLAN.—

1 “(I) SECRETARIES.—For each
2 State submitting a State plan, the
3 Secretaries of Labor and Education
4 shall, not later than December 1 of
5 the year prior to the year in which
6 such State plan is submitted, for the
7 first 2 program years covered by the
8 State plan, and not later than Decem-
9 ber 1 of the year prior to the third
10 program year covered by the State
11 plan, for the third and fourth pro-
12 gram years covered by the State
13 plan—

14 “(aa) propose to the State
15 expected levels of performance
16 for each of the corresponding pri-
17 mary indicators of performance
18 for each of the programs de-
19 scribed in clause (ii) for such
20 State, which shall—

21 “(AA) be consistent
22 with the factors listed in
23 clause (v); and

24 “(BB) be proposed in a
25 manner that ensures suffi-

1 cient time is provided for
2 the State to evaluate and re-
3 spond to such proposals; and
4 “(bb) publish, on a public
5 website of the Department of
6 Labor, the statistical model de-
7 veloped under clause (viii) and
8 the methodology used to develop
9 each such expected level of per-
10 formance.

11 “(II) STATES.—Each State
12 shall—

13 “(aa) evaluate each of the
14 expected levels of performance
15 proposed under subclause (I)
16 with respect to such State;

17 “(bb) based on such evalua-
18 tion of each such expected level
19 of performance—

20 “(AA) accept the ex-
21 pected level of performance
22 as so proposed; or

23 “(BB) provide a coun-
24 terproposal for such pro-
25 posed expected level of per-

1 performance, including an anal-
2 ysis of how the counter-
3 proposal addresses factors or
4 circumstances unique to the
5 State that may not have
6 been accounted for in the
7 expected level of perform-
8 ance; and

9 “(cc) include in the State
10 plan, with respect to each of the
11 corresponding primary indicators
12 of performance for each of the
13 programs described in clause (ii)
14 for such State—

15 “(AA) the expected
16 level of performance pro-
17 posed under subclause (I);

18 “(BB) the counter-
19 proposal for such proposed
20 level, if any; and

21 “(CC) the expected
22 level of performance that is
23 agreed to under clause
24 (iv).”; and

25 (B) in clause (v)(II)—

1 (i) in the matter preceding item (aa),
2 by striking “based on” and inserting
3 “based on each of the following consider-
4 ations that are found to be predictive of
5 performance on an indicator for a pro-
6 gram”; and

7 (ii) in item (bb), by striking “ex-of-
8 fender status” and inserting “justice-in-
9 volved individual status, foster care status,
10 school status, education level, highest
11 grade level completed, low-income status”.

12 (b) PERFORMANCE REPORTS.—Section 116(d) of the
13 Workforce Innovation and Opportunity Act (29 U.S.C.
14 3141(d)) is amended—

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

17 “(1) IN GENERAL.—

18 “(A) TEMPLATE FOR PERFORMANCE RE-
19 PORTS.—Not later than 12 months after the
20 date of enactment of the A Stronger Workforce
21 for America Act, the Secretary of Labor, in
22 conjunction with the Secretary of Education,
23 shall develop, or review and modify, as appro-
24 priate, to comply with the requirements of this
25 subsection, the template for performance re-

1 ports that shall be used by States (including by
2 States on behalf of eligible providers of training
3 services under section 122) and local boards to
4 produce a report on outcomes achieved by the
5 core programs. In developing, or reviewing and
6 modifying, such templates, the Secretary of
7 Labor, in conjunction with the Secretary of
8 Education, shall take into account the need to
9 maximize the value of the templates for work-
10 ers, jobseekers, employers, local elected officials,
11 State officials, Federal policymakers, and other
12 key stakeholders.

13 “(B) STANDARDIZED REPORTING.—In de-
14 veloping, or reviewing and modifying, the tem-
15 plate under subparagraph (A), the Secretary of
16 Labor, in conjunction with the Secretary of
17 Education, shall ensure that performance re-
18 ports produced by States and local areas for
19 core programs and eligible training providers
20 collect and report, in a comparable and uniform
21 format, common data elements, which use
22 terms that are assigned identical meanings
23 across all such reports.

1 “(C) ADDITIONAL REPORTING.—The Sec-
2 retary of Labor, in conjunction with the Sec-
3 retary of Education—

4 “(i) in addition to the common data
5 elements described under subparagraph
6 (B), may require a core program to pro-
7 vide additional information as necessary
8 for effective reporting; and

9 “(ii) shall periodically review any re-
10 quirement for additional information to en-
11 sure the requirement is necessary and does
12 not impose an undue reporting burden.”.

13 (2) in paragraph (2)—

14 (A) by redesignating subparagraphs (J)
15 through (L) as subparagraphs (K) through (M),
16 respectively and inserting after subparagraph
17 (I) the following:

18 “(J) the median earnings gain of partici-
19 pants who received training services, calculated
20 as the difference between—

21 “(i) median participant earnings in
22 unsubsidized employment during the sec-
23 ond quarter after program exit; and

1 “(ii) median participant earnings in
2 the second quarter prior to entering the
3 program;”.

4 (B) in subparagraph (L), as so redesignig-
5 nated, by striking clause (ii); and

6 (C) by striking “strategies for programs”
7 and all that follows through “the performance”,
8 and inserting “strategies for programs, the per-
9 formance”;

10 (3) in paragraph (3)—

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

13 (B) by redesignating subparagraph (C) as
14 subparagraph (E); and

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

17 “(C) the percentage of a local area’s allo-
18 cation under section 133(b) that the local area
19 spent on services paid for through an individual
20 training account described in section
21 134(c)(3)(F)(iii) or a training contract de-
22 scribed in section 134(c)(3)(G)(ii);

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

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

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

5 “(A) IN GENERAL.—The State shall use
6 the information submitted by the eligible pro-
7 viders of training services under section 122
8 and administrative records, including quarterly
9 wage records, of the participants of the pro-
10 grams offered by the providers to produce a
11 performance report on the eligible providers of
12 training services in the State, which shall in-
13 clude, subject to paragraph (6)(C)—

14 “(i) with respect to each program of
15 study (or the equivalent) of such a pro-
16 vider—

17 “(I) information specifying the
18 levels of performance achieved with
19 respect to the primary indicators of
20 performance described in subclauses
21 (I) through (IV) of subsection
22 (b)(2)(A)(i) with respect to all individ-
23 uals engaging in the program of study
24 (or the equivalent); and

1 “(II) the total number of individ-
2 uals exiting from the program of
3 study (or the equivalent); and

4 “(ii) with respect to all such pro-
5 viders—

6 “(I) the total number of partici-
7 pants who received training services
8 through each adult and dislocated
9 worker program authorized under
10 chapter 3 of subtitle B, disaggregated
11 by the type of entity that provided the
12 training, during the most recent pro-
13 gram year and the 3 preceding pro-
14 gram years;

15 “(II) the total number of partici-
16 pants who exited from training serv-
17 ices, disaggregated by the type of en-
18 tity that provided the training, during
19 the most recent program year and the
20 3 preceding program years;

21 “(III) the average cost per par-
22 ticipant for the participants who re-
23 ceived training services, disaggregated
24 by the type of entity that provided the
25 training, during the most recent pro-

1 gram year and the 3 preceding pro-
2 gram years; and

3 “(IV) the number of individuals
4 with barriers to employment served by
5 each adult and dislocated worker pro-
6 gram authorized under chapter 3 of
7 subtitle B, disaggregated by each sub-
8 population of such individuals, and by
9 race, ethnicity, sex, and age.

10 “(iii) with respect to each recognized
11 postsecondary credential on the list of cre-
12 dentials awarded by eligible providers in
13 the State described in section 122(d)(2)—

14 “(I) information specifying the
15 levels of performance achieved with
16 respect to the primary indicators of
17 performance described in subclauses
18 (I) through (IV) of subsection
19 (b)(2)(A)(i) for all participants in the
20 State receiving such credential; and

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

1 (b)(2)(A)(i) for participants in the
2 State receiving such credential with
3 respect to individuals with barriers to
4 employment, disaggregated by each
5 subpopulation of such individuals, and
6 by race, ethnicity, sex, and age.”; and

7 (5) in paragraph (6)—

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

10 “(A) STATE PERFORMANCE REPORTS.—
11 The Secretary of Labor and the Secretary of
12 Education shall annually make available the
13 performance reports for States containing the
14 information described in paragraph (2), which
15 shall include making such reports available—

16 “(i) digitally using transparent,
17 linked, open, and interoperable data for-
18 mats that are human readable and ma-
19 chine actionable such that the data from
20 these reports—

21 “(I) are easily understandable;
22 and

23 “(II) can be easily included in
24 web-based tools and services sup-
25 porting search, discovery, comparison,

1 analysis, navigation, and guidance;

2 and

3 “(ii) in a printable format.”; and

4 (B) in subparagraph (B)—

5 (i) by striking “(including by elec-
6 tronic means), in an easily understandable
7 format,”; and

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

18 (c) EVALUATION OF STATE PROGRAMS.—Section
19 116(e) of the Workforce Innovation and Opportunity
20 Act(29 U.S.C. 3141(e)) is amended—

21 (1) in paragraph (1)—

22 (A) by striking “shall conduct ongoing”
23 and inserting “shall use data to conduct anal-
24 yses and ongoing”; and

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

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

8 (d) SANCTIONS FOR STATE FAILURE TO MEET
9 STATE PERFORMANCE ACCOUNTABILITY MEASURES.—
10 Section 116(f) of the Workforce Innovation and Oppor-
11 tunity Act (29 U.S.C. 3141(f)) is amended to read as fol-
12 lows:

13 “(f) SANCTIONS FOR STATE FAILURE TO MEET
14 STATE PERFORMANCE ACCOUNTABILITY MEASURES.—

15 “(1) TARGETED SUPPORT AND ASSISTANCE.—

16 “(A) IN GENERAL.—If a State fails to
17 meet 80 percent of the State adjusted level of
18 performance for an indicator described in sub-
19 section (b)(2)(A) for a program for any pro-
20 gram year, the Secretary of Labor and the Sec-
21 retary of Education shall provide technical as-
22 sistance.

23 “(B) SANCTIONS.—

24 “(i) IN GENERAL.—If the State fails
25 in the manner described in subclause (I) or

1 (II) of clause (ii) with respect to a pro-
2 gram year, the percentage of each amount
3 that would (in the absence of this subpara-
4 graph) be reserved by the Governor under
5 section 128(a)(1) for the immediately suc-
6 ceeding program year shall be reduced by
7 5 percentage points until such date as the
8 Secretary of Labor or the Secretary of
9 Education, as appropriate, determines that
10 the State meets the State adjusted level of
11 performance, in the case of a failure de-
12 scribed in clause (ii)(I), or has submitted
13 the reports for the appropriate program
14 years, in the case of a failure described in
15 clause (ii)(II).

16 “(ii) FAILURES.—A State shall be
17 subject to clause (i)—

18 “(I) if (except in the case of ex-
19 ceptional circumstances as determined
20 by the Secretary of Labor or the Sec-
21 retary of Education, as appropriate),
22 such State fails to submit a report
23 under subsection (d) for any program
24 year; or

1 “(II) for a failure under subpara-
2 graph (A) that continues for a second
3 consecutive year.

4 “(2) COMPREHENSIVE SUPPORT AND ASSIST-
5 ANCE.—

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

19 “(B) SECOND CONSECUTIVE YEAR FAIL-
20 URE.—If such failure under subparagraph (A)
21 continues for a second consecutive year, the
22 percentage of each amount that would (in the
23 absence of this subsection) be reserved by the
24 Governor under section 128(a)(1) for the imme-
25 diately succeeding program year shall be re-

1 duced by 10 percentage points until such date
2 as the Secretary of Labor or the Secretary of
3 Education, as appropriate, determines that the
4 State meets such State adjusted levels of per-
5 formance.

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

11 “(4) REALLOTMENT OF REDUCTIONS.—

12 “(A) IN GENERAL.—The amounts available
13 for reallocation for a program year shall be re-
14 allotted to the States that were not subject to
15 a reduction of funds under paragraph (1)(B) or
16 paragraph (2)(B) of this subsection for such
17 program year (in this paragraph referred to in-
18 dividually as an ‘eligible State’).

19 “(B) AMOUNTS AVAILABLE FOR REALLOT-
20 MENT.—In this paragraph, the amounts avail-
21 able for reallocation for a program year means
22 the amounts available under section
23 127(b)(1)(C) and paragraph (1)(B) or (2)(B),
24 respectively, of section 132(b) for such program
25 year which would (in the absence of paragraph

1 (1)(B) or paragraph (2)(B) of this subsection)
2 have otherwise been reserved under section
3 128(a)(1) by a Governor of a State for such
4 program year.

5 “(C) REALLOTMENT AMOUNTS.—In mak-
6 ing reallocations under subparagraph (A) for a
7 program year to eligible States, the Secretary
8 shall allot to each eligible State—

9 “(i) in the case of amounts available
10 under section 127(b)(1)(C), an amount
11 based on the relative amount of the allot-
12 ment made (before the allotments under
13 this clause are made) to such eligible State
14 under section 127(b)(1)(C) for such pro-
15 gram year, compared to the total allot-
16 ments made (before the allotments under
17 this clause are made) to all eligible States
18 under section 127(b)(1)(C) for such pro-
19 gram year; and

20 “(ii) in the case of amounts available
21 under paragraph (1)(B) or (2)(B), respec-
22 tively, of section 132(b), an amount based
23 on the relative amount of the allotment
24 made (before the allotments under this
25 clause are made) to such eligible State

1 under paragraph (1)(B) or (2)(B), respec-
2 tively, of section 132(b) for such program
3 year, compared to the total allotments
4 made (before the allotments under this
5 clause are made) to all eligible States
6 under paragraph (1)(B) or (2)(B), respec-
7 tively, of section 132(b) for such program
8 year.”.

9 (e) SANCTIONS FOR LOCAL AREA FAILURE TO MEET
10 LOCAL PERFORMANCE ACCOUNTABILITY MEASURES.—

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

13 (1) in paragraph (1)—

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

16 (B) by striking “accountability measures”
17 and inserting “accountability levels of perform-
18 ance on an indicator of performance, an aver-
19 age of 90 percent of the local levels of perform-
20 ance across indicators for a single program, or
21 an average of 90 percent for a single perform-
22 ance indicator across all programs”; and

23 (2) in paragraph (2)—

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

1 “(A) IN GENERAL.—If such failure con-
2 continues, the Governor shall take corrective ac-
3 tions, which shall include—

4 “(i) in the case of a failure, for a sec-
5 ond consecutive year, on any individual in-
6 dicator, across indicators for a single pro-
7 gram, or on a single indicator across pro-
8 grams, a 5-percent reduction in the
9 amount that would have otherwise been al-
10 located (in the absence of this clause) to
11 the local area for the immediately suc-
12 ceeding program year under chapter 2 or
13 3 of subtitle B for the program subject to
14 the performance failure;

15 “(ii) in the case of a failure, as de-
16 scribed in paragraph (1), for a third con-
17 secutive year, the development of a reorga-
18 nization plan through which the Governor
19 shall—

20 “(I) require the appointment and
21 certification of a new local board, con-
22 sistent with the criteria established
23 under section 107(b);

1 “(II) prohibit the use of one-stop
2 partners identified as achieving a poor
3 level of performance; and

4 “(III) revise or redesignate a
5 local area, which may include merging
6 a local area with another local area if
7 the Governor determines that the like-
8 ly cause of such continued perform-
9 ance failure of a local area is due to
10 such local area’s designation being
11 granted without the appropriate con-
12 sideration of parameters described
13 under section 106(b)(1)(B); or

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

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

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

19 “(D) REALLOCATION OF REDUCTIONS.—

20 “(i) IN GENERAL.—With respect to
21 any amounts available under section
22 128(b), paragraph (2)(A) or (3) of section
23 133(b), and section 133(b)(2)(B) to a Gov-
24 ernor for a program year which would (in
25 the absence of subparagraph (A)(i)) have

1 otherwise been allocated by such Governor
2 to a local area for such program year—

3 “(I) not more than 10 percent of
4 the amounts available under each
5 such section may be reserved by the
6 Governor to provide technical assist-
7 ance to local areas within the State
8 that were subject to a reduction of al-
9 location amounts pursuant to sub-
10 paragraph (A)(i) for such program
11 year; and

12 “(II) the amounts remaining
13 after the reservations under subclause
14 (I) shall be reallocated by the Gov-
15 ernor to the local areas within the
16 State that were not subject to a re-
17 duction of allocation amounts pursu-
18 ant to subparagraph (A)(i) for such
19 program year (in this subparagraph
20 referred to individually as an ‘eligible
21 local area’).

22 “(ii) REALLOCATION AMOUNTS.—In
23 making reallocations under clause (i)(II)
24 for a program year to eligible local areas
25 within a State, the Governor of the State

1 shall allocate to each such eligible local
2 area—

3 “(I) in the case of amounts re-
4 maining under section 128(b), an
5 amount based on the relative amount
6 of the allocation made (before the al-
7 locations under this subclause are
8 made) to such eligible local area under
9 section 128(b) for such program year,
10 compared to the total allocations
11 made (before the allocations under
12 this subclause are made) to all eligible
13 local areas within the State under sec-
14 tion 128(b) for such program year;

15 “(II) in the case of amounts re-
16 maining under paragraph (2)(A) or
17 (3) of section 133(b), an amount
18 based on the relative amount of the
19 allocation made (before the allocations
20 under this subclause are made) to
21 such eligible local area under para-
22 graph (2)(A) or (3) of section 133(b),
23 as appropriate, for such program
24 year, compared to the total allocations
25 made (before the allocations under

1 this subclause are made) under para-
2 graph (2)(A) or (3) of section 133(b),
3 as appropriate, to all eligible local
4 areas within the State for such pro-
5 gram year; and

6 “(III) in the case of amounts re-
7 maining under section 133(b)(2)(B),
8 an amount based on the relative
9 amount of the allocation made (before
10 the allocations under this subclause
11 are made) to such eligible local area
12 under section 133(b)(2)(B) for such
13 program year, compared to the total
14 allocations made (before the alloca-
15 tions under this subclause are made)
16 under section 133(b)(2)(B) to all eli-
17 gible local areas within the State for
18 such program year.”.

19 (f) ESTABLISHING PAY-FOR-PERFORMANCE CON-
20 TRACT STRATEGY INCENTIVES.—Section 116(h) of the
21 Workforce Innovation and Opportunity Act (29 U.S.C.
22 3141(h)) is amended by striking “non-Federal funds” and
23 inserting “the funds reserved under section 128(a)(1)”.

24 (g) FISCAL AND MANAGEMENT ACCOUNTABILITY IN-
25 FORMATION SYSTEMS.—Section 116(i) of the Workforce

1 Innovation and Opportunity Act (29 U.S.C. 3141(i)) is
2 amended—

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

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

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

12 “(3) DESIGNATED ENTITY.—The Governor
13 shall designate a State agency (or appropriate State
14 entity) to assist in carrying out the performance re-
15 porting requirements for core programs and eligible
16 training providers. The designated State agency (or
17 appropriate State entity) shall be responsible for—

18 “(A) facilitating data matches using quar-
19 terly wage record information, including wage
20 record information made available by other
21 States, to measure employment and earnings
22 outcomes;

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

1 “(C) protection against disaggregation that
2 would violate applicable privacy standards, as
3 described in subsection (d)(6)(C).”.

4 **Subtitle C—Workforce Investment**
5 **Activities and Providers**

6 **CHAPTER 1—WORKFORCE INVESTMENT**

7 **ACTIVITIES AND PROVIDERS**

8 **SEC. 121. ESTABLISHMENT OF ONE-STOP DELIVERY SYS-**
9 **TEMS.**

10 (a) ONE-STOP PARTNERS.—Section 121(b) of the
11 Workforce Innovation and Opportunity Act (29 U.S.C.
12 3151(b)) is amended—

13 (1) in paragraph (1)(B)—

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

16 (B) by striking clause (xii);

17 (2) in paragraph (2)(A), by striking “With”
18 and inserting “At the direction of the Governor or
19 with”; and

20 (3) in paragraph (2)(B)—

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

23 (B) by redesignating clause (vii) as clause
24 (viii); and

1 (C) by inserting after clause (vi) the fol-
2 lowing:

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

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

9 (1) in paragraph (2)(B)—

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

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

14 (C) by redesignating clause (vi) as clause
15 (viii);

16 (D) by inserting after clause (v) the fol-
17 lowing:

18 “(vi) a public library;

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

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

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

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

5 “(3) RESPONSIBILITIES.—

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

9 “(i) shall—

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

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

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

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

1 “(i) with respect to the competition in
2 which the one-stop operator will compete to
3 be selected as such service provider, and
4 the subsequent oversight, monitoring, and
5 evaluation of the performance of such one-
6 stop operator as such service provider; and

7 “(ii) which—

8 “(I) require compliance with—

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

13 “(bb) any applicable State
14 conflict of interest policy; and

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

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

1 “(A) enters into a written agreement with
2 the chief elected official that clarifies how the
3 local board will carry out the functions and re-
4 sponsibilities as a one-stop operator in a man-
5 ner that complies with the appropriate internal
6 controls to prevent any conflicts of interest,
7 which shall include how the local board, while
8 serving as a one-stop operator, will—

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

12 “(ii) any applicable State conflict of
13 interest policy; and

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

16 (c) ONE-STOP DELIVERY.—Section 121(e)(2) of the
17 Workforce Innovation and Opportunity Act (29 U.S.C.
18 3151(e)(2)) is amended—

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

20 “(A) shall make each of the programs,
21 services, and activities described in paragraph
22 (1) available—

23 “(i) to individuals through electronic
24 means, in a single, virtually accessible loca-
25 tion, and in a manner that improves effi-

1 ciency, coordination, and quality, as deter-
2 mined by the State, in the delivery of such
3 programs, services, and activities; or

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

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

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

12 (4) in subparagraph (D)—

13 (A) by striking “as applicable and prac-
14 ticable, shall” and inserting “in the case of a
15 one-stop delivery system that is making each of
16 the programs, services, and activities described
17 in paragraph (1) accessible at not less than 1
18 physical center, as described in subparagraph
19 (A)(ii), the one-stop delivery system shall, as
20 applicable and practicable,”; and

21 (B) by striking the period at the end and
22 inserting “; and”; and

23 (5) by inserting after subparagraph (D) the fol-
24 lowing:

1 “(E) in the case of a one-stop delivery sys-
2 tem that is making each of the programs, serv-
3 ices, and activities accessible through electronic
4 means, as described in subparagraph (A)(i), the
5 one-stop delivery system shall have not less
6 than two affiliated sites with a physical location
7 where individuals can access, virtually, each of
8 the programs, services, and activities described
9 in paragraph (1) that are virtually accessible.”.

10 (d) CERTIFICATION AND IMPROVEMENT CRITERIA.—
11 Section 121(g)(2)(A) of the Workforce Innovation and
12 Opportunity Act is amended by striking “under sub-
13 sections (h)(1)” and inserting “under subsections
14 (h)(1)(C)”.

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

18 (1) by striking paragraph (1);

19 (2) by redesignating paragraphs (2) and (3) as
20 paragraphs (1) and (2), respectively;

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

22 (A) by amending subparagraph (B) to read
23 as follows:

24 “(B) PARTNER CONTRIBUTIONS.—Subject
25 to subparagraph (D), the covered portions of

1 funding for a fiscal year shall be provided to
2 the Governor from the programs described in
3 subsection (b)(1) to pay the costs of infrastruc-
4 ture of one-stop centers in local areas of the
5 State.”; and

6 (B) in subparagraph (C)—

7 (i) in clause (i)—

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

11 (II) by striking the third sen-
12 tence; and

13 (ii) in clause (ii), by striking “under a
14 provision covered by section 3(13)(D)” and
15 inserting “under a provision covered by
16 subparagraph (D) of the definition of the
17 term ‘core program provision’ in section
18 3”;

19 (C) in subparagraph (D)—

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

24 (ii) in clause (ii)—

25 (I) in subclause (I)—

1 (aa) by striking “WIA” in
2 the header and inserting
3 “WIOA”; and

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

6 (II) by striking subclause (III);

7 and

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

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

13 (A) in subparagraph (A), by striking “pur-
14 poses of assisting in” and inserting “purpose
15 of”; and

16 (B) in subparagraph (B)—

17 (i) in the first sentence, by striking
18 “not funding costs of infrastructure under
19 the option described in paragraph
20 (1)(A)(i)(I)”;

21 (ii) in the second sentence, by insert-
22 ing after “local area,” the following: “the
23 intensity of services provided by such cen-
24 ters,”;

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

3 “(3) SUPPLEMENTAL INFRASTRUCTURE FUND-
4 ING.—For any fiscal year in which the allocation re-
5 ceived by a local area under paragraph (2) is insuffi-
6 cient to cover the total costs of infrastructure of
7 one-stop centers in such local area, the local board,
8 the chief elected official, and the one-stop partners
9 that have entered into the local memorandum of un-
10 derstanding with the local board under subsection
11 (c) may agree to fund any such remaining costs
12 using a method described in such memorandum.”;
13 and

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

17 **SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS AND**
18 **PROGRAMS OF TRAINING SERVICES.**

19 (a) ELIGIBILITY.—Section 122(a) of the Workforce
20 Innovation and Opportunity Act (29 U.S.C. 3152(a)) is
21 amended—

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

24 “(1) IN GENERAL.—Except as provided in sub-
25 section (i), the Governor, after consultation with the

1 State board and considering the State’s adjusted lev-
2 els of performance described in section
3 116(b)(3)(A)(iv), shall establish—

4 “(A) procedures regarding the eligibility of
5 providers of training services to receive funds
6 provided under section 133(b) for the provision
7 of training services by programs with standard
8 eligibility or conditional eligibility under this
9 section (in this section referred to as ‘eligible
10 programs’) in local areas in the State; and

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

14 (2) in paragraph (2)—

15 (A) in subparagraph (A), by inserting be-
16 fore the semicolon at the end the following:
17 “(other than an institution of higher education
18 described in subparagraph (C))”;

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

21 (C) by redesignating subparagraph (C) as
22 subparagraph (D);

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

1 “(C) an institution of higher education
2 that offers a program that—

3 “(i) is of at least 150 clock hours of
4 instruction, but less than 600 clock hours
5 of instruction, or an equivalent number of
6 credit hours;

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

9 “(iii) is an eligible program for pur-
10 poses of the Federal Pell Grant program;
11 or”); and

12 (E) in subparagraph (D), as so redesign-
13 nated—

14 (i) by inserting “(including providers
15 of such a program that is conducted (in
16 whole or in part) online)” before “, which
17 may”); and

18 (ii) by inserting “providers of entre-
19 preneurial skills development programs, in-
20 dustry or sector partnerships, groups of
21 employers, trade or professional associa-
22 tions,” after “organizations,”; and

23 (3) in paragraph (3)—

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

1 (B) in the second sentence, by striking
2 “paragraph (2)(B)” the first place it appears
3 and inserting “subparagraph (B) or (C) of
4 paragraph (2)”; and

5 (C) by inserting before the period at the
6 end the following: “or remains eligible for the
7 Federal Pell Grant program as described in
8 paragraph (2)(C)”.

9 (b) CRITERIA AND INFORMATION REQUIREMENTS.—
10 Section 122(b) of the Workforce Innovation and Oppor-
11 tunity Act (29 U.S.C. 3152(b)) is amended to read as fol-
12 lows:

13 “(b) CRITERIA AND INFORMATION REQUIRE-
14 MENTS.—

15 “(1) GENERAL REQUIREMENTS.—

16 “(A) GENERAL CRITERIA FOR PRO-
17 GRAMS.—Each provider shall demonstrate that
18 the program for which the provider is seeking
19 eligibility under this section—

20 “(i) prepares participants to meet the
21 hiring requirements of potential employers
22 in the State or a local area within the
23 State for employment that—

24 “(I) is high skill and high wage;

25 or

1 “(II) is in in-demand industry
2 sectors or occupations;

3 “(ii) leads to a recognized postsec-
4 ondary credential;

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

7 “(iv)(I) meets the performance re-
8 quirements for standard eligibility de-
9 scribed in paragraph (2); or

10 “(II) has received conditional eligi-
11 bility described in paragraph (3).

12 “(B) PROVIDER ELIGIBILITY ELECTION.—
13 Any provider may elect to seek standard eligi-
14 bility under paragraph (2) or conditional eligi-
15 bility under paragraph (3).

16 “(2) PERFORMANCE CRITERIA FOR STANDARD
17 ELIGIBILITY.—

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

19 “(i) establish and publicize minimum
20 levels of performance for each of the cri-
21 teria listed in subparagraph (B) that a
22 program offered by a provider of training
23 services shall achieve to receive and main-
24 tain standard eligibility under this section;
25 and

1 “(ii) verify the performance achieved
2 by such a program with respect to each
3 such criteria to determine whether the pro-
4 gram meets the corresponding minimum
5 level of performance established under
6 clause (i)—

7 “(I) in the case of the criteria de-
8 scribed in (ii) through (iv) of subpara-
9 graph (B), using State administrative
10 data (such as quarterly wage records);
11 and

12 “(II) in the case of the criteria
13 described in subparagraph (B)(i),
14 using any applicable method for such
15 verification; and

16 “(iii) in verifying the performance
17 achievement of a program, verify that such
18 program included a sufficient number of
19 program participants to protect participant
20 personally identifiable information, and to
21 be a reliable indicator of performance
22 achievement.

23 “(B) PERFORMANCE CRITERIA.—The per-
24 formance criteria to receive and maintain stand-

1 ard eligibility for a program under this section
2 are as follows:

3 “(i) The credential attainment rate of
4 program participants calculated as the per-
5 centage of program participants who ob-
6 tain the recognized postsecondary creden-
7 tial for which the program prepares par-
8 ticipants to earn within 6 months of exit
9 from the program.

10 “(ii) The job placement rate of pro-
11 gram participants calculated as the per-
12 centage of program participants in unsub-
13 sidized employment during the second
14 quarter after exit from the program.

15 “(iii) The median earnings of program
16 participants who are in unsubsidized em-
17 ployment during the second quarter after
18 exit from the program.

19 “(iv) The ratio of median earnings in-
20 crease to the total cost of program, cal-
21 culated as follows:

22 “(I) The median value of the dif-
23 ference between—

24 “(aa) participant wages
25 from unsubsidized employment

1 during the second quarter after
2 program exit; and

3 “(bb) participant wages dur-
4 ing the quarter prior to entering
5 the program, to

6 “(II) The total cost of the pro-
7 gram (as described in paragraph
8 (5)(B)(iii)).

9 “(C) LOCAL CRITERIA.—With respect to
10 any program receiving standard eligibility under
11 this section from a Governor, a local board in
12 the State may require higher levels of perform-
13 ance than the minimum performance levels es-
14 tablished by the Governor under this para-
15 graph, but may not—

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

19 “(ii) establish a performance require-
20 ment with respect to any criteria not listed
21 in subparagraph (B).

22 “(3) CONDITIONAL ELIGIBILITY.—

23 “(A) REQUIREMENTS.—

24 “(i) IN GENERAL.—The Governor
25 shall establish procedures and criteria for

1 conditional eligibility for a program of a
2 provider of training services that does not
3 meet the requirements under subparagraph
4 (2).

5 “(ii) PROCEDURES AND CRITERIA.—
6 In establishing the procedures and criteria
7 under this subparagraph for conditional
8 eligibility under this paragraph, the Gov-
9 ernor—

10 “(I) shall establish the maximum
11 period, not to exceed a 4-year period,
12 that a program may receive and main-
13 tain such conditional eligibility;

14 “(II) with respect to a program
15 that has received conditional eligibility
16 for the maximum period established
17 under subclause (I) and that is seek-
18 ing approval for an additional period
19 of conditional eligibility, may not con-
20 sider such program for such condi-
21 tional eligibility during the 3-year pe-
22 riod that begins on the day after the
23 end of most recent period for which
24 the program received conditional eligi-
25 bility; and

1 “(III) may establish other re-
2 quirements related to program per-
3 formance, including setting separate
4 minimum levels of performance on the
5 criteria described in paragraph (2) for
6 a program to maintain such condi-
7 tional eligibility.

8 “(B) PAYMENTS.—Payments under this
9 Act for the provision of training services by a
10 program with conditional eligibility shall be
11 made to the provider of such program, on the
12 basis of the achievement of successful outcomes
13 by a participant of such training services, in ac-
14 cordance with the following:

15 “(i) Upon participant enrollment, the
16 provider shall receive not less than 25 per-
17 cent of the total funds to be provided
18 under section 133(b) for the provision of
19 training services by such program to such
20 participant.

21 “(ii) Upon participant completion and
22 credential attainment, the provider shall
23 receive not less than 25 percent of such
24 total funds.

1 “(iii) Upon verification of the partici-
2 pant’s employment during the second quar-
3 ter after program completion, the provider
4 shall receive not less than 25 percent of
5 such total funds.

6 “(iv) The remainder of such total
7 funds may be awarded at any of the inter-
8 vals described in clauses (i) through (iii) as
9 determined by the Governor in accordance
10 with the procedures established under sub-
11 paragraph (A).

12 “(C) LIMITATION ON BILLING PARTICI-
13 PANTS.—With respect to a program participant
14 for whom a provider expects to be paid pursu-
15 ant to subparagraph (B), the provider may
16 not—

17 “(i) charge such participant tuition
18 and refund such charges after receiving
19 such payments; or

20 “(ii) if such program participant does
21 not achieve the outcomes necessary for the
22 provider to receive the provider’s full pay-
23 ment pursuant to subparagraph (B) for
24 such participant, bill a participant for any

1 of the amounts described in subparagraph
2 (B).

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

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

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

23 “(ii) guarantee an interview and con-
24 sideration for a job with the employer, or
25 in the case of an industry or sectoral part-

1 nership, an employer within such partner-
2 ship, for each such participant that suc-
3 cessfully completes the program.

4 “(B) RESTRICTION ON FINANCIAL AR-
5 RANGEMENT.—A provider receiving an em-
6 ployer-sponsored designation under this para-
7 graph may not—

8 “(i) have an ownership stake in the
9 employer or industry or sectoral partner-
10 ship making a commitment described in
11 subparagraph (A); or

12 “(ii) enter into an arrangement to re-
13 imburse an employer or partnership for the
14 costs of a participant paid by such em-
15 ployer or partnership.

16 “(5) INFORMATION REQUIREMENTS.—An eligi-
17 ble provider shall submit appropriate, accurate, and
18 timely information to the Governor, to enable the
19 Governor to carry out subsection (d), with respect to
20 all participants of each eligible program (including
21 participants for whom the provider receives pay-
22 ments under this title) offered by the provider,
23 which shall—

1 “(A) be made available by the State in a
2 common, linked, open, and interoperable data
3 format;

4 “(B) include information on—

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

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

19 “(iii) the total cost of the program, in-
20 cluding the costs of the published tuition
21 and fees, supplies, books, and any other
22 costs required by the provider for partici-
23 pants in the program;

1 “(iv) the percentage of such partici-
2 pants that complete the program within
3 the expected time to completion; and

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

9 “(C) with respect to employment and earn-
10 ings measures described in subclauses (I)
11 through (III) of section 116(b)(2)(A)(i) for
12 such participants—

13 “(i) the necessary information for the
14 State to develop program performance data
15 using State administrative data (such as
16 wage records); and

17 “(ii) the necessary information to de-
18 termine the percentage of such partici-
19 pants who entered unsubsidized employ-
20 ment in an occupation related to the pro-
21 gram, to the extent practicable.”.

22 (c) PROCEDURES.—Section 122(c) of the Workforce
23 Innovation and Opportunity Act (29 U.S.C. 3152(c)) is
24 amended—

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

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

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

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

20 (A) by striking “biennial” and inserting
21 “annual”; and

22 (B) by inserting before the period at the
23 end the following: “that continue to meet the
24 requirements under subsection (b)”; and

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

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

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

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

24 “(5) ONLINE PROVIDERS.—If a participant
25 chooses a provider that delivers training services ex-

1 exclusively online and is not located in the State of the
2 local area that approved such training services for
3 the participant in accordance with section
4 133(c)(3)(A)(i), such provider shall be ineligible to
5 receive payment for such participant from funds al-
6 located to such State unless such provider is on the
7 list of eligible providers of training services described
8 in subsection (d) for such State.”.

9 (d) LIST AND INFORMATION TO ASSIST PARTICI-
10 PANTS IN CHOOSING PROVIDERS.—Section 122(d) of the
11 Workforce Innovation and Opportunity Act (29 U.S.C.
12 3152(d)) is amended—

13 (1) by redesignating paragraphs (2), (3), and
14 (4) as paragraphs (3), (4), and (6), respectively;

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

17 “(2) CREDENTIAL NAVIGATION FEATURE.—In
18 order to enhance the ability of participants and em-
19 ployers to understand and compare the value of the
20 recognized postsecondary credentials awarded by eli-
21 gible programs offered by providers of training serv-
22 ices in a State, the Governor shall establish (or de-
23 velop in partnership with other States), a credential
24 navigation feature that allows participants and the
25 public to search a list of such recognized postsec-

1 ondary credentials, and the providers and programs
2 awarding such a credential, which shall include, with
3 respect to each such credential (aggregated for all
4 participants in the State that have received such cre-
5 dential)—

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

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

11 (3) in paragraph (3) (as redesignated by para-
12 graph (1))—

13 (A) by amending subparagraph (A), by
14 striking “(C) of subsection (a)(2)” and insert-
15 ing “(D) of subsection (a)(2)”;

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

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

22 (C) by amending subparagraph (C) to read
23 as follows:

24 “(C) with respect to a program described
25 in subsection (b)(4) that is offered by a pro-

1 vider, consist of the information promoting the
2 program as having an employer-sponsored des-
3 ignation and identifying the employer or part-
4 nership sponsoring the program.”.

5 (4) by amending paragraph (4) (as so redesign-
6 nated) to read as follows:

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

13 “(A) on a publicly accessible website
14 that—

15 “(i) is consumer-tested; and

16 “(ii) is searchable, easily understand-
17 able, and navigable, and allows for the
18 comparison of eligible programs through
19 the use of common, linked, open-data de-
20 scriptive language; and

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

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

1 “(5) WEBSITE TECHNICAL ASSISTANCE.—The
2 Secretary shall—

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

6 “(B) disseminate to each State effective
7 practices or resources from States and private
8 sector entities related to establishing a website
9 that is consumer-tested to ensure that the
10 website is easily understood, searchable, and
11 navigable.”.

12 (e) PROVIDER PERFORMANCE INCENTIVES.—Section
13 122 of the Workforce Innovation and Opportunity Act (29
14 U.S.C. 3152), as amended by this section, is further
15 amended—

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

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

20 (3) by inserting after subsection (e), as so
21 amended, the following:

22 “(f) PROVIDER PERFORMANCE INCENTIVES.—

23 “(1) IN GENERAL.—The Governor or a local
24 board may establish a system of performance incen-
25 tive payments to be awarded to providers in addition

1 to the amount paid under section 133(b) to such
2 providers for the provision of training services to
3 participants of eligible programs. Such system of
4 performance incentives may be established to award
5 eligible programs that—

6 “(A) achieve performance levels above the
7 minimum levels established by the Governor
8 under subsection (b)(2);

9 “(B) serve a significantly higher number of
10 individuals with barriers to employment com-
11 pared to training providers offering similar
12 training services; or

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

19 “(2) INCENTIVE PAYMENTS.—Incentive pay-
20 ments to providers established under paragraph (1)
21 shall be awarded to providers from the following al-
22 lotments:

23 “(A) In the case of a system of perform-
24 ance incentive payments established by the Gov-

1 error, from funds reserved by the Governor
2 under section 128(a).

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

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

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

1 the program year after the program year for
2 which the provider fails to provide such infor-
3 mation.

4 “(E) FAILURE TO MEET PERFORMANCE
5 CRITERIA.—

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

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

22 “(iii) REAPPLICATION.—

23 “(I) STANDARD ELIGIBILITY.—A
24 provider may reapply to receive stand-
25 ard eligibility for the program accord-

1 ing to the criteria described in sub-
2 section (c) if the program perform-
3 ance for the most recent program year
4 for which performance data is avail-
5 able meets the minimum levels of per-
6 formance required to receive such
7 standard eligibility.

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

14 (g) ON-THE-JOB TRAINING, EMPLOYER-DIRECTED
15 SKILLS DEVELOPMENT, INCUMBENT WORKER TRAINING,
16 AND OTHER TRAINING EXCEPTIONS.—Subsection (i) (as
17 redesignated by subsection (e)(2)) of section 122 of the
18 Workforce Innovation and Opportunity Act (29 U.S.C.
19 3152) is amended—

20 (1) in paragraph (1)—

21 (A) by striking “customized training” and
22 inserting “employer-directed skills develop-
23 ment”; and

1 (B) by striking “subsections (a) through
2 (f)” and inserting “subsections (a) through
3 (g)”; and

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

14 (h) TECHNICAL ASSISTANCE.—Section 122 of the
15 Workforce Innovation and Opportunity Act (29 U.S.C.
16 3152) is further amended by adding at the end the fol-
17 lowing:

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

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

16 **CHAPTER 2—YOUTH WORKFORCE**

17 **INVESTMENT ACTIVITIES**

18 **SEC. 131. RESERVATIONS; REALLOCATION.**

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

22 (1) in paragraph (2), by striking “reserved
23 amounts” in each place and inserting “reserved
24 amounts under paragraph (1)”; and

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

1 “(3) STATEWIDE CRITICAL INDUSTRY SKILLS
2 FUND.—

3 “(A) AUTHORIZED RESERVATION.—In ad-
4 dition to the reservations required under para-
5 graph (1) and section 133(a)(2), and subject to
6 subparagraph (B), the Governor may reserve
7 not more than 10 percent of each of the
8 amounts allotted to the State under section
9 127(b)(1)(C) and paragraphs (1)(B) and (2)(B)
10 of section 132(b) for a fiscal year to establish
11 and administer a critical industry skills fund
12 described in section 134(a)(4).

13 “(B) MATCHING FUNDS.—

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

1 “(ii) SOURCES OF MATCHING
2 FUNDS.—The funds listed in this clause
3 are as follows:

4 “(I) Funds reserved by the Gov-
5 ernor under paragraph (1) of this
6 subsection.

7 “(II) Other Federal funds not
8 described in subclause (I).

9 “(III) State funds.”.

10 (b) REALLOCATION AMONG LOCAL AREAS.—Section
11 128(c) of the Workforce Innovation and Opportunity Act
12 (29 U.S.C. 3173(c)) is amended—

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

16 (2) in paragraph (4)—

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

19 “(A) does not”;

20 (B) by striking the period at the end and
21 inserting a semicolon; and

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

23 “(B) has met or exceeded an average of
24 100 percent of the local level of performance
25 described in section 116(c)(1)(B) for the local

1 area across all indicators for the youth program
2 authorized under this chapter for the most re-
3 cent program year for which performance data
4 is available; and

5 “(C) was not subject to corrective action
6 by the Governor under section 184(a)(5)(A) for
7 a determination of non-compliance with the uni-
8 form administrative requirements described in
9 section 184(a)(3) for the program year for
10 which the determination under paragraph (2) is
11 made.”.

12 **SEC. 132. USE OF FUNDS FOR YOUTH WORKFORCE INVEST-**
13 **MENT ACTIVITIES.**

14 (a) OPPORTUNITY YOUTH.—Section 129 of the
15 Workforce Innovation and Opportunity Act (29 U.S.C.
16 3164) is amended by striking “out-of-school” each place
17 it appears and inserting “opportunity”.

18 (b) YOUTH PARTICIPANT ELIGIBILITY.—

19 (1) ELIGIBILITY DETERMINATION.—

20 (A) ELIGIBILITY.—Subparagraph (A) of
21 section 129(a)(1) of the Workforce Innovation
22 and Opportunity Act (29 U.S.C. 3164(a)(1) is
23 amended to read as follows:

24 “(A) ELIGIBILITY DETERMINATION.—

1 “(i) IN GENERAL.—To be eligible to
2 participate in activities carried out under
3 this chapter during any program year, an
4 individual shall, at the time the eligibility
5 determination is made, be an opportunity
6 youth or an in-school youth.

7 “(ii) ENROLLMENT.—If a one-stop
8 operator or eligible provider of youth work-
9 force activities carrying out activities under
10 this chapter reasonably believes that an in-
11 dividual is eligible to participate in such
12 activities, the operator or provider may
13 allow such individual to participate in such
14 activities for not more than a 30-day pe-
15 riod during which the operator or provider
16 shall obtain the necessary information to
17 make an eligibility determination with re-
18 spect to such individual (which may involve
19 working with such individual, other entities
20 in the local area, and available sources of
21 administrative data to obtain the necessary
22 information).

23 “(iii) DETERMINATION OF INELIGI-
24 BILITY.—With respect to an individual who
25 is determined to be ineligible for activities

1 under this chapter by a one-stop operator
2 or a service provider during the period de-
3 scribed in clause (ii) and who does not
4 qualify for an exception under paragraph
5 (3)(A)(ii) applicable to the local area in-
6 volved, such operator or service provider—

7 “(I) may—

8 “(aa) continue serving such
9 individual using non-Federal
10 funds; or

11 “(bb) end the participation
12 of such individual in activities
13 under this chapter and refer the
14 individual to other services that
15 may be available in the local area
16 for which the individual may be
17 eligible; and

18 “(II) shall be paid for any serv-
19 ices provided to such individual under
20 this chapter during the period de-
21 scribed in clause (ii) by the local area
22 involved using funds allocated to such
23 area under section 128(b).

24 “(iv) DETERMINATION PROCESS FOR
25 HOMELESS AND FOSTER YOUTH.—In de-

1 termining whether an individual is eligible
2 to participate in activities carried out
3 under this chapter on the basis of being an
4 individual who is a homeless child or
5 youth, or a youth in foster care, as de-
6 scribed in subparagraph (B)(iii)(V), the
7 one-stop operator or service provider in-
8 volved shall—

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

19 “(II) if determining whether the
20 individual is a youth in foster care,
21 use a process that is in compliance
22 with the requirements of subsection
23 (b) of section 479D of the Higher
24 Education Act of 1965, as added by
25 section 702(l) of the FAFSA Sim-

1 plification Act (Public Law 116–260),
2 for financial aid administrators.”.

3 (B) DEFINITION OF OPPORTUNITY
4 YOUTH.—Subparagraph (B) of section
5 129(a)(1) of the Workforce Innovation and Op-
6 portunity Act (29 U.S.C. 3164(a)(1) is amend-
7 ed—

8 (i) in the subparagraph heading, by
9 striking “OUT-OF-SCHOOL” and inserting
10 “OPPORTUNITY”;

11 (ii) in clause (i), by inserting “, except
12 that an individual described in subpara-
13 graph (IV) or (V) of clause (iii) may be at-
14 tending school” after “(as defined under
15 State law)”;

16 (iii) in clause (ii), by inserting before
17 the semicolon at the end, the following : “,
18 except that an individual described in sub-
19 paragraph (IV) or (V) of clause (iii) may
20 be not younger than age 14 or older than
21 age 24”; and

22 (iv) in clause (iii)(III)—

23 (I) in the matter preceding item
24 (aa), by striking “and is” and insert-
25 ing “and”;

1 (II) in item (aa), by striking
2 “basic skills deficient;” and inserting
3 “has foundational skills needs;”; and
4 (III) in item (bb), by striking
5 “an English language learner” and in-
6 serting “is an English learner”.

7 (C) DEFINITION OF IN-SCHOOL YOUTH.—
8 Subparagraph (C)(iv) of section 129(a)(1) of
9 the Workforce Innovation and Opportunity Act
10 (29 U.S.C. 3164(a)(1)) is amended—

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

14 (ii) in subclause (II), by striking “lan-
15 guage”;

16 (iii) by striking subclauses (III) and
17 (IV); and

18 (iv) by redesignating subclauses (V),
19 (VI), and (VII) as subclauses (III), (IV),
20 and (V), respectively.

21 (2) EXCEPTION AND LIMITATION.—Section
22 129(a)(3) of the Workforce Innovation and Oppor-
23 tunity Act (29 U.S.C. 3164(a)(1)) is amended—

24 (A) in subparagraph (A)(ii), by striking
25 “5” and inserting “10”; and

1 (B) in subparagraph (B)—

2 (i) by striking “5” inserting “10”;

3 and

4 (ii) by striking “paragraph
5 (1)(C)(iv)(VII)” and inserting “paragraph
6 (1)(C)(iv)(V)”.

7 (3) OPPORTUNITY YOUTH PRIORITY.—Section
8 129(a)(4) of the Workforce Innovation and Oppor-
9 tunity Act (29 U.S.C. 3164(a)(1)) is amended—

10 (A) in the paragraph heading, by striking
11 “OUT-OF-SCHOOL” and inserting “OPPOR-
12 TUNITY”;

13 (B) in subparagraph (A)—

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

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

18 (iii) by inserting “in the State” after
19 “subsection (c)”;

20 (C) in subparagraph (B)(i), by striking
21 “75” and inserting “65”;

22 (D) by redesignating subparagraph (B), as
23 so amended, as subparagraph (C); and

24 (E) by inserting after subparagraph (A)
25 the following:

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

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

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

17 (2) in subparagraph (B), by inserting “through
18 a website that is consumer-tested to ensure that the
19 website is easily understood, searchable, and navi-
20 gable and allows for comparison of eligible providers
21 based on the program elements offered by such pro-
22 viders and the performance of such providers on the
23 primary indicators of performance for the youth pro-
24 gram as described in section 116(b)(2)(A)(ii)” after
25 “under section 123”.

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

4 (1) in the matter preceding subparagraph (A),
5 by striking “sections 128(a)” and inserting “sections
6 128(a)(1)”;

7 (2) in subparagraph (C), by inserting “, which
8 may include providing guidance on career options in
9 in-demand industry sectors or occupations” after “in
10 the State”;

11 (3) in subparagraph (D)—

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

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

16 “(vi) supporting the ability to under-
17 stand relevant tax information and obliga-
18 tions;”;

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

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

22 “(F) establishing, supporting, and expand-
23 ing work-based learning opportunities, including
24 transitional jobs, that are aligned with career
25 pathways;

1 “(G) raising public awareness (including
2 through public service announcements, such as
3 social media campaigns and elementary and
4 secondary school showcases and school visits)
5 about career and technical education programs
6 and community-based and youth services orga-
7 nizations, and other endeavors focused on pro-
8 grams that prepare students for in-demand in-
9 dustry sectors or occupations; and

10 “(H) developing partnerships between edu-
11 cational institutions (including area career and
12 technical schools and institutions of higher edu-
13 cation) and employers to create or improve
14 workforce development programs to address the
15 identified education and skill needs of the work-
16 force and the employment needs of employers in
17 the regions or local areas of the State, as deter-
18 mined based on the most recent analysis con-
19 ducted under subparagraphs (B) and (C) of
20 section 102(b)(1).”.

21 (e) LOCAL ELEMENTS AND REQUIREMENTS.—

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

1 (A) in subparagraph (B), by inserting
2 “(which, in the case of a participant 18 years
3 or older, may include co-enrollment in any em-
4 ployment or training activity provided under
5 section 134 for adults)” after “services for the
6 participant”;

7 (B) in subparagraph (C)(v), by inserting
8 “high-skill, high-wage, or” after “small employ-
9 ers, in”; and

10 (C) in subparagraph (D)—

11 (i) by striking “10” and inserting
12 “40”; and

13 (ii) by inserting before the period the
14 following: “, except that after 2 consecutive
15 years of the local board implementing such
16 a pay-for-performance contract strategy,
17 the local board may reserve and use not
18 more than 60 percent of such total funds
19 allocated to the local area for such strategy
20 if—

21 “(i) the local board demonstrates to
22 the Governor that such strategy resulted in
23 performance improvements; and

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

1 (2) PROGRAM ELEMENTS.—Section 129(e)(2)
2 of the Workforce Innovation and Opportunity Act
3 (29 U.S.C. 3164(e)(2)) is amended—

4 (A) in subparagraph (C)—

5 (i) in clause (i)—

6 (I) by striking “other” and in-
7 serting “year-round”; and

8 (II) by inserting “that meet the
9 requirements of paragraph (10)” after
10 “school year”;

11 (ii) in clause (iii), by striking “and job
12 shadowing; and” and inserting the fol-
13 lowing: “that, to the extent practicable, are
14 aligned with in-demand industry sectors or
15 occupations in the State or local area and
16 for which participants shall be paid (by the
17 entity providing the internship, through
18 funds allocated to the local area pursuant
19 to paragraph (1) for the program, or by
20 another entity) if such internships are
21 longer than—

22 “(I) 4 weeks in the summer or 8
23 weeks during the school year for in-
24 school youth and opportunity youth
25 who are enrolled in school; or

1 “(II) 8 weeks for opportunity
2 youth who are not enrolled in
3 school;”;

4 (iii) by redesignating clause (iv) as
5 clause (v); and

6 (iv) by inserting after clause (iii), as
7 so amended, the following:

8 “(iv) job shadowing; and”;

9 (B) in subparagraph (H), by striking
10 “adult mentoring” and inserting “coaching and
11 adult mentoring services”;

12 (C) in subparagraph (M)—

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

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

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

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

19 “(O) activities to develop fundamental
20 workforce readiness, which may include cre-
21 ativity, collaboration, critical thinking, digital
22 literacy, persistence, and other relevant skills.”.

23 (3) PRIORITY.—Section 129(c)(4) of the Work-
24 force Innovation and Opportunity Act (29 U.S.C.

1 3164(e)(2)) is amended, by striking “20” and in-
2 sserting “40”.

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

7 (5) INDIVIDUAL TRAINING ACCOUNTS.—Section
8 129(c) of the Workforce Innovation and Opportunity
9 Act (29 U.S.C. 3164(c)(2)) is further amended by
10 adding at the end the following:

11 “(9) INDIVIDUAL TRAINING ACCOUNTS.—Funds
12 allocated pursuant to paragraph (1) to a local area
13 may be used to pay, through an individual training
14 account, an eligible provider of training services de-
15 scribed in section 122(d) for training services de-
16 scribed in section 134(c)(3) provided to in-school
17 youth who are not younger than age 16 and not
18 older than age 21 and opportunity youth, in the
19 same manner that an individual training account is
20 used to pay an eligible provider of training services
21 under section 134(c)(3)(F)(iii) for training services
22 provided to an adult or dislocated worker.”.

23 (6) SUMMER AND YEAR-ROUND EMPLOYMENT
24 OPPORTUNITIES REQUIREMENTS.—Section 129(c) of
25 the Workforce Innovation and Opportunity Act (29

1 U.S.C. 3164(c)(2)) is further amended by adding at
2 the end the following:

3 “(10) SUMMER AND YEAR-ROUND EMPLOYMENT
4 OPPORTUNITIES REQUIREMENTS.—

5 “(A) IN GENERAL.—A summer employ-
6 ment opportunity or a year-round employment
7 opportunity referred to in paragraph (2)(C)(i)
8 shall be a program that matches eligible youth
9 participating in such program with an appro-
10 priate employer (based on factors including the
11 needs of the employer and the age, skill, and in-
12 formed aspirations of the eligible youth) that—

13 “(i) shall include—

14 “(I) a component of occupational
15 skills education; and

16 “(II) not less than 2 of the ac-
17 tivities described in subparagraphs
18 (G), (H), (I), (K), (M), and (O) of
19 paragraph (2);

20 “(ii) may not use funds allocated
21 under this chapter to subsidize more than
22 50 percent of the wages of each eligible
23 youth participant in such program;

1 “(iii) in the case of a summer employ-
2 ment opportunity, complies with the re-
3 quirements of subparagraph (B); and

4 “(iv) in the case of a year-round em-
5 ployment opportunity, complies with the
6 requirements of subparagraph (C).

7 “(B) SUMMER EMPLOYMENT OPPOR-
8 TUNITY.—In addition to the applicable require-
9 ments described in subparagraph (A), a sum-
10 mer employment opportunity—

11 “(i) may not be less than 4 weeks;
12 and

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

16 “(C) YEAR-ROUND EMPLOYMENT OPPOR-
17 TUNITY.—In addition to the applicable require-
18 ments described in subparagraph (B), a year-
19 round employment opportunity—

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

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

1 “(iii) may not employ the eligible
2 youth for less than 20 hours per week, ex-
3 cept in instances when the eligible youth
4 are under the age of 18 or enrolled in
5 school.

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

14 **CHAPTER 3—ADULT AND DISLOCATED**
15 **WORKER EMPLOYMENT AND TRAIN-**
16 **ING ACTIVITIES**

17 **SEC. 141. STATE ALLOTMENTS.**

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

21 (1) striking “, 169(c) (relating to dislocated
22 worker projects),”; and

23 (2) by inserting “, and under subsections (c)
24 (related to dislocated worker projects) and (d) (re-

1 lated to workforce data quality initiatives) of section
2 169” before “; and”

3 **SEC. 142. RESERVATIONS FOR STATE ACTIVITIES; WITHIN**
4 **STATE ALLOCATIONS; REALLOCATION.**

5 (a) RESERVATIONS FOR STATE ACTIVITIES.—Section
6 133(a) of the Workforce Innovation and Opportunity Act
7 (29 U.S.C. 3173(a)) is amended—

8 (1) in paragraph (1), by striking “section
9 128(a)” and inserting “section 128(a)(1)”;

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

11 “(3) STATEWIDE CRITICAL INDUSTRY SKILLS
12 FUND.—In addition to the reservations required
13 under paragraphs (1) and (2) of this subsection, the
14 Governor may make the reservation authorized
15 under section 128(a)(3).”.

16 (b) WITHIN STATE ALLOCATIONS.—Section
17 133(b)(1) of the Workforce Innovation and Opportunity
18 Act (29 U.S.C. 3173(b)) is amended—

19 (1) in subparagraph (A), by striking “sub-
20 section (a)(1)” and inserting “paragraph (1) or (3)
21 of subsection (a)”;

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

1 (c) REALLOCATION AMONG LOCAL AREAS.—Section
2 133(c) of the Workforce Innovation and Opportunity Act
3 (29 U.S.C. 3173(c)) is amended—

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

7 (2) in paragraph (4)—

8 (A) in subparagraph (A)—

9 (i) by striking “that does not” and in-
10 sserting the following: “that—

11 “(i) does not”;

12 (ii) by striking “; and” and inserting
13 a semicolon; and

14 (iii) by adding at the end the fol-
15 lowing:

16 “(ii) has met or exceeded an average
17 of 100 percent of the local level of per-
18 formance described in section 116(c)(1)(B)
19 for the local area across all indicators for
20 the adult program authorized under this
21 chapter for the most recent program year
22 for which performance data is available;
23 and

24 “(iii) was not subject to corrective ac-
25 tion by the Governor under section

1 184(a)(5)(A) for a determination of non-
2 compliance with the uniform administrative
3 requirements described in section
4 184(a)(3) for the program year for which
5 the determination under paragraph (2) is
6 made; and”;

7 (B) in subparagraph (B)—

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

10 “(i) does not”;

11 (ii) by striking the period at the end
12 and inserting a semicolon; and

13 (iii) by adding at the end the fol-
14 lowing:

15 “(ii) has met or exceeded an average
16 of 100 percent of the local level of per-
17 formance described in section 116(c)(1)(B)
18 for the local area across all indicators for
19 the dislocated worker program authorized
20 under this chapter for the most recent pro-
21 gram year for which performance data is
22 available; and

23 “(iii) was not subject to corrective ac-
24 tion by the Governor under section
25 184(a)(5)(A) for a determination of non-

1 compliance with the uniform administrative
2 requirements described in section
3 184(a)(3) for the program year for which
4 the determination under paragraph (2) is
5 made; and”;

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

7 “(5) USE OF INCENTIVE FUNDS.—Any amounts
8 provided to a local area as a performance incentive
9 payment under this subsection shall not be subject
10 to the requirements described in section
11 134(c)(1)(B).”.

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

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

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

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

21 (B) in subparagraph (B)—

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

25 (ii) in clause (ii)—

1 (I) by striking the comma at the
2 end and inserting “or to establish and
3 administer a critical industry skills
4 fund under paragraph (4); and”; and
5 (C) by inserting before the flush left text
6 at the end the following:

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

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

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

17 (i) in clause (i)—

18 (I) in subclause (I)—

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

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

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

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

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

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

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

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

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

19 (i) in clause (i)—

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

22 (II) in subclause (IV)—

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

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

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

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

13 “(V) local boards and eligible
14 training providers in carrying out the
15 performance reporting required under
16 section 116(d), including facilitating
17 data matches for program partici-
18 pants using quarterly wage record in-
19 formation (including the wage records
20 made available by any other State and
21 information provided from the Na-
22 tional Directory of New Hires in ac-
23 cordance with section 453(j)(8) of the
24 Social Security Act (42 U.S.C.
25 653(j)(8))) and other sources of infor-

1 mation, as necessary to measure the
2 performance of programs and activi-
3 ties conducted under chapter 2 or
4 chapter 3 of this subtitle;”;

5 (ii) in clause (v)—

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

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

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

15 (iv) by adding at the end the fol-
16 lowing:

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

1 formation with respect to, and measuring,
2 the prior knowledge, skills, and abilities of
3 individuals who are adults or dislocated
4 workers for the purpose of—

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

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

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

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

1 “(II) developing individual em-
2 ployment plans under subsection
3 (c)(2)(B)(vii)(II) that incorporate the
4 knowledge, skills, and abilities of such
5 an individual to identify—

6 “(aa) in-demand industry
7 sectors or occupations that re-
8 quire similar knowledge, skills,
9 and abilities; and

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

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

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

1 “(I) any credential or credit
2 awarded pursuant to items (aa)
3 through (cc) of clause (vii)(I);

4 “(II) the industry organizations,
5 employers, training providers, and in-
6 stitutions of higher education located
7 within the State that recognize the
8 knowledge, skills, and abilities of an
9 individual validated by such assess-
10 ments;

11 “(III) how such assessments may
12 be provided to, and accessed by, indi-
13 viduals through the one-stop delivery
14 system; and

15 “(IV) information on the extent
16 to which such assessments are being
17 used by employers and local areas in
18 the State.”.

19 (3) ALLOWABLE STATEWIDE EMPLOYMENT AND
20 TRAINING ACTIVITIES.—Section 134(a)(3)(A) of the
21 Workforce Innovation and Opportunity Act (29
22 U.S.C. 3174(a)(3)(A))—

23 (A) in clause (i)—

24 (i) by inserting “or evidence-based”
25 after “innovative”; and

1 (ii) by striking “customized training”
2 and inserting “employer-directed skills de-
3 velopment”;

4 (B) in clause (ii), by inserting “, or bring-
5 ing evidence-based strategies to scale,” after
6 “strategies”;

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

12 (D) in clause (viii)(II)—

13 (i) in item (dd), by striking “and lit-
14 eracy” and inserting “, literacy, and digital
15 literacy”;

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

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

22 “(gg) programs under the
23 Older Americans Act of 1965 (42
24 U.S.C. 3001 et seq.) that support

1 employment and economic secu-
2 rity; and”;

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

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

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

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

17 “(xvi) developing partnerships be-
18 tween educational institutions (including
19 area career and technical education
20 schools, local educational agencies, and in-
21 stitutions of higher education) and employ-
22 ers to create or improve workforce develop-
23 ment programs to address the identified
24 education and skill needs of the workforce
25 and the employment needs of employers in

1 regions of the State, as determined by the
2 most recent analysis conducted under sub-
3 paragraphs (A), (B), and (C) of section
4 102(b)(1);

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

14 “(xviii) establishing and administering
15 a critical industry skills fund under para-
16 graph (4).”.

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

21 “(4) CRITICAL INDUSTRY SKILLS FUND.—

22 “(A) PERFORMANCE-BASED PAYMENTS.—
23 A State shall use funds reserved under para-
24 graph (3)(A) of section 128(a), and any funds
25 reserved under paragraph (3)(B) of section

1 128(a), to establish and administer a critical in-
2 dustry skills fund to award performance-based
3 payments on a per-worker basis to eligible enti-
4 ties that provide eligible skills development pro-
5 grams to prospective workers or incumbent
6 workers (which may include youth age 18
7 through age 24) in industries and occupations
8 identified by the Governor under subparagraph
9 (B) that will result in employment or retention
10 with a participating employer.

11 “(B) INDUSTRIES AND OCCUPATIONS.—

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

14 “(I) shall identify the industries
15 and occupations for which an eligible
16 skills development program carried
17 out by an eligible entity in the State
18 may receive funds under this para-
19 graph; and

20 “(II) may select the industries
21 and occupations identified under sub-
22 clause (I) that will receive priority for
23 funds under this paragraph.

24 “(ii) HIGH GROWTH AND HIGH
25 WAGE.—In selecting industries or occupa-

1 tions to prioritize pursuant to clause
2 (i)(II), the Governor may consider—

3 “(I) industries that have, or are
4 expected to have, a high rate of
5 growth and an unmet demand for
6 skilled workers; and

7 “(II) occupations—

8 “(aa) with wages that are
9 significantly higher than an occu-
10 pation of similar level of skill or
11 needed skill development; or

12 “(bb) that are aligned with
13 career pathways into higher wage
14 occupations.

15 “(C) SUBMISSION OF PROPOSALS.—

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

24 “(I) a description of the indus-
25 tries or occupations in which the par-

1 participating employer is seeking to fill
2 jobs, the specific skills or credentials
3 necessary for an individual to obtain
4 such a job, and the salary range of
5 such a job;

6 “(II) the expected number of in-
7 individuals who will participate in the
8 skills development program to be car-
9 ried out by the eligible entity;

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

16 “(IV) the total cost of providing
17 the program;

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

1 successful completion of the program;

2 and

3 “(VI) an assurance that the enti-
4 ty will—

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

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

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

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

23 “(iii) APPROVAL OF SUBSEQUENT
24 PROPOSALS.—With respect to an eligible
25 entity that has had a proposal approved by

1 the Governor under this subparagraph and
2 that submits a subsequent proposal under
3 this subparagraph, the eligible entity may
4 only receive approval from the Governor
5 for the subsequent proposal if—

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

9 “(aa) the skills development
10 program has ended;

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

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

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

1 “(AA) completed such
2 program; and

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

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

14 “(D) REIMBURSEMENT FOR APPROVED
15 PROPOSALS.—

16 “(i) STATE REQUIREMENTS.—

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

1 terminated necessary by the State) from
2 the critical industry skills fund estab-
3 lished under this paragraph to such
4 eligible entity for each participant of
5 the eligible skills development pro-
6 gram described in such proposal and
7 with respect to whom the eligible enti-
8 ty meets the requirements of clause
9 (ii).

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

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

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

1 “(ii) ELIGIBLE ENTITY REQUIRE-
2 MENTS.—To be eligible to receive the pay-
3 ments described in clause (i) with respect
4 to a participant, an eligible entity de-
5 scribed in such clause shall—

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

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

19 “(E) NON-FEDERAL COST SHARING.—

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

1 cess of the following costs of such pro-
2 gram:

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

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

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

16 “(ii) NON-FEDERAL SHARE.—

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

1 “(II) EMPLOYER COST SHAR-
2 ING.—If the eligible skills develop-
3 ment program is being provided on-
4 the-job, the non-Federal share pro-
5 vided by an eligible entity may include
6 the amount of the wages paid by the
7 participating employer of the eligible
8 entity to a participant while such par-
9 ticipant is receiving the training.

10 “(F) PERFORMANCE REPORTING.—

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

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

24 “(II) include—

1 “(aa) the number of individ-
2 uals who participated in pro-
3 grams, unless such information
4 would reveal personally identifi-
5 able information about an indi-
6 vidual); and

7 “(bb) performance outcomes
8 on the measures listed in clause
9 (ii).

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

12 “(I) The percentage of partici-
13 pants who completed the skills devel-
14 opment program.

15 “(II) The percentage of partici-
16 pants who were employed by the par-
17 ticipating employer for a 6-month pe-
18 riod after program completion.

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

1 “(IV) The median earnings of
2 program participants who are in un-
3 subsidized employment during the sec-
4 ond quarter after program completion.

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

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

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

24 “(ii) ELIGIBLE SKILLS DEVELOPMENT
25 PROGRAM.—The term ‘eligible skills devel-

1 opment program’, with respect to which a
2 State may set a maximum and minimum
3 length (in weeks)—

4 “(I) includes work-based edu-
5 cation or related occupational skills
6 instruction that—

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

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

20 “(II) may not include employee
21 onboarding, orientation, or profes-
22 sional development generally provided
23 to employees.”.

24 (5) STATE-IMPOSED REQUIREMENTS.—Section
25 134(a) of the Workforce Innovation and Opportunity

1 Act (29 U.S.C. 3174(a)), as amended, is further
2 amended by adding at the end the following:

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

14 (b) REQUIRED LOCAL EMPLOYMENT AND TRAINING
15 ACTIVITIES.—

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

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

23 (B) by redesignating subparagraph (B) as
24 subparagraph (C); and

1 (C) by inserting after subparagraph (A),
2 as so amended, the following:

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

7 “(i) for the payment of training serv-
8 ices—

9 “(I) provided to adults under
10 paragraph (3)(F)(iii); and

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

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

22 (D) in subparagraph (C), as so redesign-
23 nated, by striking “and (ii)” and inserting “,
24 (ii), and (iv)”.

1 (2) CAREER SERVICES.—Section 134(c)(2) of
2 the Workforce Innovation and Opportunity Act (29
3 U.S.C. 3174(c)(2)) is amended—

4 (A) by redesignating subparagraphs (A)
5 through (C) as subparagraphs (B) through (D),
6 respectively;

7 (B) by inserting before subparagraph (B),
8 as so redesignated, the following:

9 “(A) BASIC CAREER SERVICES.—

10 “(i) IN GENERAL.—The one-stop de-
11 livery system—

12 “(I) shall coordinate with the
13 Employment Service office colocated
14 with the one-stop delivery system for
15 such Employment Service office to
16 provide, using the funds allotted to
17 the State under section 6 of the Wag-
18 ner-Peyser Act (29 U.S.C. 49e), basic
19 career services, which shall—

20 “(aa) include, at a min-
21 imum, the services listed in
22 clause (ii); and

23 “(bb) be available to individ-
24 uals who are adults or dislocated
25 workers in an integrated manner

1 to streamline access to assistance
2 for such individuals, to avoid du-
3 plication of services, and to en-
4 hance coordination of services;
5 and

6 “(II) may use funds allocated
7 under paragraph (1)(A), as necessary,
8 to supplement the services that are
9 provided pursuant to subclause (I) to
10 individuals who are adults or dis-
11 located workers.

12 “(ii) SERVICES.—The basic career
13 services provided pursuant to clause (i)
14 shall include—

15 “(I) provision of workforce and
16 labor market employment statistics in-
17 formation, including the provision of
18 accurate (and, to the extent prac-
19 ticable, real-time) information relating
20 to local, regional, and national labor
21 market areas, including—

22 “(aa) job vacancy listings in
23 such labor market areas;

1 “(bb) information on job
2 skills necessary to obtain the jobs
3 described in item (aa); and

4 “(cc) information relating to
5 local occupations in demand
6 (which may include entrepreneur-
7 ship opportunities), and the earn-
8 ings, skill requirements, and op-
9 portunities for advancement for
10 such occupations;

11 “(II) labor exchange services, in-
12 cluding job search and placement as-
13 sistance and, in appropriate cases, ca-
14 reer counseling, including—

15 “(aa) provision of informa-
16 tion on in-demand industry sec-
17 tors and occupations;

18 “(bb) provision of informa-
19 tion on nontraditional employ-
20 ment; and

21 “(cc) provision of informa-
22 tion on entrepreneurship, as ap-
23 propriate;

24 “(III)(aa) provision of informa-
25 tion, in formats that are usable by

1 and understandable to one-stop center
2 customers, relating to the availability
3 of supportive services or assistance,
4 including child care, child support,
5 medical or child health assistance
6 under title XIX or XXI of the Social
7 Security Act (42 U.S.C. 1396 et seq.
8 and 1397aa et seq.), benefits under
9 the supplemental nutrition assistance
10 program established under the Food
11 and Nutrition Act of 2008 (7 U.S.C.
12 2011 et seq.), assistance through the
13 earned income tax credit under sec-
14 tion 32 of the Internal Revenue Code
15 of 1986, and assistance under a State
16 program for temporary assistance for
17 needy families funded under part A of
18 title IV of the Social Security Act (42
19 U.S.C. 601 et seq.) and other sup-
20 portive services and transportation
21 provided through funds made avail-
22 able under such part, available in the
23 local area; and

1 “(bb) referral to the services or
2 assistance described in item (aa), as
3 appropriate;

4 “(IV) provision of information
5 and assistance regarding filing claims
6 for unemployment compensation; and

7 “(V) assistance in establishing
8 eligibility for programs of financial aid
9 assistance for training and education
10 programs that are not funded under
11 this Act.”;

12 (C) in subparagraph (B), as so redesign-
13 nated—

14 (i) in the heading, by striking the
15 heading and inserting “INDIVIDUALIZED
16 CAREER”;

17 (ii) by inserting “individualized” be-
18 fore “career services”;

19 (iii) by inserting “shall, to the extent
20 practicable, be evidence-based,” before
21 “and shall”;

22 (iv) in clause (iii), by inserting “, and
23 a determination (considering factors in-
24 cluding prior work experience, military
25 service, education, and in-demand industry

1 sectors and occupations in the local area)
2 of whether such an individual would ben-
3 efit from a competency-based assessment
4 developed or identified by the State pursu-
5 ant to subsection (a)(2)(B)(vii) to accel-
6 erate the time to obtaining employment
7 that leads to economic self-sufficiency or
8 career advancement” before the semi-colon
9 at the end;

10 (v) by striking clauses (iv), (vi), (ix),
11 (x), and (xi);

12 (vi) by redesignating clauses (v), (vii),
13 (viii), (xii), and (xiii) as clauses (iv), (v),
14 (vi), (vii), and (viii), respectively;

15 (vii) in clause (v), as so redesignated,
16 by inserting “and credential” after “by
17 program”; and

18 (viii) in clause (vii)(I)(aa), as so re-
19 designated, by inserting “, including a
20 competency-based assessment developed or
21 identified by the State pursuant to sub-
22 section (a)(2)(B)(vii)” after “tools”;

23 (D) by amending subparagraph (C), as so
24 redesignated, to read as follows:

1 “(C) USE OF PREVIOUS ASSESSMENTS.—A
2 one-stop operator or one-stop partner shall not
3 be required to conduct a new interview, evalua-
4 tion, or assessment of a participant under sub-
5 paragraph (B)(vii) if the one-stop operator or
6 one-stop partner determines that—

7 “(i) it is appropriate to use a recent
8 interview, evaluation, or assessment of the
9 participant conducted pursuant to another
10 education or training program; and

11 “(ii) using such recent interview, eval-
12 uation, or assessment will accelerate an eli-
13 gibility determination.”; and

14 (E) in subparagraph (D), as so redesign-
15 nated—

16 (i) by inserting “individualized” be-
17 fore “career”; and

18 (ii) in clause (ii), by inserting “, li-
19 braries, and community-based organiza-
20 tions” after “nonprofit service providers”.

21 (3) TRAINING SERVICES.—Section 134(c)(3) of
22 the Workforce Innovation and Opportunity Act (29
23 U.S.C. 3174(c)(3)) is amended—

24 (A) in subparagraph (A)—

- 1 (i) in clause (i), in the matter pre-
2 ceding subclause (I), by striking “clause
3 (ii)” and inserting “clause (ii) or (iii)”
- 4 (ii) in clause (i)(II)—
- 5 (I) by striking “or in” and in-
6 serting “in” and
- 7 (II) by inserting “, or that may
8 be performed remotely” after “relo-
9 cate”;
- 10 (iii) by redesignating clause (iii) as
11 clause (iv);
- 12 (iv) by inserting after clause (ii) the
13 following:
- 14 “(iii) EMPLOYER REFERRAL.—
- 15 “(I) IN GENERAL.—A one-stop
16 operator or one-stop partner shall not
17 be required to conduct an interview,
18 evaluation, or assessment of an indi-
19 vidual under clause (i)(I) if such indi-
20 vidual—
- 21 “(aa) is referred by an em-
22 ployer to receive on-the-job train-
23 ing or employer-directed skills de-
24 velopment in connection with
25 that employer; and

1 “(bb) has been certified by
2 the employer as being in need of
3 training services to obtain unsub-
4 sidized employment with such
5 employer and having the skills
6 and qualifications to successfully
7 participate in the selected pro-
8 gram of training services.

9 “(II) PRIORITY.—A one-stop op-
10 erator or one-stop partner shall follow
11 the priority described in subparagraph
12 (E) to determine whether an indi-
13 vidual that meets the requirements of
14 subclause (I) of this clause is eligible
15 to receive training services.”; and

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

17 “(v) ADULT EDUCATION AND FAMILY
18 LITERACY ACTIVITIES.—In the case of an
19 individual who is determined to not have
20 the skills and qualifications to successfully
21 participate in the selected program of
22 training services under clause (i)(I)(cc),
23 the one-stop operator or one-stop partner
24 shall refer such individual to adult edu-
25 cation and literacy activities under title II,

1 including for co-enrollment in such activi-
2 ties, as appropriate.”;

3 (B) in subparagraph (B)—

4 (i) in clause (i)—

5 (I) in subclause (I), by striking
6 “other grant assistance for such serv-
7 ices, including” and inserting “assist-
8 ance for such services under”; and

9 (II) by striking “under other
10 grant assistance programs, including”
11 and inserting “under”; and

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

14 “(iv) PARTICIPATION DURING ELIGI-
15 BILITY DETERMINATION.—An individual
16 may participate in a program of training
17 services during the period which such indi-
18 vidual’s eligibility for training services
19 under clause (i) is being determined, ex-
20 cept that the provider of such a program
21 shall only receive reimbursement under
22 this Act for the individual’s participation
23 during such period if such individual is de-
24 termined to be eligible under clause (i).”;

1 (C) in subparagraph (D)(xi), by striking
2 “customized training” and inserting “employer-
3 directed skills development”;

4 (D) in subparagraph (E)—

5 (i) by striking “are basic skills defi-
6 cient” and inserting “have foundational
7 skill needs”; and

8 (ii) by striking “paragraph
9 (2)(A)(xii)” and inserting “paragraph
10 (2)(B)(vii)”;

11 (E) in subparagraph (G)(ii)—

12 (i) in subclause (II), by striking “cus-
13 tomized training” and inserting “employer-
14 directed skills development”; and

15 (ii) in subclause (IV), by striking “is
16 a” and inserting “is an evidence-based”;

17 (F) in subparagraph (H)—

18 (i) in clause (i), by striking “reim-
19 bursement described in section 3(44)” and
20 inserting “reimbursement described in the
21 definition of the term “on-the-job training”
22 in section 3”; and

23 (ii) in clause (ii)—

24 (I) in subclause (I), by inserting
25 “, such as the extent to which partici-

1 pants are individuals with barriers to
2 employment” after “participants”;
3 and

4 (II) in subclause (III), by insert-
5 ing “, including whether the skills a
6 participant will obtain are transferable
7 to other employers, occupations, or in-
8 dustries in the local area or the
9 State” after “opportunities”; and

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

11 “(I) EMPLOYER-DIRECTED SKILLS DEVEL-
12 OPMENT.—An employer may receive a contract
13 from a local board to provide employer-directed
14 skills development to a participant or group of
15 participants if the employer submits to the local
16 board an agreement that establishes—

17 “(i) the provider of the skills develop-
18 ment program, which may be the employer;

19 “(ii) the length of the skills develop-
20 ment program;

21 “(iii) the recognized postsecondary
22 credentials that will be awarded to, or the
23 occupational skills that will be gained by,
24 program participants;

1 “(iv) the cost of the skills development
2 program;

3 “(v) the amount of such cost that will
4 be paid by the employer, which shall not be
5 less than the amount specified in subpara-
6 graph (C) of the definition of the term
7 ‘employer-directed skills development’ in
8 section 3; and

9 “(vi) a commitment by the employer
10 to employ the participating individual or
11 individuals upon successful completion of
12 the program.”.

13 (c) BUSINESS SERVICES.—Section 134(c) of the
14 Workforce Innovation and Opportunity Act (29 U.S.C.
15 3174(c)) is further amended—

16 (1) in paragraph (1)(A)(iv), by inserting “pro-
17 vide business services described in paragraph (4)
18 and” before “establish”; and

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

20 “(4) BUSINESS SERVICES.—Funds described in
21 paragraph (1) shall be used to provide appropriate
22 recruitment and other business services and strate-
23 gies on behalf of employers, including small employ-
24 ers, that meet the workforce investment needs of
25 area employers, as determined by the local board

1 and consistent with the local plan under section 108,
2 which services—

3 “(A) may be provided through effective
4 business intermediaries working in conjunction
5 with the local board, and may also be provided
6 on a fee-for-service basis or through the
7 leveraging of economic development, philan-
8 thropic, and other public and private resources
9 in a manner determined appropriate by the
10 local board; and

11 “(B) may include one or more of the fol-
12 lowing:

13 “(i) Developing and implementing in-
14 dustry sector strategies (including strate-
15 gies involving industry partnerships, re-
16 gional skills alliances, industry skill panels,
17 and sectoral skills partnerships).

18 “(ii) Developing and delivering inno-
19 vative workforce investment services and
20 strategies for area employers, which may
21 include career pathways, skills upgrading,
22 skill standard development and certifi-
23 cation for recognized postsecondary creden-
24 tial or other employer use, apprenticeship,
25 and other effective initiatives for meeting

1 the workforce investment needs of area
2 employers and workers.

3 “(iii) Assistance to area employers in
4 managing reductions in force in coordina-
5 tion with rapid response activities provided
6 under subsection (a)(2)(A) and developing
7 strategies for the aversion of layoffs, which
8 strategies may include early identification
9 of firms at risk of layoffs, use of feasibility
10 studies to assess the needs of and options
11 for at-risk firms, and the delivery of em-
12 ployment and training activities to address
13 risk factors.

14 “(iv) The marketing of business serv-
15 ices offered under this title to appropriate
16 area employers, including small and mid-
17 sized employers.

18 “(v) Technical assistance or other
19 support to employers seeking to implement
20 skills-based hiring practices, which may in-
21 clude technical assistance on the use and
22 validation of employment assessments, in-
23 cluding competency-based assessments de-
24 veloped or identified by the State pursuant
25 to paragraph (2)(B)(vii), and support in

1 the creation of skills-based job descrip-
2 tions.

3 “(vi) Other services described in this
4 subsection, including providing information
5 and referral to microenterprise services, as
6 appropriate, and specialized business serv-
7 ices not traditionally offered through the
8 one-stop delivery system.”.

9 (d) PERMISSIBLE LOCAL EMPLOYMENT AND TRAIN-
10 ING ACTIVITIES.—

11 (1) ACTIVITIES.—Section 134(d)(1)(A) of the
12 Workforce Innovation and Opportunity Act (29
13 U.S.C. 3174(d)(1)(A)) is amended—

14 (A) by amending clause (iii) to read as fol-
15 lows:

16 “(iii) implementation of a pay-for-per-
17 formance contract strategy for training
18 services, for which the local board may re-
19 serve and use not more than 40 percent of
20 the total funds allocated to the local area
21 under paragraph (2) or (3) of section
22 133(b), except that after 2 fiscal years of
23 a local board implementing such pay-for-
24 performance contract strategy, the local
25 board may request approval from the Gov-

- 1 error to reserve and use not more than 60
2 percent of the total funds allocated to the
3 local area under paragraph (2) or (3) of
4 section 133(b) for such strategy for the
5 following fiscal year if the local board can
6 demonstrate to the Governor the perform-
7 ance improvements achieved through the
8 use of such strategy;”;
- 9 (B) in clause (vii)—
- 10 (i) in subclause (II), by striking
11 “and” at the end;
- 12 (ii) in subclause (III), by inserting
13 “and” at the end; and
- 14 (iii) by adding at the end the fol-
15 lowing:
- 16 “(IV) to strengthen, through pro-
17 fessional development activities, the
18 knowledge and capacity of staff to use
19 the latest digital technologies, tools,
20 and strategies to deliver high quality
21 services and outcomes for jobseekers,
22 workers, and employers;”;
- 23 (C) in clause (ix)(II)—
- 24 (i) in item (cc), by striking “and” at
25 the end;

1 (ii) in item (dd), by inserting “and”
2 at the end; and

3 (iii) by adding at the end the fol-
4 lowing:

5 “(ee) technical assistance or
6 other support to employers seek-
7 ing to implement skills-based hir-
8 ing practices, which may include
9 technical assistance on the use
10 and validation of employment as-
11 sessments, including competency-
12 based assessments developed or
13 identified by the State pursuant
14 to paragraph (2)(B)(vii), and
15 support in the creation of skills-
16 based job descriptions;”;

17 (D) in clause (xi), by striking “and” at the
18 end;

19 (E) in clause (xii), by striking the period
20 at the end and inserting a semicolon; and

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

22 “(xiii) the use of competency-based
23 assessments for individuals upon initial as-
24 sessment of skills (pursuant to subsection

1 (c)(2)(A)(iii)) or completion of training
2 services or other learning experiences; and
3 “(xiv) the development of partnerships
4 between educational institutions (including
5 area career and technical education
6 schools, local educational agencies, and in-
7 stitutions of higher education) and employ-
8 ers to create or improve workforce develop-
9 ment programs to address the identified
10 education and skill needs of the workforce
11 and the employment needs of employers in
12 a region, as determined based on the most
13 recent analysis conducted by the local
14 board under section 107(d)(2).”.

15 (2) INCUMBENT WORKER TRAINING PRO-
16 GRAMS.—

17 (A) IN GENERAL.—Section 134(d)(4)(A) of
18 the Workforce Innovation and Opportunity Act
19 (29 U.S.C. 3174(d)(4)(A)) is amended—

20 (i) in clause (i), by striking “20” and
21 inserting “30”

22 (ii) by redesignating clauses (ii) and
23 (iii) as clauses (iii) and (iv), respectively;
24 and

1 (iii) by inserting after clause (i) the
2 following:

3 “(ii) INCREASE IN RESERVATION OF
4 FUNDS.—Notwithstanding clause (i)—

5 “(I) with respect to a local area
6 that had a rate of unemployment of
7 not more than 3 percent for not less
8 than 6 months during the preceding
9 program year, clause (i) shall be ap-
10 plied by substituting ‘40 percent’ for
11 ‘30 percent’; or

12 “(II) with respect to a local area
13 that meets the requirement in sub-
14 clause (I) and is located in a State
15 that had a labor force participation
16 rate of not less than 68 percent for
17 not less than 6 months during the
18 preceding program year, clause (i)
19 shall be applied by substituting ‘45
20 percent’ for ‘30 percent’.”.

21 (B) INCUMBENT WORKER UPSKILLING AC-
22 COUNTS.—Section 134(d)(4) of the Workforce
23 Innovation and Opportunity Act (29 U.S.C.
24 3174(d)(4)) is further amended by adding at
25 the end the following:

1 “(E) INCUMBENT WORKER UPSKILLING
2 ACCOUNTS.—

3 “(i) IN GENERAL.—To establish in-
4 cumbent worker upskilling accounts
5 through which an eligible provider of train-
6 ing services under section 122 may be paid
7 for the program of training services pro-
8 vided to an incumbent worker, a local
9 board—

10 “(I) (aa) may use, from the
11 funds reserved by the local area under
12 subparagraph (A)(i), an amount that
13 does not exceed 5 percent of the funds
14 allocated to such local area under sec-
15 tion 133(b); or

16 “(bb) if the local area reserved
17 funds under subparagraph (A)(ii),
18 may use, from the funds reserved by
19 the local area under subparagraph
20 (A)(ii), an amount that does not ex-
21 ceed 10 percent of the funds allocated
22 to such local area under section
23 133(b); and

24 “(II) may use funds reserved
25 under section 134(a)(2)(A) for state-

1 wide rapid response activities and pro-
2 vided by the State to local area to es-
3 tablish such accounts.

4 “(ii) ELIGIBILITY.—

5 “(I) IN GENERAL.—Subject to
6 subclause (II), a local board that
7 seeks to establish incumbent worker
8 upskilling accounts under clause (i)
9 shall establish criteria for determining
10 the eligibility of an incumbent worker
11 to receive such an account, which
12 shall take into account factors of—

13 “(aa) the wages of the in-
14 cumbent worker as of the date of
15 determining such worker’s eligi-
16 bility under this clause;

17 “(bb) the career advance-
18 ment opportunities for the in-
19 cumbent worker in the occupa-
20 tion of such worker as of such
21 date; and

22 “(cc) the ability of the in-
23 cumbent worker to, upon comple-
24 tion of the program of training
25 services selected by such worker,

1 secure employment in an in-de-
2 mand industry or occupation in
3 the local area that will lead to
4 economic self-sufficiency and
5 wages higher than the current
6 wages of the incumbent worker.

7 “(II) LIMITATION.—

8 “(aa) IN GENERAL.—An in-
9 cumbent worker described in item
10 (bb) shall be ineligible to receive
11 an incumbent worker upskilling
12 account under this subparagraph.

13 “(bb) INELIGIBILITY.—Item
14 (aa) shall apply to an incumbent
15 worker—

16 “(AA) whose total an-
17 nual wages for the most re-
18 cent year are greater than
19 the median household in-
20 come of the State; or

21 “(BB) who has earned
22 a baccalaureate or profes-
23 sional degree.

24 “(iii) COST SHARING FOR CERTAIN IN-
25 CUMBENT WORKERS.—With respect to an

1 incumbent worker determined to be eligible
2 to receive an incumbent worker upskilling
3 account who is not a low-income indi-
4 vidual—

5 “(I) such incumbent worker shall
6 pay not less than 25 percent of the
7 cost of the program of training serv-
8 ices selected by such worker; and

9 “(II) funds provided through the
10 incumbent worker upskilling account
11 established for such worker shall cover
12 the remaining 75 percent of the cost
13 of the program.”.

14 **CHAPTER 4—AUTHORIZATION OF**
15 **APPROPRIATIONS**

16 **SEC. 145. AUTHORIZATION OF APPROPRIATIONS.**

17 Section 136 of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3181) is amended to read as follows:

19 **“SEC. 136. AUTHORIZATION OF APPROPRIATIONS.**

20 “(a) YOUTH WORKFORCE INVESTMENT ACTIVI-
21 TIES.—There are authorized to be appropriated to carry
22 out the activities described in section 127(a)
23 \$976,573,900 for each of the fiscal years 2025 through
24 2030.

1 “(b) ADULT EMPLOYMENT AND TRAINING ACTIVI-
2 TIES.—There are authorized to be appropriated to carry
3 out the activities described in section 132(a)(1)
4 \$912,218,500 for each of the fiscal years 2025 through
5 2030.

6 “(c) DISLOCATED WORKER EMPLOYMENT AND
7 TRAINING ACTIVITIES.—There are authorized to be ap-
8 propriated to carry out the activities described in section
9 132(a)(2) \$1,451,859,000 for each of the fiscal years
10 2025 through 2030.”.

11 **Subtitle D—Job Corps**

12 **SEC. 151. PURPOSES.**

13 Section 141 of the Workforce Innovation and Oppor-
14 tunity Act (29 U.S.C. 3191) is amended by striking “cen-
15 ters” each place it appears and inserting “campuses”.

16 **SEC. 152. DEFINITIONS.**

17 Section 142 of the Workforce Innovation and Oppor-
18 tunity Act (29 U.S.C. 3192) is amended—

19 (1) in paragraphs (1), (7), (8), and (10), by
20 striking “center” each place it appears and inserting
21 “campus”; and

22 (2) in paragraph (7), by striking “CENTER” in
23 the header and inserting “CAMPUS”.

1 **SEC. 153. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.**

2 Section 144 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3194) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1)—

6 (i) by striking “21” and inserting
7 “24”;

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

10 “(A) an individual who is age 16 or 17
11 shall be eligible only upon an individual deter-
12 mination by the director of a Job Corps campus
13 that such individual meets the criteria described
14 in subparagraph (A) or (B) of section
15 145(b)(1); and”;

16 (iii) in subparagraph (B), by striking
17 “either”;

18 (B) in paragraph (2), by inserting after
19 “individual” the following: “or a resident of a
20 qualified opportunity zone as defined in section
21 1400Z-1(a) of the Internal Revenue Code of
22 1986”;

23 (C) in paragraph (3), by amending sub-
24 paragraph (A) to read as follows:

25 “(A) Has foundational skill needs.”;

1 (2) in subsection (b), by inserting after “a vet-
2 eran” the following: “or a member of the Armed
3 Forces eligible for preseparation counseling of the
4 Transition Assistance Program under section 1142
5 of title 10, United States Code”; and

6 (3) by inserting at the end the following:

7 “(c) SPECIAL RULE FOR HOMELESS AND FOSTER
8 YOUTH.—In determining whether an individual is eligible
9 to enroll for services under this subtitle on the basis of
10 being an individual who is a homeless child or youth, or
11 a youth in foster care, as described in subsection
12 (a)(3)(C), staff shall—

13 “(1) if determining whether the individual is a
14 homeless child or youth, use a process that is in
15 compliance with the requirements of subsection (a)
16 of section 479D of the Higher Education Act of
17 1965, as added by section 702(l) of the FAFSA
18 Simplification Act (Public Law 116–260), for finan-
19 cial aid administrators; and

20 “(2) if determining whether the individual is a
21 youth in foster care, use a process that is in compli-
22 ance with the requirements of subsection (b) of such
23 section 479D of the Higher Education Act of 1965,
24 as added by section 702(l) of the FAFSA Simplifica-

1 tion Act (Public Law 116–260), for financial aid ad-
2 ministrators.”.

3 **SEC. 154. RECRUITMENT, SCREENING, SELECTION, AND AS-**
4 **SIGNMENT OF ENROLLEES.**

5 Section 145 of the Workforce Innovation and Oppor-
6 tunity Act (29 U.S.C. 3195) is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (2)—

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

11 “(A) prescribe procedures for—

12 “(i) administering drug tests to en-
13 rollees; and

14 “(ii) informing such enrollees that
15 drug tests will be administered;”;

16 (ii) in subparagraph (D), by striking
17 “and”;

18 (iii) in subparagraph (E), by striking
19 the period and inserting “; and”; and

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

22 “(F) assist applicable one-stop centers and
23 other entities identified in paragraph (3) in de-
24 veloping joint applications for Job Corps,

1 YouthBuild, and the youth activities described
2 in section 129.”; and

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

4 “(6) DRUG TEST PROCEDURES.—The proce-
5 dures prescribed under paragraph (2)(A)(i) shall re-
6 quire that—

7 “(A) each enrollee take a drug test not
8 more than 48 hours after such enrollee arrives
9 on campus;

10 “(B) if the result of the drug test taken by
11 an enrollee pursuant to subparagraph (A) is
12 positive, the enrollee take a subsequent drug
13 test at the earliest appropriate time (consid-
14 ering the substance and potency levels identified
15 in the initial test) to determine if the enrollee
16 has continued to use drugs since arriving on
17 campus, the results of which must be received
18 not later than 50 days after the enrollee arrived
19 on campus; and

20 “(C) if the result of the subsequent test
21 administered under subparagraph (B) is posi-
22 tive, the enrollee be terminated from the pro-
23 gram and referred to a substance use disorder
24 treatment program.”; and

25 (2) in subsections (b), (c), and (d)—

1 (A) by striking “center” each place it ap-
2 pears and inserting “campus”; and

3 (B) by striking “centers” each place it ap-
4 pears and inserting “campus”.

5 **SEC. 155. JOB CORPS CAMPUSES.**

6 Section 147 of the Workforce Innovation and Oppor-
7 tunity Act (29 U.S.C. 3197) is amended—

8 (1) in the header, by striking “**CENTERS**” and
9 inserting “**CAMPUSES**”;

10 (2) in subsection (a)—

11 (A) in paragraph (1)—

12 (i) by striking “center” each place it
13 appears and inserting “campus”; and

14 (ii) in subparagraph (A), by inserting
15 after “area career and technical education
16 school,” the following: “an institution of
17 higher education,”;

18 (B) in paragraph (2)—

19 (i) in subparagraph (A)—

20 (I) by striking “center” each
21 place it appears and inserting “cam-
22 pus”; and

23 (II) by inserting after “United
24 States Code,” the following: “and

1 paragraph (2)(C)(iii) of section
2 159(f),”; and
3 (ii) in subparagraph (B)—
4 (I) in clause (i)—
5 (aa) by striking “operate a
6 Job Corps center” and inserting
7 “operate a Job Corps campus”;
8 (bb) by striking subclause
9 (IV);
10 (cc) by redesignating sub-
11 clauses (I), (II), (III), and (V),
12 as subclauses (III), (IV), (V),
13 and (VI), respectively;
14 (dd) by inserting before sub-
15 clause (III), as so redesignated,
16 the following:
17 “(I) (aa) in the case of an entity
18 that has previously operated a Job
19 Corps campus, a numeric metric of
20 the past achievement on the primary
21 indicators of performance for eligible
22 youth described in section
23 116(b)(2)(A)(ii); or
24 “(bb) in the case of an entity
25 that has not previously operated a Job

1 Corps campus, an alternative numeric
2 metric on the past effectiveness of the
3 entity in successfully assisting at-risk
4 youth to connect to the labor force,
5 based on such primary indicators of
6 performance for eligible youth;

7 “(II) in the case of an entity that
8 has previously operated a Job Corps
9 campus, any information regarding
10 the entity included in any report de-
11 veloped by the Office of Inspector
12 General of the Department of
13 Labor;”;

14 (ee) in subclauses (III) and
15 (IV), as so redesignated, by strik-
16 ing “center” each place it ap-
17 pears and inserting “campus”;

18 (ff) in subclause (V), as so
19 redesignated, by striking “center
20 is located” and inserting “cam-
21 pus is located, including agree-
22 ments to provide off-campus
23 work-based learning opportunities
24 aligned with the career and tech-

1 nical education provided to en-
2 rollees”; and

3 (gg) by amending subclause
4 (VI), as so redesignated, to read
5 as follows:

6 “(VI) the ability of the entity to
7 implement an effective behavior man-
8 agement plan, as described in section
9 152(a), and maintain a safe and se-
10 cure learning environment for enroll-
11 ees.”; and

12 (II) in clause (ii), by striking
13 “center” and inserting “campus”;

14 (C) in paragraph (3)—

15 (i) by striking “center” each place it
16 appears and inserting “campus”;

17 (ii) in subparagraph (D), by inserting
18 after “is located” the following: “, includ-
19 ing agreements to provide off-campus
20 work-based learning opportunities aligned
21 with the career and technical education
22 provided to enrollees”;

23 (iii) by redesignating subparagraphs
24 (E), (F), (G), (H), (I), (J), and (K) as

1 subparagraphs (F), (G), (H), (I), (J), (K),
2 and (L), respectively; and

3 (iv) by inserting after subparagraph
4 (D) the following:

5 “(E) A description of the policies that will
6 be implemented at the campus regarding secu-
7 rity and access to campus facilities, including
8 procedures to report on and respond to criminal
9 actions and other emergencies occurring on
10 campus.”;

11 (3) in subsection (b)—

12 (A) in the header, by striking “CENTERS”
13 and inserting “CAMPUSES”;

14 (B) by striking “center” each place it ap-
15 pears and inserting “campus”;

16 (C) by striking “centers” each place it ap-
17 pears and inserting “campuses”;

18 (D) in paragraph (2)(A), by striking “20
19 percent” and inserting “25 percent”; and

20 (E) by striking paragraph (3);

21 (4) in subsection (c)—

22 (A) by striking “centers” and inserting
23 “campuses”; and

24 (B) by striking “20 percent” and inserting
25 “30 percent”;

1 (5) in subsection (d) by striking “centers” each
2 place it appears and inserting “campuses”;

3 (6) in subsection (e)(1), by striking “centers”
4 and inserting “campuses”;

5 (7) in subsection (f), by striking “2-year pe-
6 riod” and inserting “3-year period”; and

7 (8) in subsection (g)—

8 (A) by striking “center” each place it ap-
9 pears and inserting “campus”;

10 (B) in paragraph (1)—

11 (i) by striking subparagraph (A);

12 (ii) by redesignating subparagraph
13 (B) as subparagraph (A);

14 (iii) by amending subparagraph (A),
15 as so redesignated—

16 (I) by striking “50 percent” and
17 inserting “80 percent”; and

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

20 (iv) by inserting after subparagraph
21 (A), as so redesignated and amended, the

22 following:

23 “(B) failed to achieve an average of 80
24 percent of the level of enrollment that was

1 agreed to in the agreement described in sub-
2 section (a)(1)(A).”;

3 (C) in paragraph (3) by striking “shall
4 provide” and inserting “shall provide, at least
5 30 days prior to renewing the agreement”; and

6 (D) in paragraph (4)—

7 (i) in subparagraph (C), by striking
8 “and” after the semicolon;

9 (ii) by redesignating subparagraph
10 (D) as subparagraph (E); and

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

13 “(D) has maintained a safe and secure
14 campus environment; and”.

15 **SEC. 156. PROGRAM ACTIVITIES.**

16 Section 148 of the Workforce Innovation and Oppor-
17 tunity Act (29 U.S.C. 3198) is amended—

18 (1) in subsection (a)—

19 (A) by striking “center” and inserting
20 “campus”;

21 (B) in paragraph (1), by inserting before
22 the period at the end the following: “, and pro-
23 ductive activities, such as tutoring or other
24 skills development opportunities, for enrollees to
25 participate in outside of regular class time and

1 work hours in order to increase supervision of
2 enrollees and reduce behavior infractions”; and
3 (2) in subsection (c)—

4 (A) by striking “centers” each place it ap-
5 pears and inserting “campuses”; and

6 (B) in paragraph (1)—

7 (i) by striking “the eligible providers”
8 and inserting “any eligible provider”; and

9 (ii) by inserting after “under section
10 122” the following: “that is aligned with
11 the career and technical education an en-
12 rollee has completed”.

13 **SEC. 157. SUPPORT.**

14 Section 150 of the Workforce Innovation and Oppor-
15 tunity Act (29 U.S.C. 3200) is amended—

16 (1) in subsection (a), by striking “centers” and
17 inserting “campuses”; and

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

19 “(d) PERIOD OF TRANSITION.—Notwithstanding the
20 requirements of section 146(b), a Job Corps graduate may
21 remain an enrollee and a resident of a Job Corps campus
22 for not more than one month after graduation as such
23 graduate transitions into independent living and employ-
24 ment if such graduate—

1 “(1) has not had a behavioral infraction in the
2 90 days prior to graduation; and

3 “(2) receives written approval from the director
4 of the Job Corps campus to remain such a resi-
5 dent.”.

6 **SEC. 158. OPERATIONS.**

7 Section 151 of the Workforce Innovation and Oppor-
8 tunity Act (29 U.S.C. 3201) is amended—

9 (1) by striking “center” each place it appears
10 and inserting “campus”; and

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

12 “(d) LOCAL AUTHORITY.—

13 “(1) IN GENERAL.—Subject to the limitations
14 of the budget approved by the Secretary for a Job
15 Corps campus, the operator of a Job Corps campus
16 shall have the authority, without prior approval from
17 the Secretary, to—

18 “(A) hire staff and provide staff profes-
19 sional development;

20 “(B) set terms and enter into agreements
21 with Federal, State, or local educational part-
22 ners, such as secondary schools, institutions of
23 higher education, child development centers,
24 units of Junior Reserve Officer Training Corps

1 programs established under section 2031 of
2 title 10, United States Code, or employers; and

3 “(C) engage with and educate stakeholders
4 about Job Corps operations and activities.

5 “(2) LIMITATION OF LIABILITY.—In the case of
6 an agreement described in paragraph (1)(B) that
7 does not involve the Job Corps operator providing
8 monetary compensation to the entity involved in
9 such agreement from the funds made available
10 under this subtitle, such agreement shall not be con-
11 sidered a subcontract (as defined in section 8701 of
12 title 41, United States Code).

13 “(e) PRIOR NOTICE.—Prior to making a change to
14 the agreement described in section 147(a) or an operating
15 plan described in this section, the Secretary shall solicit
16 from the operators of the Job Corps campuses information
17 on any operational costs the operators expect to result
18 from such change.”.

19 **SEC. 159. STANDARDS OF CONDUCT.**

20 Section 152 of the Workforce Innovation and Oppor-
21 tunity Act (29 U.S.C. 3202) is amended—

22 (1) by striking “centers” each place it appears
23 and inserting “campuses”;

24 (2) in subsection (a), by inserting “As part of
25 the operating plan required under section 151(a),

1 the director of each Job Corps campus shall develop
2 and implement a behavior management plan con-
3 sistent with the standards of conduct and subject to
4 the approval of the Secretary.” at the end; and

5 (3) in subsection (b)(2)(A), by striking “or dis-
6 ruptive”;

7 (4) by amending subsection (c) to read as fol-
8 lows:

9 “(c) APPEAL PROCESS.—

10 “(1) ENROLLEE APPEALS.—A disciplinary
11 measure taken by a director under this section shall
12 be subject to expeditious appeal in accordance with
13 procedures established by the Secretary.

14 “(2) DIRECTOR APPEALS.—

15 “(A) IN GENERAL.—The Secretary shall
16 establish an appeals process under which the di-
17 rector of a Job Corps campus may submit a re-
18 quest that an enrollee who has engaged in an
19 activity which is a violation of the guidelines es-
20 tablished pursuant to subsection (b)(2)(A) re-
21 main enrolled in the program, but be subject to
22 other disciplinary actions.

23 “(B) CONTENTS.—An request under para-
24 graph (A) shall include—

1 “(i) a signed certification from the di-
2 rector attesting that, to the belief of the di-
3 rector, the continued enrollment of such
4 enrollee would not impact the safety or
5 learning environment of the campus; and

6 “(ii) the behavioral records of such
7 enrollee.

8 “(C) TIMELINE.—The Secretary shall re-
9 view such appeal and either approve or deny the
10 appeal within 30 days of receiving such appeal.

11 “(D) INELIGIBILITY FOR APPEAL.—The
12 Secretary shall reject an appeal made by a di-
13 rector of a Job Corps campus if such campus
14 has been found out of compliance with the re-
15 quirements under subsection (d) at any time
16 during the previous 5 years.”; and

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

18 “(d) INCIDENT REPORTING.—

19 “(1) IN GENERAL.—The Secretary shall require
20 that the director of a Job Corps campus report to
21 the appropriate regional office—

22 “(A) not later than 2 hours after the cam-
23 pus management becomes aware of the occur-
24 rence of—

25 “(i) an enrollee or on-duty staff death;

1 “(ii) any incident—

2 “(I) requiring law enforcement
3 involvement;

4 “(II) involving a missing minor
5 student; or

6 “(III) where substantial property
7 damage has occurred; or

8 “(iii) a level 1 infraction;

9 “(B) in the case of a level 2 infraction, on
10 a quarterly basis, including the number and
11 type of such infractions that occurred during
12 such time period; and

13 “(C) in the case of a minor infraction, as
14 determined necessary by the Secretary.

15 “(2) INFRACTIONS DEFINED.—In this sub-
16 section:

17 “(A) LEVEL 1 INFRACTION.—The term
18 ‘level 1 infraction’ means an activity described
19 in subsection (b)(2)(A).

20 “(B) LEVEL 2 INFRACTION.—The term
21 ‘level 2 infraction’ means an activity, other than
22 a level 1 infraction, determined by the Sec-
23 retary to be a serious infraction.

24 “(C) MINOR INFRACTION.—The term
25 ‘minor infraction’ means an activity, other than

1 a level 1 or 2 infraction, determined by the Sec-
2 retary to be an infraction.

3 “(3) LAW ENFORCEMENT AGREEMENTS.—The
4 director of each Job Corps campus shall enter into
5 an agreement with the local law enforcement agency
6 with jurisdiction regarding procedures for the
7 prompt reporting and investigation of potentially il-
8 legal activity on Job Corps campuses.”.

9 **SEC. 160. COMMUNITY PARTICIPATION.**

10 Section 153 of the Workforce Innovation and Oppor-
11 tunity Act (29 U.S.C. 3203) is amended—

12 (1) by striking “center” each place it appears
13 and inserting “campus”;

14 (2) by striking “centers” each place it appears
15 and inserting “campuses”; and

16 (3) in subsection (c), in the heading, by striking
17 “CENTERS” and inserting “CAMPUSES”.

18 **SEC. 161. WORKFORCE COUNCILS.**

19 Section 154 of the Workforce Innovation and Oppor-
20 tunity Act (29 U.S.C. 3204) is amended—

21 (1) by striking “center” each place it appears
22 and inserting “campus”;

23 (2) in subsection (d), in the heading, by strik-
24 ing “NEW CENTERS” and inserting “NEW CAM-
25 PUSES”.

1 **SEC. 162. ADVISORY COMMITTEES.**

2 Section 155 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3205) is amended—

4 (1) by striking “The Secretary” and inserting
5 “(a) IN GENERAL.—The Secretary”;

6 (2) by striking “centers” and inserting “cam-
7 puses”

8 (3) by striking “center” and inserting “cam-
9 pus”; and

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

11 “(b) ADVISORY COMMITTEE TO IMPROVE JOB CORPS
12 SAFETY.—Not later than 6 months after the date of en-
13 actment of the A Stronger Workforce for America Act,
14 the Secretary shall establish an advisory committee to pro-
15 vide recommendations on effective or evidence-based strat-
16 egies to improve—

17 “(1) safety, security, and learning conditions on
18 Job Corps campuses; and

19 “(2) the standards for campus safety estab-
20 lished under section 159(c)(4).”.

21 **SEC. 163. EXPERIMENTAL PROJECTS AND TECHNICAL AS-**
22 **SISTANCE.**

23 Section 156 of the Workforce Innovation and Oppor-
24 tunity Act (29 U.S.C. 3206) is amended—

25 (1) by striking “center” and inserting “cam-
26 pus”;

1 (2) by striking “centers” and inserting “cam-
2 puses”;

3 (3) by redesignating subsection (b) as sub-
4 section (c);

5 (4) by inserting the following after subsection
6 (a):

7 “(b) **JOB CORPS SCHOLARS.**—

8 “(1) **IN GENERAL.**—The Secretary may award
9 grants, on a competitive basis, to institutions of
10 higher education to enroll cohorts of Job Corps eligi-
11 ble youth in Job Corps Scholars activities for a 24-
12 month period and pay the tuition and necessary
13 costs for enrollees for such period.

14 “(2) **ACTIVITIES.**—Job Corps Scholar activities
15 shall include—

16 “(A) intensive counseling services and sup-
17 portive services;

18 “(B) a 12-month career and technical edu-
19 cation component aligned with in-demand in-
20 dustries and occupations in the State where the
21 institution of higher education that is receiving
22 the grant is located; and

23 “(C) a 12-month employment placement
24 period that follows the component described in
25 subparagraph (B).

1 “(3) PERFORMANCE DATA.—The Secretary
2 shall collect performance information from institu-
3 tions of higher education receiving grants under this
4 subsection on the primary indicators of performance
5 for eligible youth described in section
6 116(b)(2)(A)(ii), the cost per participant and cost
7 per graduate, and other information as necessary to
8 evaluate the success of Job Corps Scholars grantees
9 in improving outcomes for at-risk youth.

10 “(4) EVALUATION.—At the end of each 2-year
11 period for which the Secretary awards grants under
12 this subsection, the Secretary shall provide for an
13 independent, robust evaluation that compares—

14 “(A) the outcomes achieved by Job Corps
15 Scholars participants with the outcomes
16 achieved by other participants in the Job Corps
17 program during such 2-year period; and

18 “(B) the costs of the Job Corps Scholars
19 programs with the costs of other Job Corps
20 programs during such 2-year period.”; and

21 (5) in subsection (c)(1), as so redesignated, is
22 amended by striking “and” at the end of subpara-
23 graph (C) and by adding at the end the following:

1 “(D) in the development and implementa-
2 tion of a behavior management plan under sec-
3 tion 152(a); and

4 “(E) maintaining a safe and secure learn-
5 ing environment; and”.

6 **SEC. 164. SPECIAL PROVISIONS.**

7 Section 158 of the Workforce Innovation and Oppor-
8 tunity Act (29 U.S.C. 3208) is amended—

9 (1) by striking “center” each place it appears
10 and inserting “campus”; and

11 (2) in subsection (f)—

12 (A) by striking “may accept on behalf of
13 the Job Corps or individual Job Corps centers
14 charitable donations of cash” and inserting “,
15 on behalf of the Job Corps, or a Job Corps
16 campus operator, on behalf of such campus,
17 may accept grants, charitable donations of
18 cash,”; and

19 (B) by inserting at the end the following:
20 “Notwithstanding sections 501(b) and 522 of
21 title 40, United States Code, any property ac-
22 quired by a Job Corps campus shall be directly
23 transferred, on a nonreimbursable basis, to the
24 Secretary.”.

1 **SEC. 165. MANAGEMENT INFORMATION.**

2 (a) LEVELS OF PERFORMANCE.—Section 159 of the
3 Workforce Innovation and Opportunity Act (29 U.S.C.
4 3209) is amended—

5 (1) by striking “center” each place it appears
6 and inserting “campus”;

7 (2) in subsection (c)—

8 (A) in paragraph (1)—

9 (i) by striking “The Secretary” and
10 inserting the following:

11 “(A) IN GENERAL.—The Secretary”.

12 (ii) by inserting “that are ambitious
13 yet achievable and” after “program”; and

14 (iii) by adding at the end the fol-
15 lowing new subparagraphs:

16 “(B) LEVELS OF PERFORMANCE.—In es-
17 tablishing the expected performance levels
18 under subparagraph (A) for a Job Corps cam-
19 pus, the Secretary shall take into account—

20 “(i) how the levels involved compare
21 with the recent performance of such cam-
22 pus and the performance of other cam-
23 puses within the same State or geographic
24 region;

25 “(ii) the levels of performance set for
26 the primary indicators of performance for

1 eligible youth described in section
2 116(b)(2)(A)(ii) for the State in which the
3 campus is located;

4 “(iii) the differences in actual eco-
5 nomic conditions (including differences in
6 unemployment rates and job losses or
7 gains in particular industries) between the
8 local area of such campus and other local
9 areas with a campus; and

10 “(iv) the extent to which the levels in-
11 volved promote continuous improvement in
12 performance on the primary indicators of
13 performance by such campus and ensure
14 optimal return on the use of Federal
15 funds.

16 “(C) PERFORMANCE PER CONTRACT.—The
17 Secretary shall ensure the expected levels of
18 performance are established in the relevant con-
19 tract or agreement.

20 “(D) REVISIONS BASED ON ECONOMIC
21 CONDITIONS AND INDIVIDUALS SERVED DURING
22 THE PROGRAM YEAR.—

23 “(i) IN GENERAL.—In the event of a
24 significant economic downturn, the Sec-
25 retary may revise the applicable adjusted

1 levels of performance for each of the cam-
2 puses for a program year to reflect the ac-
3 tual economic conditions during such pro-
4 gram year.

5 “(ii) REPORT TO CONGRESS.—Prior
6 to implementing the revisions described in
7 clause (i), the Secretary shall submit to the
8 Committee on Education and the Work-
9 force of the House of Representatives and
10 the Committee on Health, Education,
11 Labor, and Pensions of the Senate a re-
12 port explaining the reason for such revi-
13 sions.

14 “(E) REVIEW OF PERFORMANCE LEV-
15 ELS.—The Office of Inspector General of the
16 Department of Labor shall, every 5 years, sub-
17 mit to the Committee on Education and the
18 Workforce of the House of Representatives and
19 the Committee on Health, Education, Labor,
20 and Pensions of the Senate, and publish in the
21 Federal Register and on a publicly available
22 website of the Department, a report con-
23 taining—

24 “(i) a quadrennial review of the ex-
25 pected levels of performance; and

1 “(ii) an evaluation of whether—

2 “(I) the Secretary is establishing
3 such expected levels of performance in
4 good faith; and

5 “(II) such expected levels have
6 led to continued improvement of the
7 Job Corps program.”;

8 (B) by redesignating paragraph (4) as
9 paragraph (5);

10 (C) by inserting after paragraph (3) the
11 following:

12 “(4) CAMPUS SAFETY.—

13 “(A) IN GENERAL.—The Secretary shall
14 establish campus and student safety standards.
15 A Job Corps campus failing to achieve such
16 standards shall be required to take the perform-
17 ance improvement actions described in sub-
18 section (f).

19 “(B) CONSIDERATIONS.—In establishing
20 the campus and student safety standards under
21 subparagraph (A), the Secretary shall take into
22 account—

23 “(i) incidents reported under section
24 152(d);

1 “(ii) survey data from enrollees, fac-
2 ulty, staff, and community members; and

3 “(iii) any other considerations identi-
4 fied by the Secretary after reviewing the
5 recommendations of the advisory group de-
6 scribed in section 155(b).”;

7 (D) in paragraph (5), as so redesignated—

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

10 (ii) in subparagraph (B), by striking
11 the period at the end and inserting a semi-
12 colon; and

13 (iii) by adding at the end the fol-
14 lowing:

15 “(C) the number of contracts that were
16 awarded a renewal compared to those eligible
17 for a renewal;

18 “(D) the number of campuses where the
19 contract was awarded to a new operator; and

20 “(E) the number of campuses that were
21 required to receive performance improvement,
22 as described under subsection (f)(2), including
23 whether any actions were taken as described in
24 subparagraphs (B) and (C) of such sub-
25 section.”; and

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

2 “(6) WAGE RECORDS.—The Secretary shall
3 make arrangements with a State or other appro-
4 priate entity to facilitate the use of State wage
5 records to evaluate the performance of Job Corps
6 campuses on the employment and earnings indica-
7 tors described in clause (i)(III) of subparagraph (A)
8 of section 116(b)(2)(A) and subclauses (I) and (II)
9 of clause (ii) of such subparagraph for the purposes
10 of the report required under paragraph (5).”;

11 (3) in subsection (d)(1)—

12 (A) by inserting “and make available on
13 the website of the Department pertaining to the
14 Job Corps program in a manner that is con-
15 sumer-tested to ensure it is easily understood,
16 searchable, and navigable,” after “subsection
17 (c)(4),”;

18 (B) in subparagraph (B), by striking “gen-
19 der” and inserting “sex”;

20 (C) by redesignating subparagraphs (J)
21 through (O) as subparagraphs (K) through (P),
22 respectively; and

23 (D) by inserting the following after sub-
24 paragraph (I):

1 “(J) the number of appeals under section
2 152(c) and a description of each appeal that
3 was approved;” and

4 (4) in subsection (g)(2), by striking “comply”
5 and inserting “attest to compliance”.

6 (b) PERFORMANCE ASSESSMENTS AND IMPROVE-
7 MENTS.—Section 159(f) of the Workforce Innovation and
8 Opportunity Act (29 U.S.C. 3209) is amended to read as
9 follows:

10 “(f) PERFORMANCE ASSESSMENTS AND IMPROVE-
11 MENTS.—

12 “(1) ASSESSMENTS.—The Secretary shall con-
13 duct an annual assessment of the performance of
14 each Job Corps campus on the primary indicators of
15 performance described in section 116(b)(2)(A)(ii),
16 where each indicator shall be given equal weight in
17 determining the overall performance of the campus.
18 Based on the assessment, the Secretary shall take
19 measures to continuously improve the performance
20 of the Job Corps program.

21 “(2) PERFORMANCE IMPROVEMENT.—

22 “(A) INITIAL FAILURE.—With respect to a
23 Job Corps campus that fails to meet an average
24 of 90 percent on the expected levels of perform-
25 ance across all the primary indicators of per-

1 formance specified in subsection (c)(1) or is
2 ranked among the lowest 10 percent of Job
3 Corps campuses, the Secretary shall, after each
4 program year of such performance failure, de-
5 velop and implement a performance improve-
6 ment plan for such campus. Such a plan shall
7 require action to be taken during a 1-year pro-
8 gram year period, which shall include providing
9 technical assistance to the campus.

10 “(B) REPEAT FAILURE.—With respect to
11 a Job Corps campus that, for two consecutive
12 program years, fails to meet an average of 85
13 percent on the expected levels of performance
14 across all the primary indicators of performance
15 or is ranked among the lowest 10 percent of
16 Job Corps campuses, the Secretary shall take
17 substantial action to improve the performance
18 of such campus, which shall include—

19 “(i) changing the management staff of
20 the campus;

21 “(ii) changing the career and tech-
22 nical education and training offered at the
23 campus;

24 “(iii) replacing the operator of the
25 campus; or

1 “(iv) reducing the capacity of the
2 campus.

3 “(C) CHRONIC FAILURE.—With respect to
4 a Job Corps campus that, for the two consecu-
5 tive program years immediately following the
6 Secretary taking substantial performance action
7 under subparagraph (B), fails to meet an aver-
8 age of 85 percent on the expected levels of per-
9 formance across all the primary indicators or is
10 ranked among the lowest 10 percent of Job
11 Corps campuses, the Secretary shall take fur-
12 ther substantial action to improve the perform-
13 ance of such campus, which shall include—

14 “(i) relocating the campus;

15 “(ii) closing the campus; or

16 “(iii) awarding funding directly to the
17 State in which the campus is located for
18 operation of the campus, and for which the
19 Secretary shall enter into a memorandum
20 of understanding with such State for pur-
21 poses of operating the campus in its cur-
22 rent location and may encourage innova-
23 tion in such memorandum of under-
24 standing by waiving any statutory or regu-
25 latory requirement of this subtitle except

1 for those related to participant eligibility
2 under section 144, standards of conduct
3 under section 152, and performance re-
4 porting and accountability under this sec-
5 tion.

6 “(3) ADDITIONAL PERFORMANCE IMPROVE-
7 MENT.—In addition to the performance improvement
8 plans required under paragraph (2), the Secretary
9 may develop and implement additional performance
10 improvement plans for a Job Corps campus that
11 fails to meet criteria established by the Secretary
12 other than the expected levels of performance de-
13 scribed in subsection (c)(1).

14 “(4) CIVILIAN CONSERVATION CENTERS.—With
15 respect to a Civilian Conservation Center that, for 3
16 consecutive program years, fails to meet an average
17 of 90 percent of the expected levels of performance
18 across all the primary indicators of performance
19 specified in subsection (c)(1), the Secretary of Labor
20 or, if appropriate, the Secretary of Agriculture shall
21 select, on a competitive basis, an entity to operate
22 part or all of the Civilian Conservation Center in ac-
23 cordance with the requirements of section 147.”.

1 (c) CONFORMING AMENDMENTS.—Section 159 of the
2 Workforce Innovation and Opportunity Act (29 U.S.C.
3 3209) is further amended—

4 (1) by striking “centers” each place it appears
5 and inserting “campuses”; and

6 (2) in subsection (g)(1), in the header, by strik-
7 ing “CENTER” and inserting “CAMPUS”.

8 **SEC. 166. JOB CORPS OVERSIGHT AND REPORTING.**

9 Section 161 of the Workforce Innovation and Oppor-
10 tunity Act (29 U.S.C. 3211) is amended—

11 (1) by redesignating subsection (d) as sub-
12 section (e); and

13 (2) by inserting after subsection (c) the fol-
14 lowing new subsection:

15 “(d) REPORT ON IMPLEMENTATION OF REC-
16 OMMENDATIONS.—The Secretary shall, on an annual
17 basis, prepare and submit to the appropriate committees
18 a report regarding the implementation of all outstanding
19 recommendations from the Office of Inspector General of
20 the Department of Labor or the Government Account-
21 ability Office.”.

22 **SEC. 167. AUTHORIZATION OF APPROPRIATIONS.**

23 Section 162 of the Workforce Innovation and Oppor-
24 tunity Act (29 U.S.C. 3212) is amended to read as follows:

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

2 “There are authorized to be appropriated to carry out
3 this subtitle \$1,760,155,000 for each of the fiscal years
4 2025 through 2030.”.

5 **Subtitle E—National Programs**

6 **SEC. 171. NATIVE AMERICAN PROGRAMS.**

7 Section 166 of the Workforce Innovation and Oppor-
8 tunity Act (29 U.S.C. 3221) is amended—

9 (1) in subsection (d)(1)—

10 (A) in subparagraph (A), by striking
11 “and”;

12 (B) in subparagraph (B), by striking the
13 period at the end and inserting “; and”; and

14 (C) by inserting at the end the following:

15 “(C) are evidence-based, to the extent
16 practicable.”;

17 (2) in subsection (d)(2)—

18 (A) by redesignating subparagraph (B) as
19 subparagraph (C); and

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

22 “(B) ADMINISTRATIVE COSTS.—Not more
23 than 10 percent of the funds provided to an en-
24 tity under this section may be used for the ad-
25 ministrative costs of the activities and services
26 carried out under subparagraph (A).”;

1 (3) in subsection (h), by inserting after para-
2 graph (2) the following:

3 “(3) WAGE RECORDS.—The Secretary shall
4 make arrangements with a State or other appro-
5 priate entity to facilitate the use of State wage
6 records to evaluate the performance of entities fund-
7 ed under this section on the employment and earn-
8 ings indicators described in subclauses (I) through
9 (III) of section 116(b)(2)(A)(i) for the purposes of
10 the report required under paragraph (4).

11 “(4) PERFORMANCE RESULTS.—For each pro-
12 gram year, the Secretary shall make available on a
13 publicly accessible website of the Department a re-
14 port on the performance, during such program year,
15 of entities funded under this section on—

16 “(A) the primary indicators of performance
17 described in section 116(b)(2)(A);

18 “(B) any additional indicators established
19 under paragraph (1)(A); and

20 “(C) the adjusted levels of performance for
21 such entities as described in paragraph (2).”;

22 (4) in subsection (i)—

23 (A) in paragraph (3)(A), by striking “and
24 judicial review.” and inserting “judicial review,
25 and performance accountability pertaining to

1 the primary indicators of performance described
2 in section 116(b)(2)(A).”; and

3 (B) in paragraph (4)(B)—

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

6 “(i) IN GENERAL.—The Council”; and

7 (ii) by inserting at the end the fol-
8 lowing:

9 “(ii) VACANCIES.—An individual ap-
10 pointed to fill a vacancy on the Council oc-
11 ccurring before the expiration of the term
12 for which the predecessor of such indi-
13 vidual was appointed shall be appointed
14 only for the remainder of that term. Such
15 an individual may serve on the Council
16 after the expiration of such term until a
17 successor is appointed.”; and

18 (5) by amending subsection (k)(2) to read as
19 follows:

20 “(2) AUTHORIZATION OF APPROPRIATIONS.—
21 There are authorized to be appropriated to carry out
22 this subsection \$542,000 for each of the fiscal years
23 2025 through 2030.”.

1 **SEC. 172. MIGRANT AND SEASONAL FARMWORKER PRO-**
2 **GRAMS.**

3 Section 167 of the Workforce Innovation and Oppor-
4 tunity Act (29 U.S.C. 3222) is amended—

5 (1) in subsection (c), by adding at the end the
6 following:

7 “(5) WAGE RECORDS.—The Secretary shall
8 make arrangements with a State or other appro-
9 priate entity to facilitate the use of State wage
10 records to evaluate the performance of entities fund-
11 ed under this section on the employment and earn-
12 ings indicators described in subclauses (I) through
13 (III) of section 116(b)(2)(A)(i) for the purposes of
14 the report required under paragraph (4).

15 “(6) PERFORMANCE RESULTS.—For each pro-
16 gram year, the Secretary shall make available on a
17 publicly accessible website of the Department a re-
18 port on the performance, during such program year,
19 of entities funded under this section on—

20 “(A) the primary indicators of performance
21 described in section 116(b)(2)(A); and

22 “(B) the adjusted levels of performance for
23 such entities as described in paragraph (3).”;

24 (2) by redesignating subsections (e), (f), (g),
25 (h), and (i) as subsections (f), (g), (h), (i), and (j),
26 respectively;

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

3 “(e) ADMINISTRATIVE COSTS.—Not more than 10
4 percent of the funds provided to an entity under this sec-
5 tion may be used for the administrative costs of the activi-
6 ties and services carried out under subsection (d).”;

7 (4) in subsection (i), as so redesignated, to read
8 as follows:

9 “(i) FUNDING ALLOCATION; FUNDING OBLIGA-
10 TION.—

11 “(1) FUNDING ALLOCATION.—From the funds
12 appropriated and made available to carry out this
13 section, the Secretary shall reserve not more than 1
14 percent for discretionary purposes, such as providing
15 technical assistance to eligible entities.

16 “(2) FUNDING OBLIGATION.—

17 “(A) IN GENERAL.—Funds appropriated
18 and made available to carry out this section for
19 any fiscal year may be obligated by the Sec-
20 retary during the period beginning on April 1
21 of the calendar year that begins during such
22 fiscal year and ending on June 30 of the fol-
23 lowing calendar year to be made available to an
24 entity described in subsection (b) for the period
25 described in subparagraph (B).

1 “(B) OBLIGATED AMOUNT.—Funds made
2 available under this section for a fiscal year to
3 any entity described in subsection (b) may be
4 spent or reserved for spending by such entity
5 during the period beginning on July 1 of the
6 calendar year that begins during such fiscal
7 year, and ending on June 30 of the following
8 calendar year.”.

9 **SEC. 173. TECHNICAL ASSISTANCE.**

10 (a) GENERAL TECHNICAL ASSISTANCE.—Section
11 168(a)(1) of the Workforce Innovation and Opportunity
12 Act (29 U.S.C. 3223(a)(1)) is amended—

13 (1) by striking “appropriate training, technical
14 assistance, staff development” and inserting “appro-
15 priate education, technical assistance, professional
16 development for staff”;

17 (2) in subparagraphs (B), (C), and (D), by
18 striking “training” each place it appears and insert-
19 ing “professional development”;

20 (3) by redesignating subparagraphs (G) and
21 (H) as subparagraphs (J) and (K), respectively; and

22 (4) by inserting after subparagraph (F) the fol-
23 lowing:

24 “(G) assistance to the one-stop delivery
25 system and the Employment Service established

1 under the Wagner-Peyser Act for the integra-
2 tion of basic career service activities pursuant
3 to section 134(c)(2)(A);

4 “(I) assistance to States with maintaining,
5 and making accessible to jobseekers and em-
6 ployers, the lists of eligible providers of training
7 services required under section 122;

8 “(H) assistance to States that apply for
9 such assistance under section 122(k) for the
10 purposes described in such subsection;”.

11 (b) PERFORMANCE ACCOUNTABILITY TECHNICAL
12 ASSISTANCE.—Section 168(b) of the Workforce Innova-
13 tion and Opportunity Act (29 U.S.C. 3223(b)) is amend-
14 ed—

15 (1) in the header, by striking “DISLOCATED
16 WORKER” and inserting “PERFORMANCE ACCOUNT-
17 ABILITY”; and

18 (2) in paragraph (1), in the first sentence—

19 (A) by inserting “, pursuant to paragraphs
20 (1) and (2) of section 116(f),” after “technical
21 assistance”; and

22 (B) by striking “with respect to employ-
23 ment and training activities for dislocated work-
24 ers” and inserting “with respect to the core
25 programs”.

1 (c) COMMUNITIES IMPACTED BY OPIOID USE DIS-
2 ORDERS.—Section 168 of the Workforce Innovation and
3 Opportunity Act (29 U.S.C. 3223) is further amended by
4 adding at the end the following:

5 “(d) COMMUNITIES IMPACTED BY OPIOID USE DIS-
6 ORDERS.—The Secretary shall, as part of the activities de-
7 scribed in subsection (c)(2), evaluate and disseminate to
8 States and local areas information regarding evidence-
9 based and promising practices for addressing the economic
10 workforce impacts associated with high rates of opioid use
11 disorders, which information shall—

12 “(1) be updated annually to reflect the most re-
13 cent and available research; and

14 “(2) include information—

15 “(A) shared by States and local areas re-
16 garding effective practices for addressing such
17 impacts; and

18 “(B) on how to apply for any funding that
19 may be available under section 170(b)(1)(E).”.

20 **SEC. 174. EVALUATIONS AND RESEARCH.**

21 (a) IN GENERAL.—Section 169 of the Workforce In-
22 novation and Opportunity Act (29 U.S.C. 3224) is amend-
23 ed—

24 (1) in subsection (a)—

25 (A) in paragraph (2)—

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

3 (ii) in subparagraph (F), by striking
4 “; and” at the end and inserting a period;
5 and

6 (iii) by striking subparagraph (G);
7 (B) in paragraph (3)—

8 (i) by striking “The Secretary” and
9 inserting the following:

10 “(A) IN GENERAL.—The Secretary”; and

11 (ii) by adding at the end the following
12 new subparagraph:

13 “(B) LIMITATION.—The Secretary may
14 not use the authority described in subparagraph
15 (A) if the evaluations required under paragraph
16 (1) have not been initiated or completed in the
17 time period required.”; and

18 (C) in paragraph (4), by striking “2019”
19 and inserting “2028”; and
20 (2) in subsection (b)—

21 (A) by amending paragraph (4) to read as
22 follows:

23 “(4) STUDIES AND REPORTS.—

24 “(A) STUDY ON EMPLOYMENT CONDI-
25 TIONS.—The Secretary, in coordination with

1 other heads of Federal agencies, as appropriate,
2 may conduct a study examining the nature of
3 participants' unsubsidized employment after
4 exit from programs carried out under this Act,
5 including factors such as availability of paid
6 time off, health and retirement benefits, work-
7 place safety standards, predictable and stable
8 work schedule, stackable credentials, and ad-
9 vancement opportunities.

10 “(B) STUDY ON IMPROVING WORKFORCE
11 SERVICES FOR INDIVIDUALS WITH DISABIL-
12 ITIES.—The Secretary of Labor, in coordination
13 with the Secretary of Education and the Sec-
14 retary of Health and Human Services, may con-
15 duct studies that analyze the access to services
16 by individuals with disabilities, including wheth-
17 er an individual who is unable to receive serv-
18 ices under title IV due to a wait list for such
19 services is able to receive services under titles I
20 through III.

21 “(C) STUDY ON THE EFFECTIVENESS OF
22 PAY FOR PERFORMANCE.—The Secretary shall,
23 not more than 4 years after the date of enact-
24 ment of A Stronger Workforce for America Act,
25 conduct a study that compares the effectiveness

1 of the pay-for-performance strategies used
2 under sections 129, 134, and 172 after such
3 date of enactment to the awarding of grants
4 and contracts under such sections as in effect
5 on the day before the date of enactment of such
6 Act.

7 “(D) STUDY ON INDIVIDUAL TRAINING AC-
8 COUNTS FOR DISLOCATED WORKERS.—The Sec-
9 retary shall, not more than 4 years after the
10 date of enactment of the A Stronger Workforce
11 for America Act, conduct a study that compares
12 the usage of Individual Training Accounts for
13 dislocated workers after such date of enactment
14 to the usage of such accounts prior to such date
15 of enactment, including—

16 “(i) the types of training services and
17 occupations targeted by dislocated workers
18 when using their Individual Training Ac-
19 counts; and

20 “(ii) the effectiveness of such skills
21 development.

22 “(E) STUDY ON STATEWIDE CRITICAL IN-
23 DUSTRY SKILLS FUNDS.—The Secretary shall,
24 not more than 4 years after the date of enact-
25 ment of the A Stronger Workforce for America

1 Act, conduct a study that will review the usage
2 of statewide critical industry skills funds estab-
3 lished by States under section 134(a)(4) and
4 identify, for purposes of measuring the overall
5 effectiveness of the program—

6 “(i) the industries targeted by such
7 Funds;

8 “(ii) the occupations workers are
9 being upskilled for;

10 “(iii) how frequently skills develop-
11 ment is provided to prospective workers
12 and incumbent workers, and

13 “(iv) the reported performance out-
14 comes.

15 “(F) STUDY ON THE EFFECTIVENESS OF
16 EMPLOYER-BASED TRAINING.—The Secretary
17 shall, not more than 4 years after the date of
18 enactment of the A Stronger Workforce for
19 America Act, conduct a study that measures
20 the effectiveness of on-the-job training, em-
21 ployer-directed skills training, apprenticeship,
22 and incumbent worker training under this title
23 in preparing jobseekers and workers, including
24 those with barriers to employment, for unsub-
25 sidized employment. Such study shall include

1 the cost per participant and wage and employ-
2 ment outcomes, as compared to other methods
3 of training.

4 “(G) REPORTS.—The Secretary shall pre-
5 pare and disseminate to the Committee on
6 Health, Education, Labor, and Pensions of the
7 Senate and the Committee on Education and
8 the Workforce of the House of Representatives,
9 and on the publicly available website of the De-
10 partment, reports containing the results of the
11 studies conducted under this paragraph.”; and

12 (B) in paragraph (5), by adding at the end
13 the following:

14 “(C) EVALUATION OF GRANTS.—

15 “(i) IN GENERAL.—For each grant or
16 contract awarded under this paragraph,
17 the Secretary shall conduct a rigorous eval-
18 uation of the multistate project to deter-
19 mine the impact of the activities supported
20 by the project, including the impact on the
21 employment and earnings of program par-
22 ticipants.

23 “(ii) REPORT.—The Secretary shall
24 prepare and disseminate to the Committee
25 on Health, Education, Labor, and Pen-

1 sions of the Senate and the Committee on
2 Education and the Workforce of the House
3 of Representatives, and to the public, in-
4 cluding through electronic means, reports
5 containing the results of evaluations con-
6 ducted under this subparagraph.”.

7 (b) WORKFORCE DATA QUALITY INITIATIVE.—Sec-
8 tion 169 of the Workforce Innovation and Opportunity Act
9 (29 U.S.C. 3224) is further amended by adding at the
10 end the following:

11 “(d) WORKFORCE DATA QUALITY INITIATIVE.—

12 “(1) GRANT PROGRAM.—Of amount made avail-
13 able pursuant to section 132(a)(2)(A) for any pro-
14 gram year, the Secretary shall use 5 percent of such
15 amount, and may also use funds authorized for pur-
16 poses of carrying out this section, to award grants
17 to eligible entities to create workforce longitudinal
18 data systems and associated resources for the pur-
19 poses of strengthening program quality, building
20 State capacity to produce evidence for decision-
21 making, meeting performance reporting require-
22 ments, protecting privacy, and improving trans-
23 parency.

24 “(2) APPLICATION.—To be eligible to receive a
25 grant under this subsection, an eligible entity shall

1 submit an application to the Secretary at such time
2 and in such manner as the Secretary may require,
3 which shall include—

4 “(A) a description of the proposed activi-
5 ties that will be conducted by the eligible entity,
6 including a description of the need for such ac-
7 tivities and a detailed budget for such activities;

8 “(B) a description of the expected out-
9 comes and outputs (such as systems or prod-
10 ucts) that will result from the proposed activi-
11 ties and the proposed uses of such outputs;

12 “(C) a description of how the proposed ac-
13 tivities will support the reporting of perform-
14 ance data, including employment and earnings
15 outcomes, for the performance accountability
16 requirements under section 116, including out-
17 comes for eligible training providers;

18 “(D) a description of the methods and pro-
19 cedures the eligible entity will use to ensure the
20 security and privacy of the collection, storage,
21 and use of all data involved in the systems and
22 resources supported through the grant, includ-
23 ing compliance with State and Federal privacy
24 and confidentiality statutes and regulations;
25 and

1 “(E) a plan for how the eligible entity will
2 continue the activities or sustain the use of the
3 outputs created with the grant funds after the
4 grant period ends.

5 “(3) PRIORITY.—In awarding grants under the
6 subsection, the Secretary shall give priority to—

7 “(A) eligible entities that are—

8 “(i) a State agency of a State that
9 has not previously received a grant from
10 the Secretary for the purposes of this sub-
11 section and demonstrates a substantial
12 need to improve its data infrastructure; or

13 “(ii) a consortium of State agencies
14 that is comprised of State agencies from
15 multiple States and includes at least one
16 State agency described in clause (i) and
17 has the capacity to make significant con-
18 tributions toward building interoperable,
19 cross-State data infrastructure; and

20 “(B) eligible entities that will use grant
21 funds to—

22 “(i) expand the adoption and use of
23 linked, open, and interoperable data on
24 credentials, including through the develop-
25 ment of a credential registry or other tools

1 and services designed to help learners and
2 workers make informed decisions, such as
3 the credential navigation feature described
4 in section 122(d)(2);

5 “(ii) participate in and contribute
6 data to a multistate data collaborative, in-
7 cluding data that provide participating
8 States the ability to better understand—

9 “(I) earnings and employment
10 outcomes of individuals who work out-
11 of-State; and

12 “(II) cross-State earnings and
13 employment trends;

14 “(iii) enhance collaboration with pri-
15 vate sector workforce and labor market
16 data entities and the end-users of work-
17 force and labor market data, including in-
18 dividuals, employers, economic development
19 agencies, and workforce development pro-
20 viders; or

21 “(iv) leverage the use of non-Federal
22 contributions to improve workforce data in-
23 frastructure, including staff capacity build-
24 ing.

1 “(4) USE OF FUNDS.—In addition to the activi-
2 ties described in paragraph (3)(B), an eligible entity
3 awarded a grant under this subsection may use
4 funds to carry out any of the following activities:

5 “(A) Developing or enhancing a State’s
6 workforce longitudinal data system, including
7 by participating and contributing data to the
8 State’s data system, if applicable, that links
9 with elementary and secondary school and post-
10 secondary data.

11 “(B) Accelerating the replication and
12 adoption of data systems, projects, products, or
13 practices already in use in one or more States
14 to other States.

15 “(C) Research and labor market data im-
16 provement activities to improve the timeliness,
17 relevance, and accessibility of such data
18 through pilot projects that are developed locally
19 but designed to scale to other regions or States.

20 “(D) Establishing, enhancing, or con-
21 necting to a system of interoperable learning
22 and employment records that provides individ-
23 uals who choose to participate in such system
24 ownership of a verified and secure record of
25 their skills and achievements and the ability to

1 share such record with employers and education
2 providers.

3 “(E) Developing policies, guidelines, and
4 security measures for data collection, storing,
5 and sharing to ensure compliance with relevant
6 Federal and State privacy laws and regulations.

7 “(F) Increasing local board access to and
8 integration with the State’s workforce longitu-
9 dinal data system in a secure manner.

10 “(G) Creating or participating in a data
11 exchange for collecting and using standards-
12 based jobs and employment data including, at a
13 minimum, job titles or occupation codes.

14 “(H) Improving State and local staff ca-
15 pacity to understand, use, and analyze data to
16 improve decisionmaking and improve partici-
17 pant outcomes.

18 “(5) ADMINISTRATION.—

19 “(A) DURATION.—A grant awarded under
20 this subsection may be for a period of up to 3
21 years.

22 “(B) SUPPLEMENT, NOT SUPPLANT.—
23 Funds made available under this subsection
24 shall be used to supplement, and not supplant,

1 other Federal, State, or local funds used for de-
2 velopment of State data systems.

3 “(C) REPORT.—Each eligible entity that
4 receives a grant under this subsection shall sub-
5 mit a report to the Secretary not later than 180
6 days after the conclusion of the grant period on
7 the activities supported through the grant and
8 improvements in the use of workforce and labor
9 market information that have resulted from
10 such activities.

11 “(6) DEFINITIONS.—In this subsection, the
12 term ‘eligible entity’ means a State agency or con-
13 sortium of State agencies, including a multistate
14 data collaborative, that is or includes the State agen-
15 cies responsible for—

16 “(A) State employer wage records used by
17 the State’s unemployment insurance programs
18 in labor market information reporting and anal-
19 ysis and for fulfilling the reporting require-
20 ments of this Act;

21 “(B) the production of labor market infor-
22 mation; and

23 “(C) the direct administration of one or
24 more of the core programs.”.

1 **SEC. 175. NATIONAL DISLOCATED WORKER GRANTS.**

2 Section 170 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3225) is amended—

4 (1) by amending subsection (a)(1) to read as
5 follows:

6 “(1) EMERGENCY OR DISASTER.—The term
7 ‘emergency or disaster’ means an emergency or a
8 major disaster, as defined in paragraphs (1) and (2),
9 respectively, of section 102 of the Robert T. Stafford
10 Disaster Relief and Emergency Assistance Act (42
11 U.S.C. 5122 (1) and (2)).”;

12 (2) in subsection (b)—

13 (A) in paragraph (1)—

14 (i) in subparagraph (C), by striking
15 “and” at the end;

16 (ii) in subparagraph (D)—

17 (I) in clause (i), by striking
18 “spouses described in section
19 3(15)(E)” and inserting “spouses de-
20 scribed in subparagraph (E) of the
21 definition of the term ‘dislocated
22 worker’ in section 3”; and

23 (II) in clause (ii), by striking the
24 period at the end and inserting “;
25 and”;

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

3 “(E) to an entity described in subsection
4 (c)(1)(B) to provide employment and training
5 activities related to the prevention and treat-
6 ment of opioid use disorders, including addic-
7 tion treatment, mental health treatment, and
8 pain management, in an area that, as a result
9 of widespread opioid use, addiction, and
10 overdoses, has higher-than-average demand for
11 such activities that exceeds the availability of
12 State and local resources to provide such activi-
13 ties.”; and

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

15 “(3) PERFORMANCE RESULTS.—The Secretary
16 shall collect the necessary information from each en-
17 tity receiving a grant under this section to determine
18 the performance of such entity on the primary indi-
19 cators of performance described in section
20 116(b)(2)(A)(i) and make such information available
21 on the publicly accessible website of the Department
22 in a format that does not reveal personally identifi-
23 able information.”; and

24 (3) in subsection (c)—

25 (A) in paragraph (1)(A)—

1 (i) by striking “subsection (b)(1)(A)”
2 and inserting “subparagraph (A) or (E) of
3 subsection (b)(1)”;

4 (ii) by striking “, in such manner, and
5 containing such information” and inserting
6 “and in such manner”;

7 (B) in paragraph (2)—

8 (i) in subparagraph (B)—

9 (I) in the heading, by striking
10 “RETRAINING” and inserting
11 “RESKILLING”;

12 (II) by striking “retraining” and
13 inserting “reskilling”;

14 (ii) by redesignating subparagraphs
15 (C) and (D) as subparagraphs (D) and
16 (E), respectively;

17 (iii) by inserting after subparagraph
18 (B) the following:

19 “(C) OPIOID-RELATED GRANTS.—In order
20 to be eligible to receive employment and train-
21 ing assistance under a national dislocated work-
22 er grant awarded pursuant to subsection
23 (b)(1)(E), an individual shall be—

24 “(i) a dislocated worker;

1 “(ii) a long-term unemployed indi-
2 vidual;

3 “(iii) an individual who is unemployed
4 or significantly underemployed as a result
5 of widespread opioid use in the area; or

6 “(iv) an individual who is employed or
7 seeking employment in a health care pro-
8 fession involved in the prevention and
9 treatment of opioid use disorders, includ-
10 ing such professions that provide addiction
11 treatment, mental health treatment, or
12 pain management.”.

13 **SEC. 176. YOUTHBUILD PROGRAM.**

14 Section 171 of the Workforce Innovation and Oppor-
15 tunity Act (29 U.S.C. 3226) is amended—

16 (1) in subsection (c)—

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

18 “(1) AMOUNT OF GRANTS; RESERVATION.—

19 “(A) AMOUNT OF GRANTS.—Subject to
20 subparagraph (B), the Secretary is authorized
21 to make grants to applicants for the purpose of
22 carrying out YouthBuild programs approved
23 under this section.

24 “(B) RESERVATION FOR RURAL AREAS
25 AND INDIAN TRIBES.—

1 “(i) IN GENERAL.—In any fiscal year
2 in which the amount appropriated to carry
3 out this section is greater than
4 \$90,000,000, the Secretary shall reserve
5 not less than 20 percent of the amount ap-
6 propriated that is in excess of \$90,000,000
7 and use such reserved amount to make
8 grants to covered applicants (in addition to
9 any other grants that may be awarded
10 under this subsection for such fiscal year
11 to covered applicants) for the purpose of
12 carrying out YouthBuild programs ap-
13 proved under this section.

14 “(ii) COVERED APPLICANT DE-
15 FINED.—In this subparagraph, the term
16 ‘covered applicant’ means an applicant
17 that—

18 “(I) is located in a rural area; or

19 “(II) is an Indian Tribe or is car-
20 rying out a YouthBuild program ap-
21 proved under this section for the ben-
22 efit of members of an Indian Tribe.”;

23 (B) in paragraph (2)—

24 (i) in subparagraph (A)—

1 (I) in clause (iv)(II), by striking
2 “language learners” and inserting
3 “learners”; and

4 (II) in clause (vii), by inserting
5 after “enable individuals” the fol-
6 lowing: “, including those with disabil-
7 ities,”; and

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

10 “(I) Provision of meals and other food as-
11 sistance to participants in conjunction with an-
12 other activity described in this paragraph.”;

13 (C) in paragraph (3)—

14 (i) in subparagraph (A), by striking
15 “such time, in such manner, and con-
16 taining such information” and inserting
17 “such time and in such manner”; and

18 (ii) in subparagraph (B)—

19 (I) in the header, by striking
20 “MINIMUM REQUIREMENTS” and in-
21 serting “REQUIREMENTS”;

22 (II) by striking “, at a min-
23 imum”;

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

1 (IV) in clause (xxi) by striking
2 the period at the end and inserting “;
3 and”; and

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

6 “(xxii) a description of the levels of
7 performance the applicant expects to
8 achieve on the primary indicators of per-
9 formance described in section
10 116(b)(2)(A)(ii).”; and

11 (D) in paragraph (4)—

12 (i) by striking “such selection criteria
13 as the Secretary shall establish under this
14 section, which shall include criteria” and
15 inserting “selection criteria”;

16 (ii) in subparagraph (J)(iii), by add-
17 ing “and” after the semicolon;

18 (iii) in subparagraph (K), by striking
19 “; and” and inserting a period; and

20 (iv) by striking subparagraph (L);

21 (2) in subsection (e)(1)—

22 (A) in subparagraph (A)(ii), by striking
23 “offender” and inserting “who is a justice-in-
24 volved individual”; and

1 (B) in subparagraph (B)(i), by striking
2 “are basic skills deficient” and inserting “have
3 foundational skill needs”;

4 (3) in subsection (f), by striking paragraph (2)
5 and inserting the following:

6 “(2) USE OF WAGE RECORDS.—The Secretary
7 shall make arrangements with a State or other ap-
8 propriate entity to facilitate the use of State wage
9 records to evaluate the performance of YouthBuild
10 programs funded under this section on the employ-
11 ment and earnings indicators described in section
12 116(b)(2)(A)(ii) for the purposes of the report re-
13 quired under paragraph (3).

14 “(3) PERFORMANCE RESULTS.—For each pro-
15 gram year, the Secretary shall make available, on a
16 publicly accessible website of the Department, a re-
17 port on the performance of YouthBuild programs,
18 during such program year, funded under this section
19 on—

20 “(A) the primary indicators of performance
21 described in section 116(b)(2)(A)(ii); and

22 “(B) the expected levels of performance for
23 such programs as described in paragraph (1).”;

24 (4) in subsection (g), by inserting at the end
25 the following:

1 “(4) ANNUAL RELEASE OF FUNDING OPPOR-
2 TUNITY ANNOUNCEMENT.—The Secretary shall, to
3 the greatest extent practicable, announce new fund-
4 ing opportunities for grants under this section dur-
5 ing the same time period each year for which such
6 grants are available.”; and

7 (5) by amending subsection (i) to read as fol-
8 lows:

9 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated to carry out this section
11 \$108,150,000 for each of the fiscal years 2025 through
12 2030.”.

13 **SEC. 178. REENTRY EMPLOYMENT OPPORTUNITIES.**

14 Subtitle D of title I of the Workforce Innovation and
15 Opportunity Act (29 U.S.C. 3221 et seq.), is further
16 amended—

17 (1) by redesignating section 172 as section 174;
18 and

19 (2) by inserting after section 171 the following:

20 **“SEC. 172. REENTRY EMPLOYMENT OPPORTUNITIES.**

21 “(a) PURPOSES.—The purposes of this section are—

22 “(1) to improve the employment, earnings, and
23 skill attainment, and reduce recidivism, of adults
24 and youth who have been involved with the justice
25 system;

1 “(2) to prompt innovation and improvement in
2 the reentry of justice-involved individuals into the
3 workforce so that successful initiatives can be estab-
4 lished or continued and replicated; and

5 “(3) to further develop the evidence on how to
6 improve employment, earnings, and skill attainment,
7 and reduce recidivism, of justice-involved individuals,
8 through rigorous evaluations of specific services pro-
9 vided, including how they affect different popu-
10 lations and how they are best combined and
11 sequenced, and disseminate such evidence to entities
12 supporting the reentry of justice-involved individuals
13 into the workforce.

14 “(b) REENTRY EMPLOYMENT COMPETITIVE GRANTS,
15 CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHOR-
16 IZED.—

17 “(1) IN GENERAL.—From the amounts appro-
18 priated under section 174(e) and not reserved under
19 subsection (h), the Secretary—

20 “(A) shall, on a competitive basis, make
21 grants to, or enter into contracts or cooperative
22 agreements with, eligible entities to implement
23 reentry projects that serve eligible adults or eli-
24 gible youth;

1 “(B) may use not more than 30 percent of
2 such amounts to award funds under subpara-
3 graph (A) to eligible entities to serve as na-
4 tional or regional intermediaries to provide such
5 funds to other eligible entities to—

6 “(i) implement reentry projects de-
7 scribed in subparagraph (A); and

8 “(ii) monitor and support such enti-
9 ties;

10 “(C) shall use 30 percent of such amounts
11 to award funds under subparagraph (A) to eli-
12 gible entities using pay-for-performance con-
13 tracts—

14 “(i) that specify a fixed amount that
15 will be paid to the entity based on the
16 achievement of specified levels of perform-
17 ance on the indicators of performance de-
18 scribed in subsections (e)(1)(A)(i) and
19 (e)(2)(A) within a defined timetable; and

20 “(ii) which may provide for bonus
21 payments to such entity to expand capacity
22 to provide effective services; and

23 “(D) shall ensure grants awarded under
24 this section are awarded to eligible entities from

1 geographically diverse areas, in addition to the
2 priorities described in paragraph (4).

3 “(2) AWARD PERIODS.—The Secretary shall
4 award funds under this section for an initial period
5 of not more than 4 years.

6 “(3) ADDITIONAL AWARDS.—The Secretary
7 may award, for a period of not more than 4 years,
8 one or more additional grants to an eligible entity
9 that received a grant under this section if the eligi-
10 ble entity achieved the performance levels agreed
11 upon with the Secretary (as described in subsection
12 (e)(3)) for the most recent award period.

13 “(4) PRIORITY.—In awarding funds under this
14 section, the Secretary shall give priority to eligible
15 entities whose applications submitted under sub-
16 section (c) demonstrate a commitment to use such
17 funds to implement reentry projects—

18 “(A) that will serve high-poverty areas;

19 “(B) that will enroll eligible youth or eligi-
20 ble adults—

21 “(i) prior to the release of such indi-
22 viduals from incarceration in a correctional
23 institution; or

24 “(ii) not later than 90 days after such
25 release;

1 “(C) whose strategy and design are evi-
2 dence-based;

3 “(D) that establish partnerships with—

4 “(i) businesses; or

5 “(ii) institutions of higher education
6 or providers under section 122 (as deter-
7 mined by the State where services are
8 being provided) to provide project partici-
9 pants with programs of study leading to
10 recognized postsecondary credentials in in-
11 demand occupations; or

12 “(E) that provide training services, includ-
13 ing customized training and on-the-job training,
14 that are designed to meet the specific require-
15 ments of an employer (including a group of em-
16 ployers), industry, or sector, and are conducted
17 with a commitment by the employer to employ
18 individuals upon successful completion of the
19 preparation.

20 “(c) APPLICATION.—

21 “(1) FORM AND PROCEDURE.—To be qualified
22 to receive funds under this section, an eligible entity
23 shall submit an application at such time, and in
24 such manner, as determined by the Secretary, and

1 containing the information described in paragraph
2 (2).

3 “(2) CONTENTS.—An application submitted by
4 an eligible entity under paragraph (1) shall contain
5 the following:

6 “(A) A description of the eligible entity, in-
7 cluding the experience of the eligible entity in
8 providing employment and training services for
9 justice-involved individuals.

10 “(B) A description of the needs that will
11 be addressed by the reentry project supported
12 by the funds received under this section, and
13 the target participant population and the geo-
14 graphic area to be served.

15 “(C) A description of the proposed employ-
16 ment and training activities and supportive
17 services, if applicable, to be provided under
18 such reentry project, and how such activities
19 and services will prepare participants for em-
20 ployment in in-demand industry sectors and oc-
21 cupations within the geographic area to be
22 served by such reentry project.

23 “(D) The anticipated schedule for carrying
24 out the activities proposed under the reentry
25 project.

1 “(E) A description of—

2 “(i) the partnerships the eligible enti-
3 ty will establish with agencies and entities
4 within the criminal justice system, local
5 boards and one-stops, community-based or-
6 ganizations, and employers (including local
7 businesses) to provide participants of the
8 reentry project with work-based learning,
9 job placement, and recruitment (if applica-
10 ble); and

11 “(ii) how the eligible entity will co-
12 ordinate its activities with other services
13 and benefits available to justice-involved
14 individuals in the geographic area to be
15 served by the reentry project.

16 “(F) A description of the manner in which
17 individuals will be recruited and selected for
18 participation for the reentry project.

19 “(G) A detailed budget and a description
20 of the system of fiscal controls, and auditing
21 and accountability procedures, that will be used
22 to ensure fiscal soundness for the reentry
23 project.

24 “(H) A description of the expected levels of
25 performance to be achieved with respect to the

1 performance measures described in subsection
2 (e).

3 “(I) A description of the evidence-based
4 practices the eligible entity will use in adminis-
5 tration of the reentry project.

6 “(J) An assurance that the eligible entity
7 will collect, disaggregate by each subpopulation
8 of individuals with barriers to employment, and
9 by race, ethnicity, sex, and age, and report to
10 the Secretary the data required with respect to
11 the reentry project carried out by the eligible
12 entity for purposes of determining levels of per-
13 formance achieved and conducting the evalua-
14 tion under this section.

15 “(K) An assurance that the eligible entity
16 will provide matching funds, as described in
17 subsection (d)(4).

18 “(L) A description of how the eligible enti-
19 ty plans to continue the reentry project after
20 the award period.

21 “(3) ADDITIONAL CONTENT FOR INTER-
22 MEDIARY APPLICANTS.—An application submitted by
23 an eligible entity seeking to serve as a national or
24 regional intermediary as described in subsection
25 (b)(1)(B) shall also contain the following:

1 “(A) An identification and description of
2 the eligible entities that will be subgrantees of
3 such intermediary and implement the reentry
4 projects, which shall include subgrantees in—

5 “(i) three or more noncontiguous met-
6 ropolitan areas or rural areas; and

7 “(ii) not less than 2 States.

8 “(B) A description of the services and sup-
9 ports the intermediary will provide to the sub-
10 grantees, including administrative and fiscal
11 support to ensure the subgrantees comply with
12 all grant requirements.

13 “(C) A description of how the intermediary
14 will facilitate the replication of evidence-based
15 practices or other best practices identified by
16 the intermediary across all subgrantees.

17 “(D) If such intermediary is currently re-
18 ceiving, or has previously received, funds under
19 this section as an intermediary to implement a
20 reentry project, an assurance that none of the
21 subgrantees identified under subparagraph (A)
22 were previous subgrantees of the intermediary
23 for such reentry project and failed to meet the
24 levels of performance established for such re-
25 entry project.

1 “(d) USES OF FUNDS.—

2 “(1) REQUIRED ACTIVITIES.—An eligible entity
3 that receives funds under this section shall use such
4 funds to implement a reentry project for eligible
5 adults, eligible youth, or both that provides each of
6 the following:

7 “(A) One or more of the individualized ca-
8 reer services listed in subclauses (I) through
9 (IX) of section 134(c)(2)(A)(xii).

10 “(B) One or more of the training services
11 listed in clauses (i) through (x)(i) in section
12 134(c)(3)(D), including subsidized employment
13 opportunities through transitional jobs.

14 “(C) For participants who are eligible
15 youth, one or more of the program elements
16 listed in subparagraphs (A) through (N) of sec-
17 tion 129(c)(2).

18 “(2) ALLOWABLE ACTIVITIES.—An eligible enti-
19 ty that receives funds under this section may use
20 such funds to provide to eligible adults or eligible
21 youth the following:

22 “(A) Followup services after placement in
23 unsubsidized employment as described in sec-
24 tion 134(c)(2)(A)(xiii).

25 “(B) Apprenticeship programs.

1 “(C) Education in digital literacy skills.

2 “(D) Mentoring.

3 “(E) Assistance in obtaining employment,
4 including as a result of the eligible entity—

5 “(i) establishing and developing rela-
6 tionships and networks with large and
7 small employers; and

8 “(ii) coordinating with employers to
9 develop customized training programs and
10 on-the-job training.

11 “(F) Assistance with driver’s license rein-
12 statement and fees for driver’s licenses and
13 other necessary documents for employment.

14 “(G) Provision of or referral to evidence-
15 based mental health treatment by licensed prac-
16 titioners.

17 “(H) Provision of or referral to substance
18 use disorder treatment services, provided that
19 funds awarded under this section are only used
20 to provide such services to participants who are
21 unable to obtain such services through other
22 programs providing such services.

23 “(I) Provisions of or referral to supportive
24 services, provided that no more than 5 percent
25 of funds awarded to an eligible entity under

1 this section may be used to provide such serv-
2 ices to participants who are able to obtain such
3 services through other programs providing such
4 services.

5 “(3) ADMINISTRATIVE COST LIMIT.—An eligible
6 entity may not use more than 7 percent of the funds
7 received under this section for administrative costs,
8 including for costs related to collecting information,
9 analysis, and coordination for purposes of subsection
10 (e) or (f).

11 “(4) MATCHING FUNDS.—An eligible entity
12 shall provide a non-Federal contribution, which may
13 be provided in cash or in-kind, for the costs of the
14 project in an amount that is not less than 25 per-
15 cent of the total amount of funds awarded to the en-
16 tity for such period, except that the Secretary may
17 waive the matching funds requirement, on a case-by-
18 case basis and for not more than 20 percent of all
19 grants awarded, if the eligible entity demonstrates
20 significant financial hardship.

21 “(e) LEVELS OF PERFORMANCE.—

22 “(1) ESTABLISHMENT OF LEVELS.—

23 “(A) IN GENERAL.—The Secretary shall
24 establish expected levels of performance for re-
25 entry projects funded under this section for—

1 “(i) each of the primary indicators of
2 performance for adults and youth de-
3 scribed in section 116(b); and

4 “(ii) an indicator of performance es-
5 tablished by the Secretary with respect to
6 participant recidivism.

7 “(B) UPDATES.—The levels established
8 under subparagraph (A) shall be updated for
9 each 4-year-award period.

10 “(2) AGREEMENT ON PERFORMANCE LEVELS.—
11 In establishing and updating performance levels
12 under paragraph (1), the Secretary shall reach
13 agreement on such levels with the eligible entities re-
14 ceiving awards under this section that will be subject
15 to such levels, based on, as the Secretary determines
16 relevant for each indicator of performance, the fol-
17 lowing factors:

18 “(A) The expected performance levels of
19 each such eligible entity described in the appli-
20 cation submitted under subsection (c)(2)(H).

21 “(B) The local economic conditions of the
22 geographic area to be served by each such eligi-
23 ble entity, including differences in unemploy-
24 ment rates and job losses or gains in particular
25 industries.

1 “(C) The characteristics of project partici-
2 pants when entering the project involved, in-
3 cluding—

4 “(i) criminal records;

5 “(ii) indicators of poor work history;

6 “(iii) lack of work experience;

7 “(iv) lack of educational or occupa-
8 tional skills attainment;

9 “(v) low levels of literacy or English
10 proficiency;

11 “(vi) disability status;

12 “(vii) homelessness; and

13 “(viii) receipt of public assistance.

14 “(3) FAILURE TO MEET PERFORMANCE LEV-
15 ELS.—In the case of an eligible entity that fails to
16 meet the performance levels established under para-
17 graph (1) and updated to reflect the actual economic
18 conditions and characteristics of participants (as de-
19 scribed in paragraph (2)(C)) served by the reentry
20 project involved for any award year, the Secretary
21 shall provide technical assistance to the eligible enti-
22 ty, including the development of a performance im-
23 provement plan.

24 “(f) EVALUATION OF REENTRY PROJECTS.—

1 “(1) IN GENERAL.—Not later than 5 years
2 after the first award of funds under this section is
3 made, the Secretary (acting through the Chief Eval-
4 uation Officer) shall meet each of the following re-
5 quirements:

6 “(A) DESIGN AND CONDUCT OF EVALUA-
7 TION.—Design and conduct an evaluation to
8 evaluate the effectiveness of the reentry projects
9 funded under this section, which meets the re-
10 quirements of paragraph (2), and includes an
11 evaluation of each of the following:

12 “(i) The effectiveness of such projects
13 in assisting individuals with finding em-
14 ployment and maintaining employment at
15 the second quarter and fourth quarter
16 after unsubsidized employment is obtained.

17 “(ii) The effectiveness of such projects
18 in assisting individuals with earning recog-
19 nized postsecondary credentials.

20 “(iii) The effectiveness of such
21 projects in relation to their cost, including
22 the extent to which the projects improve
23 reentry outcomes, including in employ-
24 ment, compensation (which may include
25 wages earned and benefits), career ad-

1 vancement, measurable skills gains, creden-
2 tials earned, and recidivism of participants
3 in comparison to comparably situated indi-
4 viduals who did not participate in such
5 projects.

6 “(iv) The effectiveness of specific
7 services and interventions provided and of
8 the overall project design.

9 “(v) If applicable, the extent to which
10 such projects effectively serve various de-
11 mographic groups, including people of dif-
12 ferent geographic locations, ages, races,
13 national origins, sex, and criminal records,
14 and individuals with disabilities.

15 “(vi) If applicable, the appropriate se-
16 quencing, combination, or concurrent
17 structure, of services for each subpopula-
18 tion of individuals who are participants of
19 such projects, such as the order, combina-
20 tion, or concurrent structure and services
21 in which transitional jobs and occupational
22 skills development are provided, to ensure
23 that such participants are prepared to fully
24 benefit from employment and training
25 services provided under the project.

1 “(vii) Limitations or barriers to edu-
2 cation and employment as a result of occu-
3 pational or educational licensing restric-
4 tions.

5 “(B) DATA ACCESSIBILITY.—Make avail-
6 able, on the publicly accessible website of the
7 Department of Labor, data collected during the
8 course of evaluation under this subsection, in
9 an aggregated format that does not disclose
10 personally identifiable information.

11 “(2) DESIGN REQUIREMENTS.—An evaluation
12 under this subsection—

13 “(A) shall—

14 “(i) be designed by the Secretary (act-
15 ing through the Chief Evaluation Officer)
16 in conjunction with the eligible entities car-
17 rying out the reentry projects being evalu-
18 ated;

19 “(ii) include analysis of participant
20 feedback and outcome and process meas-
21 ures; and

22 “(iii) use designs that employ the
23 most rigorous analytical and statistical
24 methods that are reasonably feasible, such
25 as the use of control groups; and

1 “(B) may not—

2 “(i) collect personally identifiable in-
3 formation, except to the extent such infor-
4 mation is necessary to conduct the evalua-
5 tion; or

6 “(ii) reveal or share personally identi-
7 fiable information.

8 “(3) PUBLICATION AND REPORTING OF EVAL-
9 UATION FINDINGS.—The Secretary (acting through
10 the Chief Evaluation Officer) shall—

11 “(A) in accordance with the timeline deter-
12 mined to be appropriate by the Chief Evalua-
13 tion Officer, publish an interim report on such
14 evaluation;

15 “(B) not later than 90 days after the date
16 on which any evaluation is completed under this
17 subsection, publish and make publicly available
18 such evaluation; and

19 “(C) not later than 60 days after the com-
20 pletion date described in subparagraph (B),
21 submit to the Committee on Education and the
22 Workforce of the House of Representatives and
23 the Committee on Health, Education, Labor,
24 and Pensions of the Senate a report on such
25 evaluation.

1 “(g) ANNUAL REPORT.—

2 “(1) CONTENTS.—Subject to paragraph (2),
3 the Secretary shall post, using transparent, linked,
4 open, and interoperable data formats, on its publicly
5 accessible website, an annual report on—

6 “(A) the number of individuals who par-
7 ticipated in projects assisted under this section
8 for the preceding year;

9 “(B) the percentage of such individuals
10 who successfully completed the requirements of
11 such projects;

12 “(C) the performance of eligible entities on
13 such projects as measured by the performance
14 indicators set forth in subsection (e); and

15 “(D) an explanation of any waivers grant-
16 ed by the Secretary of the matching require-
17 ment under subsection (d)(4) .

18 “(2) DISAGGREGATION.—The information pro-
19 vided under subparagraphs (A) through (C) of para-
20 graph (1) with respect to a year shall be
21 disaggregated by each project assisted under this
22 section for such year.

23 “(h) RESERVATION OF FUNDS.—Of the funds appro-
24 priated under section 174(e) for a fiscal year, the Sec-
25 retary—

1 “(1) may reserve not more than 5 percent for
2 the administration of grants, contracts, and coopera-
3 tive agreements awarded under this section, of which
4 not more than 2 percent may be reserved for the
5 provision of—

6 “(A) technical assistance to eligible entities
7 that receive funds under this section; and

8 “(B) outreach and technical assistance to
9 eligible entities desiring to receive such funds,
10 including assistance with application develop-
11 ment and submission; and

12 “(2) shall reserve not less than 1 percent and
13 not more than 2.5 percent for the evaluation activi-
14 ties under subsection (f) or to support eligible enti-
15 ties with any required data collection, analysis, and
16 coordination related to such evaluation activities.

17 “(i) DEFINITIONS.—In this section:

18 “(1) CHIEF EVALUATION OFFICER.—The term
19 ‘Chief Evaluation Officer’ means the head of the
20 independent evaluation office located in the Office of
21 the Assistant Secretary for Policy of the Department
22 of Labor.

23 “(2) COMMUNITY SUPERVISION.—The term
24 ‘community supervision’ means mandatory oversight

1 (including probation and parole) of a formerly incar-
2 cerated person—

3 “(A) who was convicted of a crime by a
4 judge or parole board; and

5 “(B) who is living outside a secure facility.

6 “(3) CORRECTIONAL INSTITUTION.—The term
7 ‘correctional institution’ has the meaning given the
8 term in section 225(e).

9 “(4) ELIGIBLE ENTITY.—The term ‘eligible en-
10 tity’ means—

11 “(A) a private nonprofit organization
12 under section 501(c)(3) of the Internal Revenue
13 Code of 1986, including a community-based or
14 faith-based organization;

15 “(B) a local board;

16 “(C) a State or local government;

17 “(D) an Indian or Native American entity
18 eligible for grants under section 166;

19 “(E) a labor organization or joint labor-
20 management organization;

21 “(F) an industry or sector partnership;

22 “(G) an institution of higher education; or

23 “(H) a consortium of the entities described
24 in subparagraphs (A) through (H).

1 “(5) ELIGIBLE ADULT.—The term ‘eligible
2 adult’ means a justice-involved individual who 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-quality
17 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 ties 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 allot 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 igible 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 sserting “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”.

