

[DISCUSSION DRAFT]

117TH CONGRESS  
2D SESSION

H. R. \_\_\_\_\_

To reauthorize the Workforce Innovation and Opportunity Act.

IN THE HOUSE OF REPRESENTATIVES

M. \_\_\_\_\_ introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

A BILL

To reauthorize the Workforce Innovation and Opportunity  
Act.

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

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. REFERENCES.**

7 Except as otherwise expressly provided, whenever in  
8 this Act an amendment or repeal is expressed in terms  
9 of an amendment to, or repeal of, a section or other provi-  
10 sion, the reference shall be considered to be made to a

1 section or other provision of the Workforce Innovation and  
2 Opportunity Act (29 U.S.C. 3101 et seq.).

3 **SEC. 3. TABLE OF CONTENTS.**

4 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. References.
- Sec. 3. Table of contents.

TITLE I—DEFINITIONS AND OTHER GENERAL MATTERS

Sec. 101. Definitions.

TITLE II—WORKFORCE DEVELOPMENT ACTIVITIES

Subtitle A—System Alignment

CHAPTER 1—STATE PROVISIONS

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

CHAPTER 2—LOCAL PROVISIONS

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

CHAPTER 3—PERFORMANCE ACCOUNTABILITY

Sec. 211. Performance accountability system.

Subtitle B—Workforce Investment Activities and Providers

CHAPTER 1—WORKFORCE INVESTMENT ACTIVITIES AND PROVIDERS

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

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES

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

CHAPTER 3—ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES

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

CHAPTER 4—GENERAL WORKFORCE INVESTMENT PROVISIONS

Sec. 251. Authorization of appropriations.

Subtitle C—Job Corps

Sec. 261. Amendments relating to Job Corps.

Subtitle D—National Programs

- Sec. 271. Native American Programs.
- Sec. 272. Migrant and seasonal farmworker programs.
- Sec. 273. Technical assistance.
- Sec. 274. Evaluations and research.
- Sec. 275. National dislocated worker grants.
- Sec. 276. YouthBuild program.
- Sec. 277. Community college and industry partnership grants.
- Sec. 278. Reentry employment opportunities.
- Sec. 279. Authorization of appropriations.

Subtitle E—Administration

- Sec. 281. Nondiscrimination.
- Sec. 282. Secretarial administrative authorities and responsibilities.

TITLE III—ADULT EDUCATION AND FAMILY LITERACY

- Sec. 301. Family literacy.
- Sec. 302. Purpose.
- Sec. 303. Definitions.
- Sec. 304. Authorization of appropriations.
- Sec. 305. Performance accountability system.
- Sec. 306. State distribution of funds; matching requirement.
- Sec. 307. State leadership activities.
- Sec. 308. Local administrative cost limits.
- Sec. 309. National leadership activities.
- Sec. 310. Technical corrections to other laws.

TITLE IV—AMENDMENT TO THE WAGNER-PEYSER ACT

- Sec. 401. Workforce and labor market information system.

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

3       **SEC. 101. DEFINITIONS.**

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

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

1           “(A) who is a youth, that the individual  
2           has English reading, writing, or computing  
3           skills at or below the 8th grade level on a gen-  
4           erally accepted standardized test; or

5           “(B) who is a youth or adult, that the in-  
6           dividual is unable to compute or solve problems,  
7           or read, write, or speak English, or does not  
8           possess digital literacy, interpersonal commu-  
9           nication, time management, critical thinking, or  
10          financial literacy skills at a level necessary to  
11          function on the job, in the individual’s family,  
12          or in society.”.

13          (b) CAREER PATHWAY.—Paragraph (7) of section 3  
14          (29 U.S.C. 3102) is amended to read as follows:

15                 “(7) CAREER PATHWAY.—The term ‘career  
16                 pathway’ means a combination of rigorous and high-  
17                 quality education, training, and other services that—

18                         “(A) are designed to support progression  
19                         towards attainment of a recognized postsec-  
20                         ondary credential;

21                         “(B) aligns with the skill needs of indus-  
22                         tries in the economy of the State or regional  
23                         economy involved;

24                         “(C) includes multiple entry and exit  
25                         points;

1           “(D) prepares an individual to be success-  
2           ful in any of a full range of secondary or post-  
3           secondary education options, including appren-  
4           ticeship programs;

5           “(E) provides individualized career serv-  
6           ices, including counseling to support an indi-  
7           vidual in achieving the individual’s education  
8           and career goals, and helping the individual to  
9           identify and access the most accelerated path to  
10          skills and credentials that are needed for the  
11          educational and career advancement of the indi-  
12          vidual;

13          “(F) includes supportive services;

14          “(G) includes, as appropriate, education  
15          offered concurrently with and in the same con-  
16          text as workforce preparation activities and  
17          training for a specific occupation or occupa-  
18          tional cluster (such as through work-based  
19          learning opportunities);

20          “(H) organizes education, training, and  
21          other services to meet the particular needs of  
22          an individual in a manner that accelerates the  
23          educational and career advancement of the indi-  
24          vidual to the extent practicable;

1           “(I) enables an individual to attain a sec-  
2           ondary school diploma or its recognized equiva-  
3           lent as applicable, and at least 1 recognized  
4           postsecondary credential; and

5           “(J) helps an individual enter or advance  
6           within a specific occupation or occupational  
7           cluster.”;

8           (c) DISLOCATED WORKER.—Paragraph (15) of sec-  
9           tion 3 (29 U.S.C. 3102) is amended—

10           (1) in subparagraph (A)—

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

13           (B) in clause (ii)—

14           (i) in subclause (I), by striking “or”  
15           at the end;

16           (ii) in subclause (II), by striking  
17           “and” at the end and inserting “or”; and

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

20           “(III) has been an unemployed individual  
21           for 27 weeks or more;” and

22           (C) by striking clause (iii);

23           (2) by redesignating subparagraphs (D) and  
24           (E) as subparagraphs (E) and (F), respectively;

1 (3) by inserting “or” at the end of subpara-  
2 graph (C); and

3 (4) by adding at after subparagraph (C) the fol-  
4 lowing:

5 “(D)(i) is currently engaged in the occa-  
6 sional performance of services for remuneration;  
7 and

8 “(ii) is self-employed, is seeking part-time  
9 employment, does not have sufficient work his-  
10 tory, or otherwise would not qualify for regular  
11 unemployment or extended benefits under State  
12 or Federal law.”; and

13 (5) in subparagraph (E), as so redesignated, by  
14 striking “homemaker” and inserting “caregiver”.

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

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

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

20 (A) by striking “homemaker” and insert-  
21 ing “caregiver”;

22 (B) by striking “family members” and in-  
23 sserting “a family member”;

24 (3) in subparagraph (A)—

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

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

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

6 “(iii) has involuntarily left the labor mar-  
7 ket to provide care for a relative or dependent;  
8 and”.

9 (e) ELIGIBLE YOUTH.—Paragraph (18) of section 3  
10 (29 U.S.C. 3102) is amended to read as follows:

11 “(18) ELIGIBLE YOUTH.—Except as provided  
12 in subtitles C and D of title I, the term ‘eligible  
13 youth’ means—

14 “(A) an opportunity youth; or

15 “(B) a youth who is not younger than 14  
16 years of age and not older than 24 years of age,  
17 who can self-attest to a one-stop operator or  
18 one-stop center, in a manner consistent with  
19 subsection 402A(e) of the Higher Education  
20 Act of 1965 (20 U.S.C. 1070a–11(e)), that the  
21 youth—

22 “(i) is attending school (as defined by  
23 State law);

24 “(ii) is a low-income individual or liv-  
25 ing in a local area with a higher percent-



1 age of low-income individuals as compared  
2 to the State; and

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

4 “(I) A youth with foundational  
5 skill needs.

6 “(II) An English learner.

7 “(III) An individual impacted by  
8 the juvenile or adult justice system.

9 “(IV) A homeless individual (as  
10 defined in section 41403(6) of the Vi-  
11 olence Against Women Act of 1994  
12 (42 U.S.C. 14043e-2(6))), a homeless  
13 child or youth (as defined in section  
14 725(2) of the McKinney-Vento Home-  
15 less Assistance Act (42 U.S.C.  
16 11434a(2))), a runaway, in foster care  
17 or has aged out of the foster care sys-  
18 tem, a child eligible for assistance  
19 under section 477 of the Social Secu-  
20 rity Act (42 U.S.C. 677), or in an  
21 out-of-home placement.

22 “(V) An individual who is preg-  
23 nant or parenting.

24 “(VI) An individual with a dis-  
25 ability.

1                   “(VII) A youth who is an at-risk  
2                   youth (as defined in section 1432 of  
3                   the Elementary and Secondary Edu-  
4                   cation Act of 1965 (20 U.S.C.  
5                   6472)).”.

6           (f) ENGLISH LEARNER.—Paragraph (21) of section  
7 3 (29 U.S.C. 3102) is amended—

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

9           and

10                   (2) by striking “language”.

11           (g) INDIVIDUAL WITH A BARRIER TO EMPLOY-  
12 MENT.—Paragraph (24) of section 3(29 U.S.C. 3102) is  
13 amended to read as follows:

14                   “(24) INDIVIDUAL WITH A BARRIER TO EM-  
15 PLOYMENT.—The term ‘individual with a barrier to  
16 employment’ means a member of 1 or more of the  
17 following populations:

18                           “(A) Displaced caregivers.

19                           “(B) Low-income individuals.

20                           “(C) Indians, Alaska Natives, and Native  
21 Hawaiians, as such terms are defined in section  
22 166.

23                           “(D) Individuals with disabilities, including  
24 youth who are individuals with disabilities.

25                           “(E) Older individuals.

1           “(F) Justice-involved individuals.

2           “(H) Homeless individuals (as defined in  
3 section 41403(6) of the Violence Against  
4 Women Act of 1994 (42 U.S.C. 14043e-2(6))),  
5 or homeless children and youths (as defined in  
6 section 725(2) of the McKinney-Vento Home-  
7 less Assistance Act (42 U.S.C. 11434a(2))).

8           “(I) Youth who are in or have aged out of  
9 the foster care system.

10           “(J) Individuals who are English language  
11 learners, individuals who have low levels of lit-  
12 eracy including digital literacy, and individuals  
13 facing substantial cultural barriers.

14           “(K) Eligible migrant and seasonal farm-  
15 workers, as defined in section 167(i).

16           “(L) Individuals within 2 years of exhaust-  
17 ing lifetime eligibility under part A of title IV  
18 of the Social Security Act (42 U.S.C. 601 et  
19 seq.).

20           “(M) Single parents (including single preg-  
21 nant women).

22           “(N) Long-term unemployed individuals.

23           “(O) The spouse of, or youth with a par-  
24 ent, who is—

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

4 “(ii) on active duty (as such term is  
5 defined in section 101(d)(1) of such title);

6 and

7 “(iii) deployed or recently transferred.

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

12 “(Q) Such other groups as the Governor  
13 involved determines to have barriers to employ-  
14 ment.”.

15 (h) INSTITUTION OF HIGHER EDUCATION.—Para-  
16 graph (28) of section 3 (29 U.S.C. 3102) is amended by  
17 striking “subparagraphs (A) and (B) of section  
18 102(a)(1)” and inserting “subparagraph (B) of section  
19 102(a)(1)”.

20 (i) LABOR MARKET AREA.—Paragraph (30) of sec-  
21 tion 3(29 U.S.C. 3102) is amended by inserting “and the  
22 economic development agency” after “Department of  
23 Labor”.

24 (j) LOW-INCOME INDIVIDUAL.—Paragraph (36) of  
25 section 3 (29 U.S.C. 3102) is amended—

1 (1) in subparagraph (A)—

2 (A) in clause (ii)(I), by inserting “150 per-  
3 cent of” before “the poverty”;

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

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

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

9 “(vii) is an individual who is—

10 (I) an eligible migrant or sea-  
11 sonal farmworker, as defined in sec-  
12 tion 167(i); and

13 (II) in a family with total family  
14 income that does not exceed 150 per-  
15 cent of the poverty line.”; and

16 (2) in subparagraph (B), by striking “based on  
17 the most recent lower living family budget issued by  
18 the Secretary”.

19 (k) NONTRADITIONAL EMPLOYMENT.—Paragraph  
20 (37) of section 3 (29 U.S.C. 3102) is amended to read  
21 as follows:

22 “(37) NONTRADITIONAL EMPLOYMENT.—The  
23 term ‘nontraditional employment’ refers to occupa-  
24 tions or fields of work, for which a group of individ-

1 uals (such as individuals from the same gender,  
2 race, or ethnicity), the members of which—

3 “(A) comprise less than 25 percent of the  
4 individuals employed in each such occupation or  
5 field of work; or

6 “(B) comprise a percentage of individuals  
7 employed in such occupation that is lower than  
8 the percentage of the total population com-  
9 prised by such members, based on the most re-  
10 cent data from the Bureau of the Census.”.

11 (l) JUSTICE-INVOLVED INDIVIDUAL.—Paragraph  
12 (38) of section 3 (29 U.S.C. 3102) is amended—

13 (1) in the heading, by striking “OFFENDER”  
14 and inserting “JUSTICE-INVOLVED INDIVIDUAL”;  
15 and

16 (2) by striking “offender” and inserting “jus-  
17 tice-involved individual”.

18 (m) OPPORTUNITY YOUTH.—Paragraph (46) of sec-  
19 tion 3 (29 U.S.C. 3102) is amended to read as follows:

20 “(46) OPPORTUNITY YOUTH.—The term ‘op-  
21 portunity youth’—

22 “(A) means an individual older than 15  
23 years of age and younger than 25 years of age  
24 who is—

1 “(i) not attending any school (as de-  
2 fined under State law); and

3 “(ii) not employed; and

4 “(B) except in the case of an individual  
5 who is low-income and has foundational skill  
6 needs, does not include any individual who is a  
7 recipient of a secondary school diploma or its  
8 recognized equivalent.”.

9 (n) RAPID RESPONSE ACTIVITY.—Paragraph (51) of  
10 section 3 (29 U.S.C. 3102) is amended by inserting “in  
11 a job position of similar wages and benefits, to the great-  
12 est extent possible, or on the job training for a new occu-  
13 pation or industry,” after “reemployment”.

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

16 “(59) SUPPORTIVE SERVICES.—The term ‘sup-  
17 portive services’ means services such as transpor-  
18 tation, child care, dependent care, housing, food and  
19 nutrition services, mental health care supports, sub-  
20 stance use disorder treatment, access to the internet,  
21 assistive technology, and needs-related payments,  
22 that are necessary to enable an individual to partici-  
23 pate in workforce development activities.”; and

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

4 (1) by adding at the end the following new  
5 paragraphs:

6 “(72) APPRENTICESHIP PROGRAM.—The term  
7 ‘apprenticeship program’ means a program reg-  
8 istered under the Act of August 16, 1937 (commonly  
9 known as the ‘National Apprenticeship Act’; 50  
10 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

11 “(73) COENROLLMENT.—The term ‘coenroll-  
12 ment’ means simultaneous enrollment in more than  
13 one of the programs or activities carried out by a  
14 one-stop partner in section 121(b)(1)(B).

15 “(74) COMPETENCY.—The term ‘competency’  
16 means the attainment of knowledge, skills, and abili-  
17 ties in a subject area, as specified by an occupa-  
18 tional skill standard and demonstrated by an appro-  
19 priate written or hands-on proficiency measurement.

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

24 “(76) EVIDENCE-BASED.—The term ‘evidence-  
25 based’, when used with respect to an activity, strat-



1       egy, or intervention, means an activity, strategy or  
2       intervention that—

3               “(A) demonstrates a statistically signifi-  
4               cant effect on improving participant outcomes  
5               or other relevant outcomes based on—

6               “(i) strong evidence from at least 1  
7               well-designed and well-implemented experi-  
8               mental study;

9               “(ii) moderate evidence from at least  
10              1 well-designed and well-implemented  
11              quasi-experimental study; or

12              “(iii) promising evidence from at least  
13              1 well-designed and well-implemented cor-  
14              relational study with statistical controls for  
15              selection bias; or

16              “(B)(i) demonstrates a rationale based on  
17              high-quality research findings or positive eval-  
18              uation that such activity, strategy, or interven-  
19              tion is likely to improve student outcomes or  
20              other relevant outcomes; and

21              “(ii) includes ongoing efforts to examine  
22              the effects of such activity, strategy, or inter-  
23              vention.

24              “(77) INDUSTRY-RECOGNIZED CREDENTIAL.—

25              The term ‘industry-recognized credential’ means a

1 certificate or certification, with respect to an indus-  
2 try sector or occupation, in accordance with guid-  
3 ance provided by the Secretary, which may include  
4 validation by documenting utilization of such creden-  
5 tial or certification to a State board or local board  
6 by—

7 “(A) an industry or sector partnership;

8 “(B) a labor or joint labor-management or-  
9 ganization or an industry association so long as  
10 such organization or association is not offering  
11 such credential; or

12 “(C) 3 or more employers on a State or  
13 local board.

14 “(78) LABOR ORGANIZATION.—The term ‘labor  
15 organization’ has the meaning given the term in sec-  
16 tion 2(5) of the National Labor Relations Act (29  
17 U.S.C. 152(5)), except that such term shall also in-  
18 clude—

19 “(A) any organization composed of labor  
20 organizations, such as a labor union federation  
21 or a State or municipal labor body; and

22 “(B) any organization which would be in-  
23 cluded in the definition for such term under  
24 such section 2(5) but for the fact that the orga-  
25 nization represents—

1 “(i) individuals employed by the  
2 United States, any wholly owned Govern-  
3 ment corporation, any Federal Reserve  
4 Bank, or any State or political subdivision  
5 thereof;

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

9 “(iii) individuals employed as agricul-  
10 tural laborers.

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

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

16 “(B) is carried out by a sponsor that has  
17 a written agreement with 1 or more sponsors of  
18 apprenticeship programs that would enable par-  
19 ticipants who successfully complete the pre-ap-  
20 prenticeship program—

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

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

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

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

13 “(80) WORK-BASED LEARNING.—The term  
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. 2302).

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

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

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

1           betical order, and renumbering such paragraphs as  
2           so reordered.

3                           **TITLE II—WORKFORCE**  
4                           **DEVELOPMENT ACTIVITIES**  
5                           **Subtitle A—System Alignment**  
6                           **CHAPTER 1—STATE PROVISIONS**

7   **SEC. 201. STATE WORKFORCE DEVELOPMENT BOARDS.**

8           (a) MEMBERSHIP.—Section 101(b)(1)(C) of the  
9   Workforce Innovation and Opportunity Act (29 U.S.C.  
10 3111(b)(1)(C)) is amended—

11                   (1) in clause (ii)—

12                           (A) in the matter preceding subclause (I),  
13                           by striking “20 percent” and inserting “30 per-  
14                           cent”;

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

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

19                   (2) in clause (iii)—

20                           (A) in subclause (I)—

21                                   (i) by striking “and” at the end of  
22                                   item (aa); and

23                                   (ii) by adding at the end the fol-  
24                                   lowing:

1                   “(cc) State agency officials  
2                   responsible for education pro-  
3                   grams in the State, including sec-  
4                   ondary education and adult edu-  
5                   cation programs, and chief execu-  
6                   tive officers of community col-  
7                   leges and other institutions of  
8                   higher education; and”;

9                   (B) in subclause (II)—

10                   (i) by amending item (bb) to read as  
11                   follows:

12                   “(bb) State agency officials  
13                   responsible for adult and or juve-  
14                   nile justice programs in the  
15                   State;”;

16                   (ii) by striking “and” at the end of  
17                   item (cc); and

18                   (iii) by striking item (dd); and

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

21                   “(dd) State agency officials  
22                   responsible for vocational reha-  
23                   bilitation; and

1 “(ee) State agency officials  
2 responsible for economic develop-  
3 ment.”.

4 (3) DIVERSE AND DISTINCT REPRESENTA-  
5 TION.—Section 101(b)(2) (29 U.S.C. 3111(b)(2)) is  
6 amended by inserting before the period at the end  
7 the following: “, and diverse demographic popu-  
8 lations of the State (taking into consideration gen-  
9 der, race, age and individuals with barriers to em-  
10 ployment in the State)”.

11 (4) FUNCTIONS.—Section 101(d) (29 U.S.C.  
12 3111(d)) is amended—

13 (A) in paragraph (3)—

14 (i) in subparagraph (A), strike “and  
15 avoid duplication” and insert “avoid dupli-  
16 cation, and leverage resources and exper-  
17 tise”;

18 (ii) in subparagraph (B)—

19 (I) by inserting “and expand”  
20 after “support”; and

21 (II) by striking “enter or retain  
22 employment” and inserting “enter in,  
23 retain, or progress in employment”;

24 (iii) in subparagraph (C)—

1 (I) by inserting “and equitable”  
2 after “effective”; and

3 (II) by inserting “, including in-  
4 dividuals with barriers to employ-  
5 ment” after “system”;

6 (iv) in subparagraph (E), by striking  
7 “identification of” and inserting “contin-  
8 ued identification of and support for”;

9 (v) in subparagraph (F)—

10 (I) by inserting “affiliated sites,”  
11 after “partners,”; and

12 (II) by striking “services and  
13 supportive” and inserting “services,  
14 career services, and supportive”; and

15 (vi) in subparagraph (G), by inserting  
16 “ongoing” after “support”;

17 (B) in paragraph (5)—

18 (i) in subparagraph (A), by striking  
19 “centers, relating to the use of business  
20 outreach, partnerships, and service delivery  
21 strategies, including” and inserting “cen-  
22 ters, including the use of evidence-based  
23 strategies for such operations, the latest in  
24 digital technology and tools, and the use of



1 partnerships to expand and improve serv-  
2 ices to jobseekers and workers, including”;

3 (ii) by redesignating subparagraphs  
4 (B) and (C) as subparagraphs (C) and  
5 (D), respectively;

6 (iii) by inserting after subparagraph  
7 (A) the following:

8 “(B) local boards and one-stop centers on  
9 effective outreach and enhanced services to  
10 businesses, joint labor-management partner-  
11 ships, industry associations, and industry or  
12 sector partnerships, to provide employment and  
13 training activities reflective of regional economic  
14 priorities and the skill and competency needs of  
15 in-demand industry sectors and occupations;”;  
16 and

17 (iv) in subparagraph (D), as so reded-  
18 icated, by striking “adaptability, to” and  
19 inserting “adaptability to reduce the time  
20 required for attainment of a recognized  
21 postsecondary credential or reskilling,  
22 and”; and

23 (C) in paragraph (7)—

24 (i) in the matter preceding subpara-  
25 graph (A), by striking “technological im-

1           provements to facilitate access” and insert-  
2           ing “improvements in the use of digital  
3           technology to facilitate and expand ac-  
4           cess”;

5           (ii) by amending subparagraphs (B)  
6           and (C) to read as follows:

7           “(B) accelerate—

8           “(i) the acquisition of skills, com-  
9           petencies, and recognized postsecondary  
10          credentials by participants with respect to  
11          an in-demand industry sector or occupa-  
12          tion in a State or local area; and

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

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

22          “(i) serving individuals with barriers  
23          to employment;

1 “(ii) preparing providers and work-  
2 force professionals to use the latest tech-  
3 nology; and

4 “(iii) accessing and understanding  
5 labor market data; and”; and

6 (iii) in subparagraph (D), by striking  
7 “with disabilities and individuals” and in-  
8 serting “with barriers to employment, in-  
9 cluding individuals with disabilities, and to  
10 individuals”.

11 **SEC. 202. UNIFIED STATE PLAN.**

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

13 (1) in subsection (b)—

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

16 “(1) STRATEGIC PLANNING ELEMENTS.—The  
17 unified State plan shall include strategic planning  
18 elements consisting of a strategic vision and goals  
19 for preparing an educated and skilled workforce,  
20 that include—

21 “(A) an analysis of the economic condi-  
22 tions in the State, including—

23 “(i) existing and emerging in-demand  
24 industry sectors and occupations;

1           “(ii) the employment needs of employ-  
2           ers, including a description of the knowl-  
3           edge, skills, competencies, and abilities cur-  
4           rently needed and projected to be needed,  
5           in those industries and occupations;

6           “(iii) the industry or sector partner-  
7           ships within the State and the opportuni-  
8           ties for expansion of such partnerships to  
9           support sector-specific initiatives; and

10          “(iv) projected industries or sectors  
11          within the State expected to decline or face  
12          significant changes in employment oppor-  
13          tunities;

14          “(B) an analysis of the current workforce,  
15          employment and unemployment data, labor  
16          market trends, and the educational and skill  
17          levels of the workforce, including individuals  
18          with barriers to employment (including individ-  
19          uals with disabilities), in the State;

20          “(C) an analysis of the workforce develop-  
21          ment activities (including career services, edu-  
22          cation, and training) in the State in order to  
23          address the identified education and skill needs  
24          of the workforce and the employment needs of  
25          employers in the State, including—

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

3 “(ii) the capacity of State entities to  
4 provide such activities that meet the spe-  
5 cific needs of youth, including opportunity  
6 youth, and individuals with barriers to em-  
7 ployment, including individuals with dis-  
8 abilities;

9 “(iii) an analysis of educational, skill,  
10 and competency levels of individuals served  
11 by the workforce system as compared to  
12 such levels required to address the employ-  
13 ment needs in the State; and

14 “(iv) an analysis of the career path-  
15 ways offered within the State, including an  
16 analysis of how such pathways are aligned  
17 to the education and training needs of the  
18 current and future workforce within the  
19 State, and the development and expansion  
20 of career pathways to meet current and fu-  
21 ture workforce needs;

22 “(D) a description of—

23 “(i) the State’s strategic vision and  
24 goals for preparing an educated and skilled  
25 workforce, including preparing youth (in-

1 cluding opportunity youth), and individuals  
2 with barriers to employment and for meet-  
3 ing the skilled workforce needs of employ-  
4 ers (including in existing and emerging in-  
5 demand industry sectors and occupations  
6 as identified by the State), and goals of  
7 the State relating to performance account-  
8 ability measures based on primary indica-  
9 tors of performance described in section  
10 116(b)(2)(A), in order to support economic  
11 growth and economic self-sufficiency;

12 “(ii) how the State will assess the  
13 overall effectiveness of the workforce in-  
14 vestment system in the State; and

15 “(iii) occupational licensing require-  
16 ments for specific occupations or industry  
17 sectors in the State; and

18 “(E) a description of the State’s strategy  
19 to achieve the strategic vision and goals de-  
20 scribed in subparagraph (D)(i) through—

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

23 “(I) core programs under this  
24 Act; and

1 “(II) the State’s career and tech-  
2 nical education programs and pro-  
3 grams of study under the Carl D.  
4 Perkins Career and Technical Edu-  
5 cation Act of 2006, and may include  
6 other Federal programs, as deter-  
7 mined appropriate by the State, such  
8 as—

9 “(aa) programs under the  
10 Elementary and Secondary Edu-  
11 cation Act of 1965;

12 “(bb) programs under the  
13 Individuals with Disabilities Edu-  
14 cation Act;

15 “(cc) programs under the  
16 Higher Education Act of 1965;  
17 and

18 “(dd) apprenticeship pro-  
19 grams;

20 “(ee) the Medicaid program  
21 under title XIX of the Social Se-  
22 curity Act (42 U.S.C. 1396 et  
23 seq.); and

24 “(ii) the provision of information  
25 about access to available State assistance

1 or assistance under related Federal pro-  
2 grams, including such assistance under—

3 “(I) section 6(d) of the Food and  
4 Nutrition Act of 2008;

5 “(II) section 3672(c)(1) of title  
6 38, United States Code;

7 “(III) section 231 of the Second  
8 Chance Act of 2007 (34 U.S.C.  
9 60541); and

10 “(IV) the State Temporary As-  
11 sistance for Needy Families programs  
12 under part A of title IV of the Social  
13 Security Act.”;

14 (B) by redesignating paragraphs (2) and  
15 (3) as paragraphs (3) and (4), respectively; and

16 (C) by inserting after paragraph (1) the  
17 following:

18 “(2) PLAN DEVELOPMENT.—

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

20 “(i) develop the unified State plan in  
21 consultation with—

22 “(I) representatives of local  
23 boards and chief elected officials;

24 “(II) eligible providers of training  
25 services, including eligible providers of



1 nontraditional training services and  
2 eligible providers of apprenticeship  
3 programs, and eligible providers of on-  
4 the-job training, customized training,  
5 incumbent worker training, intern-  
6 ships, paid or unpaid work experience  
7 opportunities, or transitional jobs, sec-  
8 ondary schools and institutions of  
9 higher education (including institu-  
10 tions offering career and technical  
11 education programs, minority-serving  
12 institutions, and historically Black col-  
13 leges and universities), and providers  
14 of supported employment services;

15 “(III) interested community rep-  
16 resentatives, including community-  
17 based organizations;

18 “(IV) individuals with barriers to  
19 employment or organizations rep-  
20 resenting such individuals;

21 “(V) representatives of business  
22 and industry, including representa-  
23 tives of small business and representa-  
24 tives of industry and sector partner-  
25 ships in the State;

1 “(VI) representatives of labor or-  
2 ganizations and joint labor-manage-  
3 ment organizations in the State;

4 “(VII) representatives of agencies  
5 serving opportunity youth, and home-  
6 less children and youth, including the  
7 State Coordinator for Education of  
8 Homeless Children and Youths estab-  
9 lished or designated under section  
10 722(d)(3) of the McKinney-Vento  
11 Homeless Assistance Act (42 U.S.C.  
12 11432(d)(3));

13 “(VIII) representatives of Indian  
14 tribes and tribal organizations located  
15 in, or providing services in, the State;

16 “(IX) representatives of the adult  
17 education and literacy community;  
18 and

19 “(X) other primary stakeholders;  
20 and

21 “(ii) consult the heads of other State  
22 agencies with respect to the development of  
23 the unified State plan, including the State  
24 designated unit under subparagraph (A) of

1 section 101(a)(11) of the Rehabilitation  
2 Act of 1973.

3 “(B) PUBLIC COMMENT.—

4 “(i) WRITTEN COMMENTS.—Not less  
5 than 60 days prior to submission of the  
6 unified State plan, the Governor shall pro-  
7 vide stakeholders described in subpara-  
8 graph (A)(i) with the opportunity to pro-  
9 vide written comments, which shall be in-  
10 cluded in the unified State plan, regarding  
11 how the unified State plan—

12 “(I) meets the requirements of  
13 this Act;

14 “(II) supports the improvement  
15 of performance of individuals with  
16 barriers to employment;

17 “(III) supports the employment  
18 needs of the State (including the busi-  
19 ness community, labor organizations,  
20 education and training providers, and  
21 other relevant parties), including in  
22 the design and content of the training,  
23 work experience, career exploration,  
24 on-the-job training, and other career  
25 and training activities (including in-

1 formation related to employment op-  
2 portunities, wage rates, benefits, ca-  
3 reer pathways, and in-demand indus-  
4 try sectors and occupations); and

5 “(IV) takes into account collec-  
6 tive bargaining agreements that in-  
7 clude training or subsidized employ-  
8 ment, including how the elements of  
9 such training or employment may af-  
10 fect the bargaining agreement (such  
11 as wages, benefits, and other factors).

12 “(ii) STATE WORKFORCE AGENCY RE-  
13 SPONSE.—Each State plan shall include a  
14 written response to the comments provided  
15 by stakeholders under clause (i).”;

16 (D) in paragraph (3), as so redesignated—  
17 (i) in subparagraph (B)—

18 (I) in clause (iv), by striking  
19 “colleges and area career and tech-  
20 nical education schools” and inserting  
21 “colleges, secondary schools and area  
22 career and technical education  
23 schools, and adult education providers  
24 under title II”;

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

3 (III) by amending clause (vi) to  
4 read as follows:

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

6 (I) improve access to activities  
7 leading to a recognized postsecondary  
8 credential (including credentials that  
9 are portable, stackable, and aligned to  
10 high-skill, high-wage, or in-demand in-  
11 dustry sectors and occupations); and

12 (II) assess and validate the  
13 skills and competencies of such cre-  
14 dentials and alignment to new or ex-  
15 isting career pathways;” and

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

18 “(vii) how the State and local areas  
19 will collect data necessary to effectively  
20 measure the quality of programs under  
21 section 116; and

22 “(viii) how the State will work with  
23 local areas to achieve equitable service de-  
24 livery and outcomes for individuals with  
25 barriers to employment by applying the in-

1 formation provided in the State equity re-  
2 port for such State under section 116(f).”;

3 (ii) in subparagraph (D)—

4 (I) in clause (i)(II), by striking  
5 “local boards and chief elected offi-  
6 cials in determining the planning re-  
7 gions” and inserting “the State eco-  
8 nomic development agency to support  
9 alignment to the extent practicable,  
10 local boards and chief elected officials  
11 in determining the planning regions  
12 and work of such regions”; and

13 (II) in clause (ii)—

14 (aa) in subclause (V), by in-  
15 serting “and” at the end; and

16 (bb) by adding at the end  
17 the following:

18 “(VI) how the eligible agency will  
19 promote the professionalization of  
20 adult education through the adoption  
21 of full-time staffing models, including,  
22 at the eligible agency’s discretion, how  
23 the eligible agency will give funding  
24 priority to local providers that have  
25 adopted such models;” and

1 (iii) in subparagraph (E)(iii)—  
2 (I) in subclause (I), by inserting  
3 “, ensuring that services and re-  
4 sources are accessible throughout the  
5 State and local areas, including in  
6 urban, rural and suburban areas”  
7 after “such programs”; and  
8 (II) by amending subclause (II)  
9 to read as follows:

10 “(II) that the State obtained input  
11 into the development of the unified State  
12 plan and provided an opportunity for com-  
13 ment on the plan by the individuals listed  
14 in subsection (b)(2)(A)(i), and that the  
15 unified State plan is available and acces-  
16 sible to the general public;” and

17 (2) in subsection (c)(1)(A), by striking “the  
18 Workforce Innovation and Opportunity Act” and in-  
19 sserting “the Workforce Innovation and Opportunity  
20 Act of 2022”.

21 **SEC. 203. COMBINED STATE PLAN.**

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

24 “(L) Apprenticeship programs.”.

1           **CHAPTER 2—LOCAL PROVISIONS**

2   **SEC. 206. WORKFORCE DEVELOPMENT AREAS.**

3           (a) REGIONS.—Section 106(a)(1) (29 U.S.C.  
4 3121(a)(1)) is amended—

5                   (1) by striking “this Act” and inserting “the  
6 Workforce Innovation and Opportunity Act of 2022”  
7 ; and

8                   (2) by inserting “, the State economic develop-  
9 ment agency, the State apprenticeship agency, as  
10 applicable,” after “local boards”.

11          (b) LOCAL AREAS.—Section 106(b) (29 U.S.C.  
12 3121(b)) is amended—

13                   (1) in paragraph (1)—

14                           (A) by amending subparagraph (A)(ii) to  
15 read as follows:

16                                   “(ii) after consultation with the State  
17 economic development agency, chief elected  
18 officials, and local boards, and consider-  
19 ation of comments received through the  
20 public comment process as described in  
21 section 102(b)(2)(E)(iii)(II).”;

22                           (B) in subparagraph (B)—

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

25                                   (ii) in clause (iii)—



1 (I) by striking “higher education  
2 and” and inserting “higher edu-  
3 cation,”; and

4 (II) by striking the period at the  
5 end and inserting “, and apprentice-  
6 ship programs; and”; and

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

9 “(iv) improve service delivery and effi-  
10 ciency under the workforce development  
11 system, and provide for sufficient access to  
12 comprehensive one-stop centers and affili-  
13 ated sites.”; and

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

15 “(C) CONSULTATIONS.—The State eco-  
16 nomic development agency, chief elected offi-  
17 cials, and local boards shall provide such con-  
18 sultations as requested by the Governor in a  
19 timely manner.”;

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

22 “(2) INITIAL DESIGNATION.—During the first 2  
23 full program years following the date of enactment  
24 of the Workforce Innovation and Opportunity Act of  
25 2022, the Governor shall approve a request for ini-

1 tial designation as a local area from any area that  
2 was designated as a local area for purposes of this  
3 Act or the 2-year period preceding the date of enact-  
4 ment of the Workforce Innovation and Opportunity  
5 Act of 2022, performed successfully, and sustained  
6 fiscal integrity.”; and

7 (3) in paragraph (4), by adding at the end the  
8 following: “Such designation may include the com-  
9 bining of areas that were designated as local areas  
10 under this subsection before the date of enactment  
11 of the Workforce Innovation and Opportunity Act of  
12 2022 within a region described in subsection (a), to  
13 form a new, redesignated local area under this sub-  
14 section, if all chief elected officials and local boards  
15 in the affected areas agree to such a redesignation.”.

16 (c) REGIONAL COORDINATION.—Section 106(c)(1)  
17 (29 U.S.C. 3121(c)(1)) is amended—

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

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

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

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

1           “(I) the analysis of in-demand skills and  
2           competencies within the region, and cor-  
3           responding wages offered for jobs requiring  
4           such skills and competencies.”.

5           (d) DEFINITIONS.—Section 106(e) (29 U.S.C.  
6 3121(e))—

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

12          (2) in paragraph (2), by striking “(or, if appli-  
13          cable, title I of the Workforce Investment Act of  
14          1998 as in effect prior to the effective date of such  
15          subtitle B)”.

16 **SEC. 207. LOCAL WORKFORCE DEVELOPMENT BOARDS.**

17          (a) MEMBERSHIP.—Section 107(b) (29 U.S.C.  
18 3122(b)) is amended—

19           (1) in paragraph (2)—

20           (A) in subparagraph (B)—

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

23           (ii) in clause (iv)—

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

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

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

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

7 (D) by striking the period at the end of  
8 subparagraph (E) and inserting a semicolon;  
9 and

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

11 “(F) DEMOGRAPHIC DIVERSITY.—The  
12 members of the local board shall represent di-  
13 verse demographic populations of the local area  
14 (taking into consideration gender, race, age and  
15 individuals with barriers to employment in the  
16 local area).”;

17 (2) in paragraph (3), by adding at the end the  
18 following: “Each chairperson shall provide each new  
19 board member with information on the local area,  
20 employment opportunities (including youth employ-  
21 ment opportunities), industry or sector partnerships,  
22 eligible providers or training services, and demo-  
23 graphic information of participants served including  
24 individuals with barriers to employment.”; and

25 (3) in paragraph (4)(A)—

1 (A) in clause (ii), by inserting “, if applica-  
2 ble, YouthBuild operators, and” after “in-  
3 clude”;

4 (B) in clause (iii), by inserting before the  
5 period at the end the following: “, which include  
6 individuals with disabilities or representatives of  
7 organizations serving individuals with disabil-  
8 ities” ; and

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

10 “(iv) A standing committee to provide  
11 information to assist with planning, oper-  
12 ational, and other issues relating to the  
13 provision of adult education services, which  
14 shall include providers of adult education  
15 carried out under title II of this Act.

16 “(v) A standing committee to provide  
17 information related to work-based learning  
18 opportunities, which shall include a rep-  
19 resentative from a provider of work-based  
20 learning, including a provider of related in-  
21 struction under an apprenticeship.

22 “(vi) A standing committee to provide  
23 information to assist with responding to  
24 rapid changes in the economy such as  
25 mass layoffs, unexpected increases in un-

1 employment, introduction of new employ-  
2 ment opportunities, including the assess-  
3 ment of the in-demand skills and com-  
4 petencies of the local area.”.

5 (b) APPOINTMENT AND CERTIFICATION OF  
6 BOARD.—Section 107(c) (29 U.S.C. 3122(c))—

7 (1) in paragraph (1), by adding at the end the  
8 following:

9 “(D) PUBLICATION.—The chief elected of-  
10 ficial or officials appointing the board for a  
11 local area shall make publicly available the  
12 membership of the board (including information  
13 identifying how the membership composition re-  
14 quirements of subsection (b) have been met),  
15 including by posting that information on the  
16 website of the appropriate unit of local govern-  
17 ment included in the local area.”; and

18 (2) in paragraph (4)(A), by striking “and (2)”  
19 and inserting “, (2), and (3)”.

20 (c) FUNCTIONS OF LOCAL BOARD.—Section 107(d)  
21 (29 U.S.C. 3122(d))—

22 (1) in paragraph (2)(A), by striking “skills”  
23 and inserting “, skills, and competencies”;

24 (2) in paragraph (4)—

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

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

5 “(C) to ensure that workforce investment  
6 activities meet the skilled workforce needs of  
7 employers and support economic growth in the  
8 region by enhancing communication, coordina-  
9 tion, and collaboration among employers, eco-  
10 nomic development entities, and service pro-  
11 viders, including by developing and imple-  
12 menting proven or promising strategies for—

13 “(i) meeting the employment, skill,  
14 and competency needs of workers and em-  
15 ployers (including the establishment of in-  
16 dustry and sector partnerships) and sup-  
17 porting skill and competency-based hiring;

18 “(ii) improving access to jobs in high-  
19 skill, high-wage, or in-demand industry  
20 sectors and occupations, to expand employ-  
21 ment and career advancement opportuni-  
22 ties for workforce development system par-  
23 ticipants in in-demand industry sectors or  
24 occupations; and

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

3 (C) by striking subparagraph (D);

4 (3) in paragraph (5)—

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

7 (B) by inserting “, systems, and pro-  
8 grams” after “pathways”; and

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

11 (4) in paragraph (6)—

12 (A) in the heading, by striking “PROVEN”

13 and inserting “EVIDENCE-BASED”; and

14 (B) by amending subparagraph (A) to read

15 as follows:

16 “(A) identify and promote proven and evi-  
17 dence-based, promising strategies and initiatives

18 to the one-stop delivery system for meeting the

19 needs of employers, and workers and jobseekers

20 (including individuals with barriers to employ-  
21 ment) in the local workforce development sys-

22 tem, including—

23 “(i) providing physical and pro-  
24 grammatic accessibility, in accordance with

25 section 188, if applicable, and applicable



1 provisions of the Americans with Disabil-  
2 ities Act of 1990 (42 U.S.C. 12101 et  
3 seq.); and

4 “(ii) identifying and implementing  
5 strategies to assure service delivery is ac-  
6 cessible to all eligible individuals, including  
7 individuals with barriers to employment;  
8 and”;

9 (5) by amending paragraph (7) to read as fol-  
10 lows:

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

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

23 “(B) facilitating connections among the in-  
24 take and case management information systems  
25 of the one-stop partner programs to support a

1 comprehensive workforce development system in  
2 the local area, including through coordination  
3 and collaboration with one-stop partner pro-  
4 grams to support coenrollment of programs, as  
5 applicable;

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

15 “(D) leveraging resources and capacity  
16 within the local workforce development system,  
17 including resources and capacity for services for  
18 individuals with barriers to employment.”;

19 (6) in paragraph (10)—

20 (A) in subparagraph (B)(ii), by inserting  
21 “as described in section 122” after “providers”;

22 (B) in subparagraph (C), by inserting  
23 “and make information about such providers  
24 publicly available, including to community-based  
25 organizations” after “local area”; and

1 (C) in subparagraph (D), by inserting  
2 “and make information about such providers  
3 publicly available, including to community-based  
4 organizations” after “contracts”;

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

11 (8) in paragraph (12)(A), by striking “for the”  
12 and inserting “for all funds not otherwise reserved  
13 by the State allocated to local areas under section  
14 128(b) and section 133(b), for local youth workforce  
15 activities authorized under section 129(c), and local  
16 employment and training activities authorized under  
17 subsection (b) of section 134, and”;

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

19 “(14) SECTOR STRATEGIES.—The local board  
20 shall regularly engage and convene local stakeholders  
21 to develop, or expand, employment and training ac-  
22 tivities for high-skill, high-wage, or in-demand indus-  
23 try sectors or occupations.”.

24 (d) SUNSHINE PROVISION.—Section 107(e) (29  
25 U.S.C. 3122(e)) is amended by inserting “that meets, at

1 a minimum, conformance to Level AA of the Web Content  
2 Accessibility Guidelines 2.0 of the Web Accessibility Initia-  
3 tive (or any successor guidelines)” after “means”;

4 (e) STAFF.—Section 107(f) (29 U.S.C. 3122(f)) is  
5 amended—

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

8 “(2) QUALIFICATIONS.—

9 “(A) DIRECTOR.—The local board shall es-  
10 tablish and apply a set of qualifications for the  
11 position of director, that ensures that the indi-  
12 vidual selected has the requisite knowledge,  
13 skills, and abilities, to meet identified bench-  
14 marks and to assist in effectively carrying out  
15 the functions of the local board.

16 “(B) STAFF.—The local board shall ensure  
17 staff who work directly with participants in pro-  
18 viding career services and other forms of assist-  
19 ance possess or develop the skills and knowl-  
20 edge to provide such services.”; and

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

22 “(4) PROFESSIONAL DEVELOPMENT.—The local  
23 board shall provide board and one-stop delivery sys-  
24 tem staff with training on—

1           “(A) the expanded use of digital tech-  
2           nology and tools for augmenting and improving  
3           the delivery of services to participants and em-  
4           ployers;

5           “(B) the implementation of evidence-based  
6           strategies, such as career pathways and sector  
7           initiatives, and trauma-informed and gender-re-  
8           sponsive counseling for meeting the needs of in-  
9           dividuals with barriers to employment; and

10           “(C) how to improve and ensure equitable  
11           service delivery and outcomes for individuals  
12           who have been historically underserved,  
13           marginalized, and adversely affected as a result  
14           of race, ethnicity, or gender, including training  
15           on customer-centered service delivery, racial  
16           bias, cultural competence, occupational stereo-  
17           typing, and strategies for increasing participant  
18           and worker voice.”.

19           (f) LIMITATIONS.—Section 107(g)(1)(B)(i)(III) (29  
20 U.S.C. 3122(g)(1)(B)(i)(III)) is amended by inserting  
21 “that meets or exceeds the average wages and benefits”  
22 after “participants”.

23 **SEC. 208. LOCAL PLAN.**

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

25           (1) in paragraph (1)—

1 (A) in subparagraph (A)—

2 (i) in clause (i), by striking “and” at  
3 the end;

4 (ii) in clause (ii), by inserting “and”  
5 at the end; and

6 (iii) by adding at the end the fol-  
7 lowing:

8 “(iii) projected industries or sectors  
9 within the local area expected to decline or  
10 face significant changes in employment op-  
11 portunities;”;

12 (B) in subparagraph (B), by striking “and  
13 skills” and inserting “, skills, and com-  
14 petencies”; and

15 (C) in subparagraph (C), by striking “(and  
16 unemployment)” and inserting “(unemploy-  
17 ment, and underemployment)”;

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

20 (3) in paragraph (2)—

21 “(2) a description and assessment of the work-  
22 force development system in the local area that iden-  
23 tifies the programs that are included in that system  
24 and how the local board will work with the entities  
25 carrying out core programs and other workforce de-

1 development programs to support alignment of serv-  
2 ices, including—

3 “(A) services provided under programs  
4 that support the strategy identified in the State  
5 plan under section 102(b)(1)(E), including—

6 “(i) programs of study authorized  
7 under the Carl D. Perkins Career and  
8 Technical Education Act of 2006 (20  
9 U.S.C. 2301 et seq.);

10 “(ii) title II (relating to adult edu-  
11 cation and literacy activities), including a  
12 description of how the local board will  
13 carry out, consistent with subparagraphs  
14 (A) and (B)(i) of section 107(d)(11) and  
15 section 232, the review of local applications  
16 submitted under title II;

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

19 “(iv) apprenticeship programs; and

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

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

24 (5) in paragraph (4)—

25 (A) in subparagraph (A)—

1 (i) in clause (i), by striking “, includ-  
2 ing small employers and employers in in-  
3 demand industry sectors and occupations,  
4 in workforce development programs” and  
5 inserting “in workforce development pro-  
6 grams, including small employers, employ-  
7 ers in high-skill, high-wage, or in-demand  
8 industry sectors and occupations, and em-  
9 ployers in industry or sector partnerships”;

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

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

14 “(v) improve the ability of individuals  
15 to make informed decisions about career  
16 pathways and training services, employ-  
17 ment opportunities and job quality, and  
18 workplace rights and responsibilities; and”;

19 and

20 (B) in subparagraph (B), by inserting  
21 “and individuals” after “employers”;

22 (6) in paragraph (6)—

23 (A) in subparagraph (B), by inserting “,  
24 including digital technology,” after “tech-  
25 nology”;



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

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

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

6 “(E) a description of how the one-stop de-  
7 livery system, including one-stop operators and  
8 one-stop partners, will work with employers to  
9 support the hiring of individuals with barriers  
10 to employment to ensure equitable service deliv-  
11 ery and participant outcomes; and

12 “(F) a description of how one-stop centers  
13 are implementing and transitioning to an inte-  
14 grated, technology-enabled intake and case  
15 management information system for programs  
16 carried out under this Act and programs car-  
17 ried out by one-stop partners;”;

18 (7) by striking paragraphs (7) and (8);

19 (8) by redesignating paragraphs (9) through  
20 (12) as paragraphs (7) through (10), respectively;

21 (9) in paragraph (7), as so redesignated, by  
22 striking “assessment of” and inserting “comprehen-  
23 sive local needs assessment, as described in section  
24 129(a)(2) of”;

25 (10) by striking paragraph (13);

1 (11) by redesignating paragraphs (14) through  
2 (20) as paragraphs (11) through (17), respectively;  
3 (12) in paragraph (17), as so redesignated, by  
4 inserting “and” at the end;  
5 (13) by striking paragraph (21); and  
6 (14) by redesignating paragraph (22) as para-  
7 graph (18).

8 **CHAPTER 3—PERFORMANCE**  
9 **ACCOUNTABILITY**

10 **SEC. 211. PERFORMANCE ACCOUNTABILITY SYSTEM.**

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

13 (1) in subsection (b)—

14 (A) in paragraph (2)(A)—

15 (i) by amending clause (i) to read as  
16 follows:

17 “(i) IN GENERAL.—The State primary  
18 indicators of performance for activities  
19 provided under the adult and dislocated  
20 worker programs authorized under chapter  
21 3 of subtitle B, the program of adult edu-  
22 cation and literacy activities authorized  
23 under title II, the employment services  
24 program authorized under sections 1  
25 through 13 of the Wagner-Peyser Act (29

1 U.S.C. 49 et seq.) (except that subclauses  
2 (IV) and (V) shall not apply to such pro-  
3 gram), and the program authorized under  
4 title I of the Rehabilitation Act of 1973  
5 (29 U.S.C. 720 et seq.), other than section  
6 112 or part C of that title (29 U.S.C. 732,  
7 741), shall consist of—

8 “(I) the percentage of program  
9 participants who are in unsubsidized  
10 employment during the second quarter  
11 after exit from the program;

12 “(II) the percentage of program  
13 participants who are in unsubsidized  
14 employment during the fourth quarter  
15 after exit from the program;

16 “(III) the percentage of program  
17 participants who are in unsubsidized  
18 employment during the second quarter  
19 after exit from the program and such  
20 employment is in the occupation or in-  
21 dustry for which the program pro-  
22 vided training services.

23 “(IV) the median earnings of  
24 program participants who are in un-  
25 subsidized employment during the sec-

1                   ond quarter after exit from the pro-  
2                   gram;

3                   “(V) the median earnings of pro-  
4                   gram participants who are in unsub-  
5                   sidized employment during the fourth  
6                   quarter after exit from the program;

7                   “(VI) the percentage of program  
8                   participants who obtain a recognized  
9                   postsecondary credential, or a sec-  
10                  ondary school diploma or its recog-  
11                  nized equivalent (subject to clause  
12                  (iii)), during participation in or within  
13                  1 year after exit from the program;

14                  “(VII) the percentage of program  
15                  participants who obtain multiple cre-  
16                  dentials, which may include a recog-  
17                  nized postsecondary credential, or a  
18                  secondary school diploma or its recog-  
19                  nized equivalent (subject to clause  
20                  (iii)), during participation in or within  
21                  1 year after exit from the program;  
22                  and

23                  “(VIII) the percentage of pro-  
24                  gram participants who are in an edu-  
25                  cation or training program that leads

1 to a recognized postsecondary creden-  
2 tial or employment, and who are  
3 achieving measurable skill gains to-  
4 ward such a credential or employ-  
5 ment.”; and

6 (ii) by striking clause (iv) and insert-  
7 ing the following:

8 “(iv) EXCLUSION OF CERTAIN PAR-  
9 TICIPANTS.—A participant who does not  
10 provide a valid social security number to  
11 the one-stop center or one-stop partner  
12 prior to exiting a program shall be ex-  
13 cluded from the performance indicators  
14 under clauses (i) and (ii) with respect to  
15 such program if the State board or local  
16 board is unable to obtain the information  
17 necessary with respect to such participant  
18 for purposes of such performance indica-  
19 tors.”; and

20 (B) in paragraph (3)(A)—

21 (i) by amending clause (iii) to read as  
22 follows: —

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

1                   “(I) IN GENERAL.—The Sec-  
2                   retary of Labor in conjunction with  
3                   the Secretary of Education shall—

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

16                              “(bb) publish on a publicly  
17                              accessible website—

18                                   “(AA) the statistical  
19                                   model developed under  
20                                   clause (viii), and the meth-  
21                                   odology used to develop each  
22                                   such proposed expected level  
23                                   of performance; and

24                                   “(BB) each such pro-  
25                                   posal.

1                   “(II) STATES.—Each State shall,  
2                   for each corresponding primary indi-  
3                   cator of performance for each of the  
4                   programs described in clause (ii)—

5                   “(aa) evaluate the proposed  
6                   expected level of performance  
7                   under subclause (I);

8                   “(bb) accept such proposal  
9                   or provide a counter-proposal  
10                  with analysis on the how the  
11                  counter-proposal addresses fac-  
12                  tors unique to the State that  
13                  were not addressed in the pro-  
14                  posal under subclause (I), includ-  
15                  ing State economic conditions  
16                  and participant characteristics;  
17                  and

18                  “(cc) include in the State  
19                  plan, the proposal under sub-  
20                  clause (I), and any counter-pro-  
21                  posal by the State, if any.”;

22                  (ii) in clause (v)—

23                  (I) in subclause (II)(bb), by  
24                  striking “ex-offender status, and wel-  
25                  fare dependency” and inserting “jus-

1            tice involvement, and receipt of public  
2            assistance”); and

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

5                    “(III) take into account the ex-  
6            tent to which the levels involved pro-  
7            mote continuous improvement, which  
8            may reflect an increase in the level of  
9            performance accountability measures,  
10           a change in service strategy and deliv-  
11           ery, or a change in the participants  
12           served by such State and ensure opti-  
13           mal return on the investment of Fed-  
14           eral funds; and”;

15                    (iii) in clause (vii), by striking  
16           “State.” and inserting “State when unex-  
17           pected circumstances, as determined by the  
18           Secretary, warrant such revision. Each  
19           such revision shall be described in the  
20           State performance reports referenced in  
21           subsection (d).”); and

22                    (iv) by amending clause (viii) to read  
23           as follows:

24                    “(viii) STATISTICAL ADJUSTMENT  
25           MODEL.—The Secretary of Labor and the



1 Secretary of Education, after consultation  
2 with the representatives described in para-  
3 graph (4)(B), shall—

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

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

16 (2) in subsection (d)—

17 (A) in paragraph (2)—

18 (i) in subparagraph (D), by striking  
19 “and training services” inserting “, train-  
20 ing, and supportive services,”;

21 (ii) in subparagraph (F), by inserting  
22 “, supportive,” after “career”; and

23 (iii) in subparagraph (H), by inserting  
24 “and percentage” after “number”; and

25 (B) in paragraph (6)—

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

3 “(A) STATE PERFORMANCE REPORTS.—  
4 The Secretary of Labor and the Secretary of  
5 Education shall annually make available the  
6 performance reports for States containing the  
7 information described in paragraph (2), which  
8 shall include making such reports available—

9 “(i) digitally using transparent,  
10 linked, open, and interoperable data for-  
11 mats that are human readable and ma-  
12 chine actionable such that the data from  
13 these reports can be easily included in web-  
14 based tools and services supporting search,  
15 discovery, comparison, analysis, navigation,  
16 and guidance;

17 “(ii) electronically in easily under-  
18 standable formats; and

19 “(iii) in paper-based formats, as nec-  
20 essary.”;

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

23 “(B) LOCAL AREA AND ELIGIBLE TRAIN-  
24 ING PROVIDER PERFORMANCE REPORTS.—The  
25 State shall, on a semiannual basis, make avail-

1           able the performance reports for the local areas  
2           containing the information described in para-  
3           graph (3) and the performance reports for eligi-  
4           ble providers of training services containing the  
5           information described in paragraph (4), which  
6           shall include making such reports available in  
7           each of the formats described in clauses (i)  
8           through (iii) of subparagraph (A).”; and  
9                           (iii) in subparagraph (D), by striking  
10                          “the Workforce” and inserting “Labor”;  
11           (3) by redesignating subsections (f), (g), (h),  
12           and (i) as subsections (g), (h), (i), and (j), respec-  
13           tively;  
14           (4) by inserting the following after subsection  
15           (e):  
16           “(f) STATE EQUITY REPORTS.—  
17                          “(1) IN GENERAL.—Using funds authorized  
18           under a core program and made available to carry  
19           out this section, the State, in coordination with local  
20           boards in the State and the State agencies respon-  
21           sible for the administration of the core programs,  
22           shall annually prepare and submit to the Secretary  
23           a report on the progress of the State in achieving  
24           equitable outcomes in the State levels of perform-  
25           ance relating to indicators described in subsection

1 (b)(2)(A) for a program for any program year,  
2 which shall—

3 “(A) identify and quantify any disparities  
4 or gaps in performance on such levels of per-  
5 formance for each such indicator between indi-  
6 viduals with barriers to employment, and indi-  
7 viduals without such barriers to employment,  
8 disaggregated by subpopulation of individuals  
9 with barriers to employment; and

10 “(B) include a quantifiable description of  
11 the progress individuals with barriers to em-  
12 ployment, disaggregated by subpopulation of  
13 such individuals, have made in meeting such  
14 levels of performance.

15 “(2) INFORMATION DISSEMINATION.—The Sec-  
16 retary shall make the information contained in such  
17 reports available to the general public in a manner  
18 consistent with the requirements described in sub-  
19 section (d)(6)(A).”; and

20 (5) in subsection (j)(2), as so redesignated—

21 (A) by striking “In measuring” and insert-  
22 ing the following:

23 “(A) IN GENERAL.—Except as provided in  
24 subparagraph (B), in measuring”; and

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

1           “(B) EXCEPTION.—In a case in which  
2           quarterly wage records are insufficient to meas-  
3           ure the progress of performance accountability  
4           measures, a State may use other Federal ad-  
5           ministrative data sources, in coordination with  
6           the Secretary of Labor and other relevant Sec-  
7           retaries, to supplement such records.”.

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

10          **CHAPTER 1—WORKFORCE INVESTMENT**  
11          **ACTIVITIES AND PROVIDERS**

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

14          (a) ONE-STOP PARTNERS.—Section 121(b) (29  
15          U.S.C. 3151(b)) is amended—

16                 (1) in paragraph (1)—

17                         (A) in subparagraph (A)(ii), by inserting  
18                         “physical and virtual” after “payment of the”;  
19                         and

20                         (B) in subparagraph (C)(ii)(II), by insert-  
21                         ing “, Secretary of Education,” after “the ‘Sec-  
22                         retary’”); and

23                 (2) in paragraph (2)(B)—

24                         (A) by redesignating clause (vii) as clause  
25                         (viii);

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

3 (C) by inserting after clause (vii) the fol-  
4 lowing:

5 “(vii) employment and training pro-  
6 grams carried out by the Economic Devel-  
7 opment Administration; and”.

8 (b) MEMORANDUM OF UNDERSTANDING.—Section  
9 121(e)(2)(A) (29 U.S.C. 3151(e)(2)(A)) is amended—

10 (1) in clause (ii)—

11 (A) in subclause (I) by striking “and”  
12 after the semicolon;

13 (B) in subclause (II), by inserting “phys-  
14 ical and virtual” after “of the”; and

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

16 “(iv) methods, which should be evi-  
17 dence-based, to the extent practicable, to  
18 provide appropriate access of services (in-  
19 cluding access to technology and materials)  
20 to workers, youth, and individuals with  
21 barriers to employment (including individ-  
22 uals with disabilities) through the one-stop  
23 delivery system to address the needs of  
24 such workers, youth, and individuals.”.

1 (c) ONE-STOP OPERATORS.—Section 121(d) (29  
2 U.S.C. 3151(d)) is amended—

3 (1) in paragraph (2)—

4 (A) in subparagraph (A), by striking  
5 “process; and” and inserting “process, except  
6 as authorized by paragraph (4); and”; and

7 (B) in subparagraph (B)—

8 (i) in clause (i), by striking “an ele-  
9 mentary or” and inserting “a”;

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

12 (iii) by redesignating clause (vi) as  
13 clause (vii);

14 (iv) by inserting after clause (v) the  
15 following:

16 “(vi) a public library; and”; and

17 (v) in clause (vii), as so redesignated,  
18 by inserting “or joint labor-management”  
19 after “a labor”;

20 (2) by redesignating paragraphs (3) and (4) as  
21 paragraphs (5) and (6);

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

24 “(3) RESPONSIBILITIES.—The responsibilities  
25 of the one-stop operator shall include managing the

1 physical and virtual infrastructure and operations of  
2 the one-stop system in the local area, facilitating co-  
3 ordination among the partners in the one-stop sys-  
4 tem, and providing direct services to job seekers and  
5 employers.

6 “(4) LOCAL BOARD AS ONE-STOP OPERATOR.—  
7 Subject to approval from the Governor and in ac-  
8 cordance with any other eligibility criteria estab-  
9 lished by the State, a local board may serve as a  
10 one-stop operator consistent with the requirements  
11 of this subsection.”; and

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

14 (d) ESTABLISHMENT OF ONE-STOP DELIVERY SYS-  
15 TEM.—Section 121(e)(2) (29 U.S.C. 3151(e)(2)) is  
16 amended—

17 (1) in subparagraph (A)—

18 (A) by inserting “in person or virtually”  
19 after “accessible”; and

20 (B) by inserting “and virtually in a man-  
21 ner that improves efficiency, coordination, and  
22 quality in the delivery of one-stop partner serv-  
23 ices” after “State”;

24 (2) in subparagraph (B)—



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

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

9 (3) in subparagraph (C)—

10 (A) by inserting “virtual or physical” after  
11 “may have”; and

12 (B) by striking “; and” and inserting a pe-  
13 riod; and

14 (4) by striking subparagraph (D).

15 (e) OTHER FUNDS.—Section 121(i) (29 U.S.C.  
16 3151(i)) is amended by striking “basic skills” and insert-  
17 ing “foundational skill needs”.

18 **SEC. 222. IDENTIFICATION OF ELIGIBLE PROVIDERS OF**  
19 **TRAINING SERVICES.**

20 (a) CRITERIA AND INFORMATION REQUIREMENTS.—  
21 Section 122(b) (29 U.S.C. 3152(b)) is amended—

22 (1) in paragraph (1)—

23 (A) by amending the matter preceding sub-  
24 paragraph (A) to read as follows: “The criteria

1 established pursuant to subsection (a) shall in-  
2 clude criteria on each of the following.”;

3 (B) in subparagraph (B)—

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

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

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

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

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

14 “(aa) relates to in-demand indus-  
15 try sectors and occupations in the  
16 State or local areas within the State;  
17 and

18 “(bb) satisfies any applicable  
19 educational requirements for profes-  
20 sional licensure or certification, in-  
21 cluding licensure or certification ex-  
22 aminations needed to practice or find  
23 employment in the sectors or occupa-  
24 tions for which the program prepares  
25 the individual in the State; and

1 “(II) the expected—

2 “(aa) recognized postsecondary  
3 credentials earned as part of such  
4 program;

5 “(bb) employment opportunities  
6 upon program completion;

7 “(cc) median earnings of individ-  
8 uals within 1 year of program comple-  
9 tion, as compared to median earnings  
10 of occupations for which the program  
11 prepares the individual in the State  
12 and local area;

13 “(dd) program cost of such pro-  
14 gram;

15 “(ee) competencies taught as  
16 part of such program;

17 “(ff) time to completion of such  
18 program; and

19 “(gg) alignment of such program  
20 to career pathways; and

21 “(ii)(I) Validation (as determined by the  
22 Secretary) of the information described in  
23 clause (i) with respect to each training program  
24 of each such provider, by at least one of the fol-  
25 lowing entities:

1 “(aa) 3 or more employers.

2 “(bb) An industry association.

3 “(cc) A labor organization or joint-  
4 labor management organization, or an in-  
5 dustry or sector partnership.

6 “(II) An entity listed in item (aa), (bb), or  
7 (cc) of subclause (I) that is providing validation  
8 under this clause with respect to a training pro-  
9 gram may not be the provider of such training  
10 program.”;

11 (D) by striking subparagraphs (E), (F),  
12 (G), and (H);

13 (E) by redesignating subparagraphs (I)  
14 and (J) as subparagraphs (E) and (F), respec-  
15 tively; and

16 (F) in subparagraph (F), as so redesign-  
17 ated—

18 (i) by amending clause (i) to read as  
19 follows:

20 “(i) the accountability of the pro-  
21 viders, including in the case of a training  
22 program that is offered by an institution of  
23 higher education, that such institution has  
24 not been subject, during the 5 years pre-  
25 ceding the date of the determination of

1                   whether such a provider meets such cri-  
2                   teria, to—

3                               “(I) any suspension, emergency  
4                               action, or termination of programs  
5                               under title IV of the Higher Edu-  
6                               cation Act of 1965;

7                               “(II) any adverse action by the  
8                               accrediting agency or association of  
9                               the institution of higher education; or

10                              “(III) any action by the State to  
11                              revoke a license or other authority to  
12                              operate;” and

13                              (ii) in clause (ii), by striking “one-  
14                              stop centers” and inserting “local boards”;  
15                   (2) in paragraph amending paragraph (2)—

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

18                              “(A) PROVIDERS OF TRAINING SERV-  
19                              ICES.—The information”; and

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

21                              “(B) STATES.—The State shall make  
22                              available on a publicly accessible website—

23                              “(i) the criteria, information require-  
24                              ments, and procedures regarding the eligi-

1 bility of providers of training services es-  
2 tablished pursuant to subsection (a); and

3 “(ii) the appropriate, accurate, and  
4 timely information each provider of train-  
5 ing services submits to the State in accord-  
6 ance with subparagraph (A) of this para-  
7 graph.”;

8 (3) by amending paragraph (3) to read as fol-  
9 lows:

10 “(3) LOCAL CRITERIA AND INFORMATION RE-  
11 QUIREMENTS.—

12 “(A) IN GENERAL.—A local board in the  
13 State may establish criteria and information re-  
14 quirements in addition to the criteria and infor-  
15 mation requirements established by the Gov-  
16 ernor, or may require higher levels of perform-  
17 ance than required for the criteria established  
18 by the Governor, for purposes of determining  
19 the eligibility of providers of training services to  
20 receive funds described in subsection (a) for the  
21 provision of training services in the local area  
22 involved.

23 “(B) EXPEDITED NOMINATION.—A local  
24 board may submit the name of a training pro-  
25 vider or providers to the Governor for inclusion

1 of each such provider on the list of eligible pro-  
2 viders described in subsection (d), if such a pro-  
3 vider meets the applicable criteria described in  
4 paragraph (1) to meet training needs in the  
5 local area or region. The Governor shall expe-  
6 dite such consideration and make a decision not  
7 later than 30 days after the submission of such  
8 name or names under this subparagraph.”; and  
9 (4) in paragraph (4)—

10 (A) in subparagraph (B)—

11 (i) by striking “section 122 of the  
12 Workforce Investment Act of 1998, as in  
13 effect on the day before the date of enact-  
14 ment of this Act” and inserting “section  
15 122, as in effect on the date before the  
16 date of enactment of the Workforce Inno-  
17 vation and Opportunity Act of 2022”; and

18 (ii) by inserting at the end the fol-  
19 lowing: “A Governor shall make an eligi-  
20 bility determination under this paragraph  
21 with respect to a provider not later than  
22 90 days after receipt of an application for  
23 such a determination from such provider.”;

24 (B) in subparagraph (C) by inserting “, in-  
25 cluding to the extent practicable for 2-year pe-

1           riod preceding the date of the provider’s appli-  
2           cation under this paragraph” after “subtitle”;  
3           and

4                   (C) in subparagraph (D)—

5                         (i) in clause (iii), by striking “and” at  
6                   the end;

7                         (ii) in clause (iv), by striking the pe-  
8                   riod at the end and inserting “; and”; and

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

11                                 “(v) a factor related to serving indi-  
12                                 viduals with barriers to employment.”.

13           (b) PROCEDURES.—Section 122(c)(2) (29 U.S.C.  
14 3152(c)(2)), by striking “biennial” and inserting “semi-  
15 annual”.

16           (c) LIST AND INFORMATION TO ASSIST PARTICI-  
17 PANTS IN CHOOSING PROVIDERS.—Section 122(d)(3) (29  
18 U.S.C. 3152(d)(3)), by inserting “on a publicly accessible  
19 website that is consumer-tested and is searchable and  
20 comparable, through the use of common, linked, open-data  
21 description language” after “individual participant”.

22           (d) ENFORCEMENT.—Section 122(f)(1) (29 U.S.C.  
23 3152(f)(1)) is amended to read as follows:

24                         “(1) IN GENERAL.—The procedures established  
25                   under this section shall provide the following:



1           “(A) FAILURE TO MEET PROGRAM RE-  
2           QUIREMENTS.—In addition to the violations de-  
3           scribed in subparagraphs (B) and (C), any pro-  
4           vider of training services eligible to receive  
5           funds under chapter 3—

6                   “(i) shall have such eligibility termi-  
7                   nated for a period of 5 years for upon a  
8                   determination by an individual or entity  
9                   specified in the procedures, that such pro-  
10                  vider—

11                           “(I) in a case in which the pro-  
12                           vider receives initial eligibility under  
13                           subsection (b)(4), failed to report in-  
14                           formation as required under sub-  
15                           section (b)(4)(C);

16                           “(II) failed to inform the State  
17                           board or local board that the training  
18                           program of such provider has  
19                           changed, and as a result of such  
20                           change the information with respect  
21                           to such training program under sub-  
22                           section (b)(1) used by the Governor to  
23                           determine the provider’s eligibility to  
24                           receive such funds no longer accu-

1                   rately describes such training pro-  
2                   gram; or

3                   “(III) failed to meet the expected  
4                   performance as described in sub-  
5                   section (b)(4)(D); or

6                   “(ii) may have such eligibility termi-  
7                   nated as a result of offering a program for  
8                   a period of less than 2 years—

9                   “(I) that is no longer aligned to  
10                  in-demand industry sectors or occupa-  
11                  tions; or

12                  “(II) that results in employment  
13                  with wages below the median earnings  
14                  for the occupation in the State or  
15                  local area due to the insufficient qual-  
16                  ity of training provided under the pro-  
17                  gram.

18                  “(B) INTENTIONALLY SUPPLYING INAC-  
19                  CURATE INFORMATION.—Upon a determination,  
20                  by an individual or entity specified in the proce-  
21                  dures, that a provider of training services, or  
22                  individual providing information on behalf of  
23                  the provider, violated this section by inten-  
24                  tionally supplying inaccurate information under  
25                  this section, the eligibility of such provider to

1 receive funds under chapter 3 shall be termi-  
2 nated for a period of time that is not less than  
3 5 years.

4 “(C) SUBSTANTIAL VIOLATIONS.—Upon a  
5 determination, by an individual or entity speci-  
6 fied in the procedures, that a provider of train-  
7 ing services substantially violated any require-  
8 ment under this title, the eligibility of such pro-  
9 vider to receive funds under chapter 3 for the  
10 program involved shall be terminated for a pe-  
11 riod of not less than 2 years.

12 “(D) REPAYMENT.—A provider of training  
13 services whose eligibility is terminated under  
14 this subparagraph (A), (B), or (C) of this para-  
15 graph shall be liable for the repayment of funds  
16 received under chapter 3 of this subtitle during  
17 a period of violation described in such subpara-  
18 graph.”.

19 (e) TRANSITION PERIOD.—Section 122(i) ((29  
20 U.S.C. 3152(i)) is amended to read as follows:

21 “(i) TRANSITION PERIOD FOR IMPLEMENTATION.—  
22 The Governor and local boards shall implement the re-  
23 quirements of this section, as amended by the Workforce  
24 Innovation and Opportunity Act of 2022, not later than  
25 12 months after the date of enactment of such Act, except

1 that the criteria established under items (ff) and (gg) of  
2 subsection (b)(1)(D)(i)(II) may not be used until the date  
3 that is 3 years after the date of enactment of such Act.”.

## 4 **CHAPTER 2—YOUTH WORKFORCE**

### 5 **INVESTMENT ACTIVITIES**

#### 6 **SEC. 231. STATE ALLOTMENTS.**

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

9 (1) by amending subsection (a)(1) to read as  
10 follows:

11 “(1) reserve 1½ percent of funds appropriated  
12 under section 136(a), for each fiscal year for which  
13 funds are appropriated under such section, to pro-  
14 vide youth workforce investment activities under sec-  
15 tion 167 (relating to migrant and seasonal farm-  
16 workers); and”;

17 (2) in subsection (b)(1)—

18 (A) in subparagraph (A), by striking “not  
19 more than 1½” and inserting “2”; and

20 (B) in subparagraph (B)(i), by striking  
21 “¼ of”.

#### 22 **SEC. 232. WITHIN STATE ALLOCATIONS.**

23 Section 128(b) of the Workforce Innovation and Op-  
24 portunity Act (29 U.S.C. 3163(b)) is amended—

1 (1) by redesignating paragraph (4) as para-  
2 graph (5); and

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

5 “(4) LOCAL AREA FUNDING ALLOTMENT.—

6 “(A) YOUTH WORKFORCE INVESTMENT AC-  
7 TIVITIES.—

8 “(i) IN GENERAL.—For any program  
9 year, not less than 75 percent of the funds  
10 allotted under section 127(b)(1)(C), re-  
11 served under subsection (a) of this section,  
12 and available for statewide activities under  
13 section 129(b), and not less than 75 per-  
14 cent of funds available to local areas under  
15 section 129(c), shall be used to provide  
16 youth workforce investment activities for  
17 opportunity youth or eligible youth who are  
18 at-risk youth (as defined in section 1432 of  
19 the Elementary and Secondary Education  
20 Act of 1965 (20 U.S.C. 6472)).

21 “(ii) EMERGENCY GRANTS; YOUTH  
22 EMPLOYMENT PROGRAMS.—Of the total  
23 amounts described in clause (i) for any  
24 program year—

1 “(I) not less than 5 percent of  
2 such amounts shall be used to provide  
3 direct financial assistance to the sub-  
4 population or subpopulations of eligi-  
5 ble youth described in clause (i)  
6 through grants to support the finan-  
7 cial needs of such youth to enter, re-  
8 main enrolled in, and complete youth  
9 workforce investment activities (such  
10 as support for supplies, transpor-  
11 tation, child care, and housing); and

12 “(II) not less than 50 percent of  
13 such amounts shall be used for sum-  
14 mer employment programs or year-  
15 round employment programs under  
16 section 129(c)(2)(C)(i) for such  
17 youth.”.

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

20 (a) COMPREHENSIVE LOCAL NEEDS ASSESSMENT.—

21 Section 129(a) (29 U.S.C. 3164(a)) is amended to read  
22 as follows:

23 “(a) COMPREHENSIVE LOCAL NEEDS ASSESS-  
24 MENT.—

1           “(1) IN GENERAL.—As a condition of receiving  
2           financial assistance under this chapter, a local board  
3           shall ensure that the comprehensive needs assess-  
4           ment related to youth workforce investment activi-  
5           ties under section 108(b)(9) of the local plan shall  
6           meet the requirements of this subsection, and shall  
7           be updated at least once every 4 years.

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

12                   “(A) An evaluation of the performance of  
13                   the eligible youth served by the local area with  
14                   respect to State determined and local levels of  
15                   performance established pursuant to section  
16                   116, including an evaluation of performance of  
17                   youth with barriers to employment, as applica-  
18                   ble, and for special populations and each sub-  
19                   group described in section 1111(h)(1)(C)(ii) of  
20                   the Elementary and Secondary Education Act  
21                   of 1965.

22                   “(B) A description of how youth workforce  
23                   investment activities offered by the local area  
24                   are—

1                   “(i) sufficient in size, scope, and qual-  
2                   ity to meet the needs of eligible youth in  
3                   the local area; and

4                   “(ii) aligned to State, regional, Tribal,  
5                   or local in-demand industry sectors or oc-  
6                   cupations (including career pathways),  
7                   identified by the State board or local  
8                   board.

9                   “(C) An identification of successful models  
10                  of youth workforce investment activities.

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

16                         “(i) strategies to provide eligible  
17                         youth access to paid work-based learning  
18                         opportunities and career pathways;

19                         “(ii) strategies to overcome barriers  
20                         that result in lower rates of access to, or  
21                         performance gaps in, youth workforce in-  
22                         vestment activities for eligible youth;

23                         “(iii) providing programs and activi-  
24                         ties that are designed to enable eligible  
25                         youth to attain a secondary school diploma



1 or its equivalent, or recognized postsec-  
2 ondary credentials;

3 “(iv) providing programs and activi-  
4 ties to prepare eligible youth for high-skill,  
5 high-wage, or in-demand industry sectors  
6 or occupations that will lead to self-suffi-  
7 ciency; and

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

11 “(3) CONSULTATION.—In conducting the com-  
12 prehensive needs assessment under paragraph  
13 (1)(A), the local area shall involve a diverse body of  
14 stakeholders, including, at a minimum—

15 “(A) representatives of local educational  
16 agencies, including representatives of career  
17 and technical education programs;

18 “(B) eligible providers of training services,  
19 including eligible providers of apprenticeship  
20 programs, pre-apprenticeship programs and  
21 youth apprenticeship programs, and eligible  
22 providers of internships, paid or unpaid work-  
23 based learning experience opportunities, or  
24 transitional jobs;

1           “(C) representatives of business and indus-  
2           try (including representatives of small busi-  
3           ness), which shall include representatives of in-  
4           dustry and sector partnerships in the State;

5           “(D) interested community representatives,  
6           including community-based organizations;

7           “(E) representatives of youth with barriers  
8           to employment;

9           “(F) representatives of regional or local  
10          agencies serving opportunity youth, homeless  
11          children and youth, and at-risk youth;

12          “(G) representatives of Indian Tribes and  
13          Tribal organizations in the State, where appli-  
14          cable; and

15          “(H) any other stakeholders that the State  
16          may require the local area to consult.

17          “(4) CONTINUED CONSULTATION.—Each local  
18          area receiving financial assistance under this chapter  
19          shall consult with stakeholders described in para-  
20          graph (3) on an ongoing basis, as determined by the  
21          Governor. This may include consultation in order  
22          to—

23                 “(A) provide input on quadrennial updates  
24                 to the comprehensive needs assessment required  
25                 under paragraph (1)(A);

1 “(B) ensure youth workforce investment  
2 activities—

3 “(i) are responsive to local area em-  
4 ployment needs;

5 “(ii) are aligned with employment pri-  
6 orities in the State, regional, tribal, or  
7 local economy identified by employers and  
8 the entities described in paragraph (3),  
9 which may include high-skill, high-wage, or  
10 in-demand industry sectors or occupations  
11 identified by the local board;

12 “(iii) are informed by labor market in-  
13 formation, including information provided  
14 under section 15(e)(2)(C) of the Wagner-  
15 Peyser Act (29 U.S.C. 491–2(e)(2)(C));

16 “(iv) are designed to meet current, in-  
17 termediate, or long-term labor market pro-  
18 jections; and

19 “(v) allow employer input, including  
20 input from industry or sector partnerships  
21 in the local area, where applicable, into the  
22 development and implementation of youth  
23 workforce investment activities to ensure  
24 such activities align with skills and com-  
25 petencies required by local employment op-

1                   portunities, including activities such as the  
2                   identification of relevant skills, com-  
3                   petencies, recognized postsecondary creden-  
4                   tials, and current technology and equip-  
5                   ment;

6                   “(C) identify and encourage opportunities  
7                   for work-based learning; and

8                   “(D) ensure funding under this part is  
9                   used in a coordinated manner with other local  
10                  resources.”.

11               (b) STATEWIDE ACTIVITIES.—Section 129(b) (29  
12 U.S.C. 3164(b)) is amended—

13               (1) by amending paragraph (1)(B) to read as  
14               follows:

15                       “(B) disseminating the list of eligible pro-  
16                       viders of youth workforce investment activities,  
17                       as determined under section 123, including in  
18                       transparent, linked, open, and interoperable  
19                       data formats;” and

20               (2) in paragraph (2)—

21                       (A) in subparagraph (C), by striking “de-  
22                       scribed in section 134(c)(2)” and inserting “,  
23                       including individualized career services;”;

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

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

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

4 “(F) establishing, supporting, and expand-  
5 ing work-based learning opportunities that are  
6 aligned with career pathways.”.

7 (c) LOCAL ELEMENTS AND REQUIREMENTS.—

8 (1) PROGRAM DESIGN.—Section 129(c)(1) (29  
9 U.S.C. 3164(c)(1)) is amended—

10 (A) in clause (iv), by striking “in appro-  
11 priate cases” and inserting “including paid  
12 work-based learning opportunities”; and

13 (B) in clause (v), by inserting “high-skill,  
14 high-wage, or” before “in-demand”.

15 (2) PROGRAM ELEMENTS.—Section 129(c)(2)  
16 (29 U.S.C. 3164(c)(2)) is amended to read as fol-  
17 lows:

18 “(2) PROGRAM ELEMENTS.—In order to sup-  
19 port the attainment of a secondary school diploma or  
20 its recognized equivalent, entry into postsecondary  
21 education, and career readiness for participants,  
22 local areas shall ensure that each of following ele-  
23 ments are provided under the programs described in  
24 paragraph (1), as appropriate:

1 “(A) Tutoring, study skills training, in-  
2 struction, and evidence-based dropout preven-  
3 tion and recovery strategies that lead to com-  
4 pletion of the requirements for a secondary  
5 school diploma or its recognized equivalent (in-  
6 cluding a recognized certificate of attendance or  
7 similar document for individuals with disabil-  
8 ities) or for a recognized postsecondary creden-  
9 tial.

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

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

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

17 “(ii) shall include, to the extent prac-  
18 ticable—

19 “(I) pre-apprenticeship or youth  
20 apprenticeship programs;

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

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

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

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

13           “(F) Leadership development opportuni-  
14 ties, which may include community service and  
15 peer-centered activities encouraging responsi-  
16 bility and other positive social and civic behav-  
17 iors, as appropriate.

18           “(G) Supportive services, including child  
19 care, transportation access, access to techno-  
20 logical devices and internet access needed to  
21 participate in programming, drug and alcohol  
22 abuse referral, and food.

23           “(H) Adult mentoring for the period of  
24 participation and a subsequent period, for a  
25 total of not less than 12 months;

1           “(I) Follow-up services for the longer of 36  
2 months or the completion of any postsecondary  
3 education or training to which participants are  
4 referred after completion of such program.

5           “(J) Comprehensive guidance and coun-  
6 seling, including trauma-informed approaches,  
7 which may include drug and alcohol abuse  
8 counseling and referral, as appropriate.

9           “(K) Financial literacy education.

10          “(L) Entrepreneurial skills training.

11          “(M) Services that provide labor market  
12 and employment information about high-skill,  
13 high-wage, or in-demand industry sectors or oc-  
14 cupations available in the local area, such as ca-  
15 reer awareness, career counseling, and career  
16 exploration services, which may include pro-  
17 viding such services to elementary and sec-  
18 ondary schools (as defined in section 8101 of  
19 the Elementary and Secondary Education Act  
20 of 1965 (20 U.S.C. 7801).

21          “(N) Activities that help youth prepare for  
22 and transition to postsecondary education and  
23 training.”.



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

4           “(4) CONSISTENCY WITH COMPULSORY SCHOOL  
5 ATTENDANCE LAWS.—In providing assistance under  
6 this section to an individual who is required to at-  
7 tend school under applicable State compulsory school  
8 attendance laws, the priority in providing such as-  
9 sistance shall be for the individual to attend school  
10 regularly.”.

11 **SEC. 234. SUMMER AND YEAR-ROUND EMPLOYMENT FOR**  
12 **YOUTH.**

13 Chapter 2 of subtitle B of title I (29 U.S.C. 3111  
14 et seq.), as amended by the preceding sections, is further  
15 amended by adding at the end the following:

16 **“SEC. 130. SUMMER AND YEAR-ROUND EMPLOYMENT FOR**  
17 **YOUTH.**

18           “(a) IN GENERAL.—A local area shall use the funds  
19 received under section 128(b)(4)(ii)(II) for development  
20 activities or expansion activities with respect to a summer  
21 employment program or year-round employment program  
22 in accordance with this subsection.

23           “(b) DEVELOPMENT ACTIVITIES.—In the case of a  
24 local area that, at the beginning of the first program year  
25 covered by the local plan submitted under section 108, is

1 not carrying out a summer employment program or a  
2 year-round employment program described in subsection  
3 (e), the local board of such local area—

4 “(1) shall use the funds received under section  
5 128(b)(4)(ii)(II) to—

6 “(A) plan, develop, and carry out a sum-  
7 mer employment program or a year-round em-  
8 ployment program described in subsection (e);

9 “(B) engage or establish industry or sector  
10 partnerships to determine local employment  
11 needs to inform the establishment of such appli-  
12 cable program; and

13 “(C) conduct outreach to eligible youth  
14 and employers; and

15 “(2) may—

16 “(A) use the funds received under section  
17 128(b)(4)(ii)(II) to develop technology infra-  
18 structure, including data and management sys-  
19 tems, to support such applicable program; and

20 “(B) use not more than 25 percent of such  
21 funds to subsidize not more than 75 percent of  
22 the wages of each eligible youth participating in  
23 the applicable program.

24 “(c) EXPANSION ACTIVITIES.—In the case of a local  
25 area that, at the beginning of the first program year cov-

1 ered by the covered by the local plan submitted under sec-  
2 tion 108, is carrying out a summer or year-round employ-  
3 ment program described in subsection (d), the local board  
4 of such local area—

5 “(1) shall use the funds received under section  
6 128(b)(4)(ii)(II) to—

7 “(A) increase the number of summer or  
8 year-round employment opportunities offered  
9 through such program, including unsubsidized  
10 or partly subsidized opportunities and opportu-  
11 nities in the private sector;

12 “(B) conduct outreach to eligible youth  
13 and employers; and

14 “(C) subsidize not more than 50 percent of  
15 the wages of each eligible youth participating in  
16 the program; and

17 “(2) may use such funds to enhance the pro-  
18 gram elements required under subsection (d)(1).

19 “(d) SUMMER AND YEAR-ROUND EMPLOYMENT PRO-  
20 GRAM REQUIREMENTS.—

21 “(1) PROGRAM ELEMENTS.—A summer employ-  
22 ment program or a year-round employment program  
23 described in this subsection shall include the fol-  
24 lowing program elements:

1           “(A) Work-readiness training and edu-  
2           cational programs aligned to career pathways  
3           for eligible youth to enhance their year-round  
4           employment opportunities, including digital lit-  
5           eracy and online work-readiness opportunities,  
6           as appropriate, and support obtaining docu-  
7           mentation needed for employment, such as  
8           identification or licenses.

9           “(B) Coaching and mentoring services for  
10          eligible youth participating in the program to  
11          enhance their summer or year-round employ-  
12          ment opportunities and encourage completion of  
13          such opportunities through the program.

14          “(C) Coaching and mentoring services for  
15          employers on how to successfully employ each  
16          eligible youth participating in the program in  
17          meaningful work, including on providing a safe  
18          work and training environment for all partici-  
19          pants, regardless of race, color, disability, age,  
20          religion, national origin, sexual orientation, or  
21          gender identity. .

22          “(D) Career exploration, career counseling,  
23          career planning, and college planning services  
24          for eligible youth participating in the program.

1           “(E) High-quality financial literacy edu-  
2 cation as described in section 129(b)(2)(D), for  
3 eligible youth participating in the program, in-  
4 cluding education on the use of credit and fi-  
5 nancing higher education, and access to safe  
6 and affordable banking.

7           “(F) Providing supportive services to eligi-  
8 ble youth, or connecting such youth to sup-  
9 portive services provided by another entity, to  
10 enable participation in the program, which may  
11 include food and nutrition services, and health  
12 and mental health care supports.

13           “(G) Follow-up services for not less than  
14 12 months after the completion of participation,  
15 as appropriate.

16           “(H) Integration of services provided by  
17 the program with youth development programs,  
18 secondary school programs, career and technical  
19 education programs, youth workforce invest-  
20 ment activities under this chapter, and skills  
21 training programs funded by the State or Fed-  
22 eral Government, as applicable.

23           “(I) Connecting youth participating in the  
24 program to providers of youth services, adult  
25 employment and training services, vocational re-

1 habilitation services, and adult education and  
2 literacy services under title II, career pathways,  
3 postsecondary education, or skills training pro-  
4 grams funded by the State or Federal Govern-  
5 ment, as applicable.

6 “(J) A rigorous evaluation of such pro-  
7 gram using research approaches appropriate to  
8 the level of development and maturity of the  
9 program, including random assignment or  
10 quasi-experimental impact evaluations, imple-  
11 mentation evaluations, pre-experimental studies,  
12 and feasibility studies.

13 “(K) Commitment and support from may-  
14 ors or county executives to support the execu-  
15 tion of the program.

16 “(2) PROGRAM DESIGN.—

17 “(A) SUMMER EMPLOYMENT PROGRAM.—

18 In addition to the program elements described  
19 in paragraph (1), each eligible youth partici-  
20 pating in a summer employment program shall  
21 be matched with an appropriate employer,  
22 based on factors including the needs of the em-  
23 ployer and the age, skill, and aspirations of the  
24 eligible youth, for high-quality summer employ-  
25 ment, which may not—

1 “(i) be less than 4 weeks; and

2 “(ii) pay less than the greater of the  
3 applicable Federal, State, or local min-  
4 imum wage.

5 “(B) YEAR-ROUND EMPLOYMENT PRO-  
6 GRAM.—In addition to the program elements  
7 described in paragraph (1), a year-round em-  
8 ployment program described in this paragraph  
9 is a program that meets the following require-  
10 ments:

11 “(i) IN GENERAL.—Each eligible  
12 youth participating in the program is  
13 matched with an appropriate employer,  
14 based on factors including the needs of the  
15 employer and the age, skill, and informed  
16 aspirations of the participant, for high-  
17 quality, year-round employment, which  
18 may not—

19 “(I) be less than 180 days and  
20 more than 1 year;

21 “(II) pay less than the greater of  
22 the applicable Federal, State, or local  
23 minimum wage; and

24 “(III) employ the eligible youth  
25 for less than 20 hours per week.

1                   “(ii) EMPLOYER SHARE OF WAGES.—  
2                   Not less than 25 percent of the wages of  
3                   each eligible youth participating in the pro-  
4                   gram are paid by the employer, except this  
5                   requirement may be waived for not more  
6                   than 10 percent of eligible youth partici-  
7                   pating in the program that have a signifi-  
8                   cant barrier to employment, as defined by  
9                   the State board.

10                   “(3) PRIORITY.—In carrying out a summer em-  
11                   ployment program or a year-round employment pro-  
12                   gram receiving assistance under section  
13                   128(b)(4)(ii)(II), a local area shall give priority to  
14                   year-round employment opportunities offered under  
15                   such program—

16                   “(A) in existing or emerging high-skill,  
17                   high-wage, or in-demand industry sectors or oc-  
18                   cupations; or

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

21                   “(e) PERFORMANCE ACCOUNTABILITY.—For each  
22                   local board carrying out a summer or year-round employ-  
23                   ment program receiving assistance under section  
24                   128(b)(4)(ii)(II), the primary indicators of performance,  
25                   with respect to each such program, shall include—



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

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

7 “(3) the percentage of youth having partici-  
8 pated in work-based learning.

9 “(f) REPORTS.—

10 “(1) IN GENERAL.—In addition to information  
11 required as part of the State performance report de-  
12 scribed in section 116(d)(2), each State shall include  
13 for with respect to each summer and year round em-  
14 ployment program receiving assistance under section  
15 128(b)(4)(ii)(II)—

16 “(A) the number of eligible youth partici-  
17 pating in the program who complete a summer  
18 employment opportunity or a year-round em-  
19 ployment opportunity through the program;

20 “(B) the average cost per participant to  
21 develop or expand such program, and the activi-  
22 ties and services, and supportive services pro-  
23 vided under such program;

1 “(C) the number of eligible youth partici-  
2 pating in such program and accessing services  
3 as described in subparagraph (B);

4 “(D) the number of youth participants re-  
5 ceiving a subsidized wage, and the total amount  
6 and source of each such subsidy, including the  
7 average amount of the subsidy covered by funds  
8 received under section 128(b)(4)(ii)(II);

9 “(E) the average number of hours and  
10 weeks worked and the average amount of wages  
11 earned by eligible youth participating in the  
12 program;

13 “(F) the average number of hours spent  
14 on—

15 “(i) recruitment and retention strate-  
16 gies; and

17 “(ii) support for participating youth,  
18 such as time management, career planning,  
19 and financial literacy training;

20 “(G) the percent of eligible youth partici-  
21 pating in the program that are placed in—

22 “(i) an employment opportunity in the  
23 nonprofit sector;

24 “(ii) an employment opportunity in  
25 the public sector; and

1 “(iii) an employment opportunity in  
2 the for-profit sector; and

3 “(H) any other information that the Sec-  
4 retary of Labor determines necessary to mon-  
5 itor the effectiveness of the summer or year-  
6 round employment program.

7 “(2) DISAGGREGATION.—The information re-  
8 quired to be reported under subparagraphs (A), (B),  
9 and (G) of paragraphs (1) shall be disaggregated by  
10 race, ethnicity, sex, age, and the subpopulations of  
11 eligible youth.”.

12 **CHAPTER 3—ADULT AND DISLOCATED**  
13 **WORKER EMPLOYMENT AND TRAIN-**  
14 **ING ACTIVITIES**

15 **SEC. 241. WITHIN STATE ALLOCATIONS.**

16 Section 133(b)(2) (29 U.S.C. 3173(b)(2)) is amend-  
17 ed—

18 (1) in subparagraph (A)(iii), by striking “The  
19 term, used with respect to fiscal year 2013 or 2014,  
20 means a percentage of the amount allocated to local  
21 areas under paragraphs (2)(A) and (3) of section  
22 133(b) of the Workforce Investment Act of 1998 (as  
23 in effect on the day before the date of enactment of  
24 this Act), received through an allocation made under

1 paragraph (2)(A) or (3) of that section for fiscal  
2 year 2013 or 2014, respectively.”; and

3 (2) in subparagraph (B)(iv), by striking “The  
4 term, used with respect to fiscal year 2014, means  
5 a percentage of the amount allocated to local areas  
6 under section 133(b)(2)(B) of the Workforce Invest-  
7 ment Act of 1998 (as in effect on the day before the  
8 date of enactment of this Act), received through an  
9 allocation made under that section for fiscal year  
10 2014.”.

11 **SEC. 242. USE OF FUNDS FOR EMPLOYMENT AND TRAINING**

12 **ACTIVITIES.**

13 (a) **REQUIRED STATEWIDE EMPLOYMENT AND**  
14 **TRAINING ACTIVITIES.—**

15 (1) **STATEWIDE RAPID RESPONSE ACTIVI-**  
16 **TIES.—**Section 134(a)(2)(A)(ii) (29 U.S.C.  
17 3174(a)(2)(A)(ii)) is amended by striking “, and  
18 section 133(a)(2) of the Workforce Investment Act  
19 of 1998 (as in effect on the day before the date of  
20 enactment of this Act)”.

21 (2) **STATEWIDE EMPLOYMENT AND TRAINING**  
22 **ACTIVITIES.—**Section 134(a)(2)(B)(i) (29 U.S.C.  
23 3174(a)(2)(B)) is amended by striking subclauses  
24 (III) and (IV) and inserting the following:

1 “(III) local areas by providing in-  
2 formation on and support for the ef-  
3 fective development, convening, and  
4 implementation of industry or sector  
5 partnerships described in subsection  
6 (c)(5);

7 “(IV) local areas for carrying out  
8 career pathway development efforts;  
9 and

10 “(V) local areas, one-stop opera-  
11 tors, one-stop partners, and eligible  
12 providers, including for—

13 “(aa) the continuous devel-  
14 opment and training of staff on  
15 strategies (that are evidence-  
16 based, to the extent practicable)  
17 for preparing individuals with  
18 barriers to employment to enter  
19 in-demand industry sectors or oc-  
20 cupations and nontraditional oc-  
21 cupations;

22 “(bb) the development of ex-  
23 emplary program activities; and

24 “(cc) the provision of tech-  
25 nical assistance to local areas

1 that fail to meet local perform-  
2 ance accountability measures de-  
3 scribed in section 116(c);”.

4 (b) ALLOWABLE STATEWIDE EMPLOYMENT AND  
5 TRAINING ACTIVITIES.—Section 134(a)(3)(A) (29 U.S.C.  
6 3174(a)(3)(A)) is amended—

7 (1) in clause (i), by striking “innovative pro-  
8 grams” and inserting “innovative, evidence-based  
9 programs”;

10 (2) in clause (ii), by inserting “or bringing evi-  
11 denced-based programs to scale” after “strategies”;

12 (3) by amending clause (iii) to read as follows:

13 “(iii) the development or identification  
14 of, and sharing of information (in trans-  
15 parent, linked, open, and interoperable  
16 data formats) about, education and train-  
17 ing programs that—

18 “(I) respond to real-time labor  
19 market analysis;

20 “(II) utilize direct assessment  
21 and prior learning assessment to  
22 measure and provide credit for prior  
23 knowledge, skills, competencies, and  
24 experiences;

1 “(III) evaluate such skills and  
2 competencies for adaptability, ensure  
3 credits are portable and stackable for  
4 more skilled employment; and

5 “(IV) accelerate course or cre-  
6 dential completion, and the sharing of  
7 information about such programs in  
8 transparent, linked, open, and inter-  
9 operable data formats;”;

10 (4) by amending clause (v) to read as follows:

11 “(v) supporting the development of al-  
12 ternative, evidence-based programs and  
13 other activities that enhance the choices  
14 available to older individuals (including op-  
15 tions for self-employment and other wage-  
16 earning activities that lead to economic  
17 self-sufficiency), and enhance skills (such  
18 as digital literacy) in older individuals;”;

19 (5) in clause (viii)(II)—

20 (A) by amending item (dd) to read as fol-  
21 lows:

22 “(dd) adult education, and  
23 literacy, and digital literacy ac-  
24 tivities, including those provided  
25 by public libraries;”;

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

3 (C) by striking “and” at the end of item  
4 (ff); and

5 (D) by adding at the end the following:”.

6 “(gg) programs under the  
7 Older Americans Act of 1965 (42  
8 U.S.C. 3001 et seq.) that support  
9 employment and economic secu-  
10 rity; and

11 “(hh) State domestic vio-  
12 lence coalitions (as defined in  
13 section 302 of the Family Vio-  
14 lence Prevention and Services  
15 Act (42 U.S.C. 10402) and tribal  
16 coalitions (as defined in section  
17 40002(a) of the Violence Against  
18 Women Act of 1994 (34 U.S.C.  
19 12291(a)).”.

20 (c) REQUIRED LOCAL EMPLOYMENT AND TRAINING  
21 ACTIVITIES.—

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



1 “(iv) to provide supportive services de-  
2 scribed in paragraph (4) to adults and dis-  
3 located workers, respectively, through the  
4 one-stop delivery system in accordance  
5 with such paragraph;

6 “(v) to establish and develop relation-  
7 ships and networks with large and small  
8 employers and their intermediaries; and

9 “(vi) to develop, convene, or imple-  
10 ment industry or sector partnerships de-  
11 scribed in paragraph (5).”.

12 (2) CAREER SERVICES.—

13 (A) SERVICES PROVIDED.—Section  
14 134(c)(2)(A) (29 U.S.C. 3174(c)(2)(A)) is  
15 amended—

16 (i) in the matter preceding clause (i),  
17 by inserting “, shall be evidence-based  
18 services, to the extent practicable,” after  
19 “one-stop delivery system”;

20 (ii) by amending clause (iii) to read as  
21 follows:

22 “(iii) initial assessment of skill levels  
23 (including literacy, digital literacy,  
24 numeracy, and English language pro-  
25 ficiency), aptitudes, abilities (including

1 skills gaps), and supportive service needs,  
2 which may include diagnostic testing and  
3 use of other assessment tools;”;

4 (iii) by amending clause (vi) to read  
5 as follows:

6 “(vi) provision of workforce and labor  
7 market employment statistics information  
8 and related skills development information,  
9 including the provision of accurate (and, to  
10 the extent practicable, real-time) informa-  
11 tion relating to local, regional, and na-  
12 tional labor market areas, including—

13 “(I) job vacancy listings in such  
14 labor market areas;

15 “(II) information on job skills  
16 and credentials necessary to obtain  
17 the jobs described in subclause (I);  
18 and

19 “(III) information on education  
20 and skills development programs that  
21 are available for attaining needed  
22 skills and credentials for the jobs de-  
23 scribed in subclause (I), including in-  
24 formation—

1                   “(aa) on the most acceler-  
2                   ated pathways to such skills and  
3                   credentials (including information  
4                   on career pathway programs in  
5                   the local area); and

6                   “(bb) on the quality of such  
7                   education and training programs,  
8                   consistent with the performance  
9                   information provided under  
10                  clause (vii); and

11                  “(IV) information relating to  
12                  local occupations in demand and the  
13                  earnings, skill requirements, and op-  
14                  portunities for advancement for such  
15                  occupations; and”;

16                  (iv) by amending clause (xi) to read  
17                  as follows:

18                  “(xi) assistance in identifying and es-  
19                  tablishing eligibility for programs of finan-  
20                  cial aid assistance for training and edu-  
21                  cation programs that are not funded under  
22                  this Act, including Federal financial aid  
23                  under title IV of the Higher Education Act  
24                  of 1965 (20 U.S.C. 1070 et seq.) and

1 through State-funded education and train-  
2 ing programs;”;

3 (v) in clause (xii)—

4 (I) by striking subclauses (IV)  
5 through (XI) and inserting the fol-  
6 lowing:

7 “(IV) individual counseling, in-  
8 cluding career counseling;

9 “(V) career planning;

10 “(VI) assessment and develop-  
11 ment of employability skills, including  
12 development of learning skills, com-  
13 munication skills, interviewing skills,  
14 punctuality, personal maintenance  
15 skills, and professional conduct, to  
16 prepare individuals for unsubsidized  
17 employment or training;

18 “(VII) financial literacy services,  
19 such as the activities described in sec-  
20 tion 129(b)(2)(D);

21 “(VIII) out-of-area job search as-  
22 sistance and relocation assistance; or

23 “(IX) English language acquisi-  
24 tion and integrated education and  
25 training programs; and”;

1 (vi) in clause (xiii), by inserting “and  
2 options for further skill upgrading and ca-  
3 reer advancement” after “the workplace”.

4 (B) USE OF PREVIOUS ASSESSMENTS.—  
5 Subparagraph (B) of section 134(c)(2) (29  
6 U.S.C. 3174(c)(2)) is amended to read as fol-  
7 lows:

8 “(B) USE OF PREVIOUS ASSESSMENTS.—A  
9 one-stop operator or one-stop partner shall not  
10 be required to conduct a new interview, evalua-  
11 tion, or assessment of a participant under sub-  
12 paragraph (A)(xii) if the one-stop operator or  
13 one-stop partner determines that it is—

14 “(i) appropriate to use a recent inter-  
15 view, evaluation, or assessment of the par-  
16 ticipant conducted pursuant to for another  
17 education or training program; and

18 “(ii) using such an interview, evalua-  
19 tion, or assessment may accelerate eligi-  
20 bility determination or facilitate enrollment  
21 in a training program for which such par-  
22 ticipant has been selected.”.

23 (3) TRAINING SERVICES.—

24 (A) IN GENERAL.—Section 134(c)(3)(A)(i)  
25 (29 U.S.C. 3174(c)(3)(A)(i)) is amended—

1 (i) in clause (i)(II), by inserting be-  
2 fore the semicolon at the end the following:  
3 “, or to jobs that may be performed re-  
4 motely”; and

5 (ii) by adding at the end the fol-  
6 lowing:

7 “(iv) ADULT EDUCATION AND LIT-  
8 ERACY ACTIVITIES.—In the case of an in-  
9 dividual who is determined to not have the  
10 skills and qualifications to successfully par-  
11 ticipate in the selected program of training  
12 services under clause (i)(I)(cc), the one-  
13 stop operator or one-stop partner shall  
14 make available, or refer such individual to,  
15 adult education and literacy activities  
16 under title II.”.

17 (B) QUALIFICATION.—Section  
18 134(c)(3)(B) (29 U.S.C. 3174(c)(3)(B)) is  
19 amended by adding at the end the following:

20 “(iv) PARTICIPATION DURING PEND-  
21 ING APPLICATION.—An individual who  
22 meets the eligibility requirements under  
23 subparagraph (A)(i) to participate in a  
24 program of training services may partici-  
25 pate in such a program during the period

1 in which such individual’s enrollment in  
2 such program is being reviewed under this  
3 section, except that the provider of such  
4 program shall only receive reimbursement  
5 under this Act for the individual’s partici-  
6 pation during such period if such individ-  
7 ual’s enrollment is approved under this  
8 section.”.

9 (C) TRAINING SERVICES.—Section  
10 134(c)(3)(D) (29 U.S.C. 3174(c)(3)(D)) is  
11 amended by amending the matter preceding  
12 clause (i) to read as follows: “Training services  
13 shall be evidence-based, to the extent prac-  
14 ticable, may be delivered both in-person and vir-  
15 tually, and may include—”.

16 (D) PRIORITY.—Section 134(c)(3)(E) (29  
17 U.S.C. 3174(c)(3)(E)) is amended to read as  
18 follows:

19 “(E) PRIORITY.—

20 “(i) IN GENERAL.—With respect to  
21 funds allocated to a local area for adult  
22 employment and training activities under  
23 paragraph (2)(A) or (3) of section 133(b),  
24 not less than 50 percent of such funds, for  
25 receipt of career services described in para-

1 graph (2)(A)(xii), training services, and  
2 supportive services, shall be given to—

3 “(I) recipients of public assist-  
4 ance;

5 “(II) other low-income individ-  
6 uals;

7 “(III) individuals who have  
8 foundational skill needs; and

9 “(IV) individuals with barriers to  
10 employment who are not described in  
11 subclauses (I) through (III).

12 “(ii) DETERMINATIONS OF PRI-  
13 ORITY.—The appropriate local board and  
14 the Governor shall direct the one-stop op-  
15 erators in the local area with regard to  
16 making determinations on how to prioritize  
17 the populations listed in subclauses (I)  
18 through (IV) of clause (i) for purposes of  
19 clause (i).”;

20 (E) USE OF INDIVIDUAL TRAINING AC-  
21 COUNTS.—Section 134(c)(3)(G) (29 U.S.C.  
22 3174(c)(3)(G)) is amended—

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

25 “(i) IN GENERAL.—



1           “(I) TRAINING SERVICES.—Ex-  
2           cept as provided in clause (ii), train-  
3           ing services provided under this para-  
4           graph shall be provided through the  
5           use of individual training accounts in  
6           accordance with this paragraph, and  
7           shall be provided to eligible individuals  
8           through the one-stop delivery system.

9           “(II) AUTHORIZED COSTS.—An  
10          individual training account may pro-  
11          vide any costs with respect to such  
12          training services, as determined by  
13          local board, including—

14                 “(aa) in the case of a pro-  
15                 vider that charges tuition for a  
16                 training program, the cost of  
17                 such tuition and non-tuition  
18                 items (including books, supplies,  
19                 uniforms, tools, graduation fees,  
20                 licensing or certification exam  
21                 fees); or

22                 “(bb) in the case of a pro-  
23                 vider that does not charge tuition  
24                 for a training program and that  
25                 offers programs of demonstrated

1 effectiveness, consistent with sub-  
2 section (c)(3)(B), the cost of en-  
3 rollment and participation in  
4 such program.”;

5 (ii) in clause (ii), by amending sub-  
6 clause (IV) to read as follows:

7 “(IV) the local board determines  
8 that there is a training services pro-  
9 gram demonstrating cost effective-  
10 ness, and that can be offered in the  
11 local area by a community-based orga-  
12 nization or another private, nonprofit  
13 organization to serve individuals with  
14 barriers to employment;”;

15 (iii) by striking clauses (iii) and (iv)  
16 and inserting the following:

17 “(iii) LINKAGE TO OCCUPATIONS IN  
18 DEMAND.—Training services provided  
19 under this paragraph shall be directly  
20 linked to an in-demand industry sector or  
21 occupation in the local area or the plan-  
22 ning region, or in another area to which an  
23 adult or dislocated worker receiving such  
24 services is willing to relocate or that may  
25 be performed remotely, except that a local

1 board may approve training services for oc-  
2 cupations determined by the local board to  
3 be in sectors of the economy that have a  
4 high potential for sustained demand or  
5 growth in the local area.

6 “(iv) CREDENTIAL IN DEMAND.—To  
7 the extent practicable, training services  
8 provided under this paragraph shall result  
9 in the attainment of skills and credentials  
10 that are portable and stackable.

11 “(v) RULE OF CONSTRUCTION.—  
12 Nothing in this paragraph shall be con-  
13 strued to preclude the combined use of in-  
14 dividual training accounts and contracts in  
15 the provision of training services, including  
16 arrangements that allow individuals receiv-  
17 ing individual training accounts to obtain  
18 training services that are contracted for  
19 under clause (ii).”

20 (F) REIMBURSEMENT FOR ON-THE-JOB  
21 TRAINING.—Section 134(c)(3)(H) (29 U.S.C.  
22 3174(c)(3)(H)) is amended to read as follows:

23 “(H) REIMBURSEMENT FOR ON-THE-JOB  
24 TRAINING.—

1           “(i) ELIGIBILITY FOR REIMBURSE-  
2           MENT.—In order for an employer to re-  
3           ceive a reimbursement for on-the-job train-  
4           ing under this paragraph of up to 50 per-  
5           cent of the wage rate of the participant,  
6           for the extraordinary costs of providing the  
7           training and additional supervision related  
8           to the training, the employer must certify  
9           to the local board that the employment for  
10          which a reimbursement is provided will  
11          meet the basic indicators of job quality  
12          specified in clause (iv)(I).

13          “(ii) REIMBURSEMENT LEVELS.—For  
14          purposes of the provision of on-the-job  
15          training under this paragraph, the Gov-  
16          ernor or local board involved may increase  
17          the amount of the reimbursement de-  
18          scribed in clause (i) to an amount of up to  
19          90 percent of the wage rate of a partici-  
20          pant for a program carried out under  
21          chapter 2 or this chapter, if—

22                 “(I) the Governor approves the  
23                 increase with respect to a program  
24                 carried out with funds reserved by the  
25                 State under that chapter, taking into

1 account the factors described in clause  
2 (iv)); or

3 “(II) the local board approves the  
4 increase with respect to a program  
5 carried out with funds allocated to a  
6 local area under such chapter, taking  
7 into account such factors.

8 “(iii) VERIFICATION BY ONE-STOP OP-  
9 ERATOR.—Upon completion of the on-the-  
10 job training program, the one-stop oper-  
11 ator within a local area shall verify that  
12 the employer met the conditions that were  
13 certified to prior to receiving on-the-job  
14 training funds consistent with clause (iv),  
15 according to a methodology determined by  
16 the local board with consent from the Gov-  
17 ernor.

18 “(iv) FACTORS.—For purposes of this  
19 subparagraph, the Governor or local board,  
20 respectively, shall take into account factors  
21 consisting of—

22 “(I) basic indicators of job qual-  
23 ity, including—

24 “(aa) wage level upon com-  
25 pletion of training program cor-

1 responding to the definition of  
2 economic self-sufficiency estab-  
3 lished by the Governor;

4 “(bb) availability of benefits,  
5 such as paid time off, health in-  
6 surance, and retirement savings  
7 plan; and

8 “(cc) safe workplace and a  
9 culture of safety, such as a  
10 record of compliance with safety  
11 regulations consistent with or  
12 better than the industry average  
13 and adoption of an independently  
14 certified injury and illness pre-  
15 vention program;

16 “(II) the characteristics of the  
17 participants;

18 “(III) the size of the employer;

19 “(IV) the quality of employer-  
20 provided training and advancement  
21 opportunities; and

22 “(V) such other factors as the  
23 Governor or local board, respectively,  
24 may determine to be appropriate,  
25 which may include the number of em-

1 employees participating in the training,  
2 opportunities for promotions, predict-  
3 able and stable work schedule, and re-  
4 lation of the training to the competi-  
5 tiveness of a participant.”.

6 (4) SUPPORTIVE SERVICES.—Section 134(c)  
7 (29 U.S.C. 3174) is further amended by adding at  
8 the end the following:

9 “(4) SUPPORTIVE SERVICES.—

10 “(A) IN GENERAL.—Funds allocated to a  
11 local area for adults under paragraph (2)(A) or  
12 (3), as appropriate, of section 133(b), and  
13 funds allocated to the local area for dislocated  
14 workers under section 133(b)(2)(B)—

15 “(i) shall be used to provide sup-  
16 portive services (that are not needs-related  
17 payments) to adults and dislocated work-  
18 ers, respectively—

19 “(I) who are participating in pro-  
20 grams with activities authorized in  
21 paragraph (2) or (3) of subsection (c),  
22 or who entered unsubsidized employ-  
23 ment after participating in such pro-  
24 grams, for up to 12 months following  
25 the date of first employment; and

1                   “(II) who are unable to obtain  
2                   such supportive services through other  
3                   programs providing such services; and  
4                   “(ii) may be used to provide needs-re-  
5                   lated payments to adults and dislocated  
6                   workers, respectively, who are unemployed  
7                   and do not qualify for (or have ceased to  
8                   qualify for) unemployment compensation  
9                   for the purpose of enabling such individ-  
10                  uals to participate in programs of training  
11                  services under subsection (c)(3).

12                  “(B) ADDITIONAL ELIGIBILITY REQUIRE-  
13                  MENTS FOR NEEDS-RELATED PAYMENTS.—In  
14                  addition to the requirements contained in sub-  
15                  paragraph (A)(ii), a dislocated worker who has  
16                  ceased to qualify for unemployment compensa-  
17                  tion may be eligible to receive needs-related  
18                  payments under this paragraph only if such  
19                  worker is enrolled in training services.

20                  “(C) LEVEL OF PAYMENTS.—The level of  
21                  a needs-related payment made to a dislocated  
22                  worker under this paragraph shall not exceed  
23                  the greater of—

24                         “(i) the applicable level of unemploy-  
25                         ment compensation; or



1           “(ii) if such worker did not qualify for  
2           unemployment compensation, an amount  
3           equal to 150 percent of the poverty line,  
4           for an equivalent period, which amount  
5           shall be adjusted to reflect changes in total  
6           family income.”.

7           (5) INDUSTRY OR SECTOR BASED PARTNERSHIP  
8           TRAINING.—Section 134(c) (29 U.S.C. 3174), as  
9           amended by this section, is further amended by add-  
10          ing at the end the following:

11           “(5) INDUSTRY OR SECTOR BASED PARTNER-  
12          SHIP TRAINING.—

13           “(A) FUNDS.—

14           “(i) DISTRIBUTION OF FUNDS.—

15           “(I) STATE ALLOTMENT.—From  
16           the amount appropriated under sec-  
17           tion 136(d) for a fiscal year, the Sec-  
18           retary shall allot funds to each State  
19           on the basis of the relative allotment  
20           the State received under section  
21           132(b) for such fiscal year, compared  
22           to the total amount allotted to all  
23           States under section 132(b) for such  
24           fiscal year.

1                   “(II) LOCAL AREA ALLOCA-  
2                   TION.—A State shall use the funds al-  
3                   lotted under subclause (I) for a fiscal  
4                   year to allocate funds to each local  
5                   area of the State on the basis of the  
6                   relative allocation the local area re-  
7                   ceived under section 133(b) for such  
8                   fiscal year, compared to the total  
9                   amount allocated to all local areas in  
10                  the State under section 133(b) for  
11                  such fiscal year.

12                  “(ii) REQUIRED USES OF FUNDS.—  
13                  Funds allocated to a local area under  
14                  clause (i)(II) shall be used to carry out the  
15                  activities described in subparagraph (B).

16                  “(iii) AUTHORIZED USES OF  
17                  FUNDS.—Funds allocated to a local area  
18                  for adults under paragraph (2)(A) or (3),  
19                  as appropriate, of section 133(b), and  
20                  funds allocated to the local area for dis-  
21                  located workers under section 133(b)(2)(B)  
22                  may be used to carry out the activities de-  
23                  scribed in subparagraph (B).

24                  “(B) ACTIVITIES.—A local area shall de-  
25                  velop, convene, or implement industry or sector

1 partnerships, which shall carry out the fol-  
2 lowing:

3 “(i) Regularly engage and convene  
4 stakeholders to develop, or expand, employ-  
5 ment and training activities for the high-  
6 skill, high-wage, or in-demand industry  
7 sector or occupations on which such part-  
8 nership is focused.

9 “(ii) Directly provide, or arrange for  
10 the provision of evidence-based training,  
11 when available, that leads to the attain-  
12 ment of nationally or regionally portable  
13 and stackable recognized postsecondary  
14 credentials for the industry sector or occu-  
15 pations described in paragraph (A), which  
16 shall include—

17 “(I)(aa) training services de-  
18 scribed in any clause of subparagraph  
19 (D) of section 134(c)(3); or

20 “(bb) training provided  
21 through—

22 “(AA) apprenticeship pro-  
23 grams;

24 “(BB) pre-apprenticeship  
25 programs that articulate to reg-

1                   istered apprenticeship programs;

2                   or

3                   “(CC) joint labor-manage-  
4                   ment organizations; and

5                   “(II) the provision of information  
6                   on related skills or competencies that  
7                   may be attained through such training  
8                   or credentials;

9                   “(iii) Directly provide, or arrange for  
10                  the provision of, services to help individ-  
11                  uals with barriers to employment prepare  
12                  for, complete, and successfully transition  
13                  out of training described in paragraph (B),  
14                  which services may include career services,  
15                  supportive services, or provision of needs-  
16                  related payments authorized under para-  
17                  graph (2) or (4) of this subsection.

18                  “(iv) Develop and implement career  
19                  pathways and programs.

20                  “(v) Establish or implement plans for  
21                  providers of programs supported with such  
22                  funds to meet the criteria and carry out  
23                  the procedures to be included on the eligi-  
24                  ble training services provider list described  
25                  in section 122(d).”.

1 (d) PERMISSIBLE LOCAL EMPLOYMENT AND TRAIN-  
2 ING ACTIVITIES.—

3 (1) IN GENERAL.—Section 134(d)(1)(A) (29  
4 U.S.C. 3174(d)(A)(1)) is amended—

5 (A) in clause (vii)—

6 (i) by inserting “and” at the end of  
7 subclause (III); and

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

10 “(IV) to strengthen, through pro-  
11 fessional development activities, the  
12 knowledge and capacity of staff to use  
13 the latest digital technologies, tools  
14 and evidence-based strategies to equi-  
15 tably deliver high quality services and  
16 outcomes for jobseekers, workers, and  
17 employers;” and

18 (B) in (ix)(II)(bb), by inserting “, tech-  
19 nical assistance in support of job quality, adop-  
20 tion of skills-based and equitable hiring prac-  
21 tices,” after “apprenticeship”.

22 (2) INCUMBENT WORKER TRAINING PROGRAMS;  
23 TRANSITIONAL JOBS.—Section 134(d) (29 U.S.C.  
24 3174(d), as amended by this section, is further

1 amended by striking paragraphs (2) through (5),  
2 and inserting the following:

3 “(2) INCUMBENT WORKING TRAINING PRO-  
4 GRAMS.—

5 “(A) IN GENERAL.—

6 “(i) STANDARD RESERVATION OF  
7 FUNDS.—The local board may reserve and  
8 use not more than 25 percent of the funds  
9 allocated to the local area involved under  
10 section 133(b) to pay for the Federal share  
11 of the cost of providing training through a  
12 training program for incumbent workers,  
13 carried out in accordance with this para-  
14 graph.

15 “(ii) INCREASE IN RESERVATION OF  
16 FUNDS.—The local board may increase  
17 such reservation of funds by applying  
18 clause (i) by substituting ‘30 percent’ for  
19 ‘25 percent’ if the Governor determines  
20 that the training from such funds from the  
21 prior program year resulted in career pro-  
22 motions for workers receiving such training  
23 and created new job vacancies.

24 “(iii) DETERMINATION OF ELIGI-  
25 BILITY.—In order for a local board to de-

1                   termine that an employer is eligible to re-  
2                   ceive funding under clause (i)—

3                   “**(I)** the employer shall certify  
4                   that the employment conditions for in-  
5                   cumbent workers upon completion of  
6                   the training funded under clause (i)  
7                   will satisfy the basic indicators of job  
8                   quality described in subsection  
9                   **(c)(3)(H)(iv)(I)**; and

10                  “**(II)** in determining such eligi-  
11                  bility, the local board shall take into  
12                  account factors consisting of—

13                  “**(aa)** the characteristics of  
14                  the participants in the program;

15                  “**(bb)** the relationship of the  
16                  training to the competitiveness of  
17                  a participant and the employer;  
18                  and

19                  “**(cc)** such other factors as  
20                  the local board may determine to  
21                  be appropriate, which may in-  
22                  clude the number of employees  
23                  participating in the training, and  
24                  the existence of other training

1 and advancement opportunities  
2 provided by the employer.

3 “(iv) STATEWIDE IMPACT.—The Gov-  
4 ernor or State board involved may make  
5 recommendations to the local board for  
6 providing incumbent worker training that  
7 has statewide impact.

8 “(B) TRAINING ACTIVITIES.—The training  
9 program for incumbent workers carried out  
10 under this paragraph shall be carried out by the  
11 local board in conjunction with the employers or  
12 groups of employers of such workers (which  
13 may include employers in partnership with  
14 other entities for the purposes of delivering  
15 training) for the purpose of assisting such  
16 workers in obtaining the skills necessary to re-  
17 tain employment or avert layoffs.

18 “(C) EMPLOYER PAYMENT OF NON-FED-  
19 ERAL SHARE.—Employers participating in the  
20 program carried out under this paragraph shall  
21 be required to pay for the non-Federal share of  
22 the cost of providing the training to incumbent  
23 workers of the employers.

24 “(D) NON-FEDERAL SHARE.—



1           “(i) FACTORS.—Subject to clause (ii),  
2           the local board shall establish the non-Fed-  
3           eral share of the cost of providing training  
4           through a training program for incumbent  
5           workers, by considering—

6                   “(I) the indicators of quality jobs  
7                   described in clause (c)(3)(H)(iv); and

8                   “(II) which such indicators or  
9                   how many of such indicators the em-  
10                  ployer certifies will be met with re-  
11                  spect to the employment of incumbent  
12                  workers upon completion of training  
13                  funded under this section.

14           “(ii) LIMITS.—The non-Federal share  
15           shall not be less than—

16                   “(I) 10 percent of the cost, for  
17                   employers with not more than 50 em-  
18                   ployees;

19                   “(II) 25 percent of the cost, for  
20                   employers with more than 50 employ-  
21                   ees but not more than 100 employees;  
22                   and

23                   “(III) 50 percent of the cost, for  
24                   employers with more than 100 em-  
25                   ployees.

1                   “(iii) CALCULATION OF EMPLOYER  
2                   SHARE.—The non-Federal share provided  
3                   by an employer participating in the pro-  
4                   gram may include the amount of the wages  
5                   paid by the employer to a worker while the  
6                   worker is attending a training program  
7                   under this paragraph. The employer may  
8                   provide the share in cash or in kind, fairly  
9                   evaluated.

10                   “(E) VERIFICATION BY ONE-STOP OPER-  
11                   ATOR.—Upon completion of the incumbent  
12                   worker training program funded under this sec-  
13                   tion, the one-stop operator within a local area  
14                   shall verify that the employer met the condi-  
15                   tions that were certified to prior to receiving  
16                   the Federal share of the training program’s  
17                   costs, consistent with this paragraph, according  
18                   to a methodology determined by the Governor  
19                   or local board. If such conditions were not met,  
20                   the one-stop operator shall prohibit the em-  
21                   ployer from receiving funds for incumbent  
22                   worker training under this section for a period  
23                   of 5 years.

24                   “(3) TRANSITIONAL JOBS.—The local board  
25                   may use not more than 20 percent of the funds allo-

1 cated to the local area involved under section 133(b)  
2 to provide transitional jobs under subsection (e)(3)  
3 that—

4 “(A) are time-limited work experiences  
5 that are subsidized and are in the public, pri-  
6 vate, or nonprofit sectors for individuals with  
7 barriers to employment, including justice-in-  
8 volved individuals, who are chronically unem-  
9 ployed or have an inconsistent work history;

10 “(B) are combined with comprehensive em-  
11 ployment and supportive services; and

12 “(C) are designed to assist the individuals  
13 described in subparagraph (A) to establish a  
14 work history, demonstrate success in the work-  
15 place, and develop the skills that lead to entry  
16 into and retention in unsubsidized employ-  
17 ment.”.

## 18 **CHAPTER 4—GENERAL WORKFORCE**

### 19 **INVESTMENT PROVISIONS**

#### 20 **SEC. 251. AUTHORIZATION OF APPROPRIATIONS.**

21 Section 136 (29 U.S.C. 3181) is amended to read as  
22 follows:

#### 23 **“SEC. 136. AUTHORIZATION OF APPROPRIATIONS.**

24 “(a) **YOUTH WORKFORCE INVESTMENT ACTIVI-**  
25 **TIES.**—There are authorized to be appropriated to carry

1 out the activities described in section 127(a),  
2 \$1,853,300,000 for fiscal year 2023, \$2,038,600,000 for  
3 fiscal year 2024, \$2,242,500,000 for fiscal year 2025,  
4 \$2,466,800,000 for fiscal year 2026, \$2,713,500,000 for  
5 fiscal year 2027, and \$2,984,900,000 for fiscal year 2028.

6 “(b) ADULT EMPLOYMENT AND TRAINING ACTIVI-  
7 TIES.—There are authorized to be appropriated to carry  
8 out the activities described in section 132(a)(1),  
9 \$1,555,600,000 for fiscal year 2023, \$1,711,200,000 for  
10 fiscal year 2024, \$1,882,300,000 for fiscal year 2025,  
11 \$2,070,500,000 for fiscal year 2026, \$2,277,600,000 for  
12 fiscal year 2027, and \$2,505,400,000 for fiscal year 2028.

13 “(c) DISLOCATED WORKER EMPLOYMENT AND  
14 TRAINING ACTIVITIES.—There are authorized to be ap-  
15 propriated to carry out the activities described in section  
16 132(a)(2), \$2,486,300,000 for fiscal year 2023,  
17 \$2,734,900,000 for fiscal year 2024, \$3,008,400,000 for  
18 fiscal year 2025, \$3,309,200,000 for fiscal year 2026,  
19 \$3,640,100,000 for fiscal year 2027, and \$4,004,100,000  
20 for fiscal year 2028.

21 “(d) INDUSTRY OR SECTOR BASED PARTNERSHIP  
22 TRAINING.—There are authorized to be appropriated to  
23 carry out section 134(c)(5), such sums as may be nec-  
24 essary for each of the fiscal years 2023 through 2028.”.

## 1                   **Subtitle C—Job Corps**

### 2   **SEC. 261. AMENDMENTS RELATING TO JOB CORPS.**

#### 3           (a) DEFINITIONS.—

4                   (1) IN GENERAL.—Section 142 (29 U.S.C.  
5           3192) is amended—

6                           (A) by amending paragraph (7) to read as  
7                   follows:

8                           “(7) JOB CORPS CAMPUS.—The term ‘Job  
9           Corps campus’ means a campus run by an operator  
10           selected by the Secretary pursuant to section 147,  
11           carrying out Job Corps activities.”; and

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

13                           “(11) STATE.—The term ‘State’ has the mean-  
14           ing given the term in section 3, except that such  
15           term also includes outlying areas (as defined in sec-  
16           tion 3).”.

17                   (2) CONFORMING AMENDMENTS.—Subtitle C of  
18           title I (29 U.S.C. 3191 et seq.) is amended—

19                           (A) by striking “Job Corps center” each  
20                   place such term appears and inserting “Job  
21                   Corps campus”; and

22                           (B) by striking “Job Corps centers” each  
23                   place such term appears and inserting “Job  
24                   Corps campuses”.

1 (b) INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.—

2 Section 144 (29 U.S.C. 3194) is amended—

3 (1) in subsection (a)—

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

6 “(1) not less than age 16 and not more than  
7 age 24 on the date of enrollment, except that either  
8 such maximum age limitation may be waived by the  
9 Secretary, in accordance with regulations of the Sec-  
10 retary, in the case of an individual with a disability;  
11 and”;

12 (B) by striking paragraph (2); and

13 (C) by redesignating paragraph (3) as  
14 paragraph (2) and by amending such para-  
15 graph—

16 (i) in subparagraph (A), by striking  
17 “Basic skills deficient” and inserting “An  
18 individual with foundational skill needs”;

19 (ii) in subparagraph (B), by striking  
20 “A school dropout” and inserting “An op-  
21 portunity youth”;

22 (iii) in subparagraph (D), by inserting  
23 “or an individual who is pregnant” before  
24 the period;

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

3 “(G)(i) A low-income individual as defined  
4 in subsection (h)(4) of section 402A of the  
5 Higher Education Amendments of 1992 (20  
6 U.S.C. 1070a-11) as determined using proce-  
7 dures similar to those in subsection 402a(e) of  
8 such section; or

9 “(ii) a resident of a qualified opportunity  
10 zone as defined in section 1400Z-1(a) of the In-  
11 ternal Revenue Code of 1986.”; and

12 (2) by amending subsection (b) to read as fol-  
13 lows:

14 “(b) SPECIAL RULE FOR VETERANS.—A veteran  
15 shall be eligible to become an enrollee if the veteran meets  
16 the requirements of subsection (a)(1).”.

17 (c) RECRUITMENT, SCREENING, SELECTION, AND  
18 ASSIGNMENT OF ENROLLEES.—Section 145(a)(2) (29  
19 U.S.C. 3195(a)(2)) is amended—

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

22 (2) in subparagraph (E), by striking the period  
23 at the end and inserting “; and”; and

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

1           “(F) assist one-stop centers and other en-  
2           tities identified in paragraph (3) in developing  
3           joint applications for Job Corps, YouthBuild,  
4           and youth workforce investment activities under  
5           which an applicant may submit a single applica-  
6           tion for all such programs.”.

7           (d) **JOB CORPS CAMPUSES.**—Section 147 (29 U.S.C.  
8 3197) is amended—

9           (1) in subsection (a)—

10           (A) in paragraph (2)—

11           (i) in subparagraph (A), by inserting  
12           at the end the following: “Such award shall  
13           be based upon best value and fair and rea-  
14           sonable pricing.”; and

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

17           “(B) **CONSIDERATIONS.**—In selecting an  
18           entity to operate a Job Corps campus or a serv-  
19           ice provider for a Job Corps campus, the Sec-  
20           retary shall consider the following:

21           “(i) **STUDENT OUTCOMES.**—A nu-  
22           meric metric of recent past effectiveness of  
23           the entity in assisting opportunity youth to  
24           connect to the workforce, to be calculated  
25           based on data regarding—



1           “(I) the percentage of students  
2           served by the entity who were in edu-  
3           cation or training activities, or in un-  
4           subsidized employment, during the  
5           second quarter after exit from the rel-  
6           evant program;

7           “(II) the percentage of students  
8           served by the entity who were in edu-  
9           cation or training activities, or in un-  
10          subsidized employment, during the  
11          fourth quarter after exit from the rel-  
12          evant program;

13          “(III) the median earnings of  
14          students served by the entity who  
15          were in unsubsidized employment dur-  
16          ing the second quarter after exit from  
17          the relevant program; and

18          “(IV) the percentage of students  
19          served by the entity who obtained a  
20          recognized postsecondary credential,  
21          or a secondary school diploma or its  
22          recognized equivalent, during partici-  
23          pation in or within 1 year after exit  
24          from the relevant program.

1           “(ii) DEMONSTRATION OF RELEVANT  
2           EXPERIENCE.—In the case of an entity  
3           that has not previously operated, or pro-  
4           vided services to, a Job Corps campus dur-  
5           ing the most recent 5-year period, previous  
6           experience—

7                       “(I) serving opportunity youth  
8                       with education and career activities  
9                       similar to the activities described in  
10                      section 148(a), and demonstration of  
11                      such experience though the submis-  
12                      sion of student outcomes described in  
13                      clause (i); and

14                     “(II) providing a safe learning  
15                     and residential environment for such  
16                     youth.

17           “(iii) MARKET DEVELOPMENT.—In  
18           the case of an entity that has previously  
19           served as a subcontractor for core services  
20           of Job Corps campus operations such as  
21           recruitment, academics, career and tech-  
22           nical education, residential living, coun-  
23           seling, and transition services, contribu-  
24           tions of the entity to the past effectiveness

1 of the campus on relevant student out-  
2 comes described under clause (i).”; and

3 (B) in paragraph (3)—

4 (i) in subparagraph (A), by inserting  
5 “high-skill, high-wage, or” before “in-de-  
6 mand”;

7 (ii) in subparagraph (C), by striking  
8 “Workforce Investment Act of 1998” and  
9 inserting “Workforce Innovation and Op-  
10 portunity Act”;

11 (iii) by redesignating subparagraph  
12 (K) as subparagraph (L); and

13 (iv) by inserting after subparagraph  
14 (J) the following:

15 “(K) A description of the entity’s ability to  
16 demonstrate a record of successfully operating  
17 a residential facility.”;

18 (2) in subsection (b), by striking paragraphs  
19 (2) and (3) and inserting the following:

20 “(2) HIGH PERFORMANCE.—An entity shall be  
21 considered to be an operator of a high-performing  
22 campus if the Job Corps campus operated by the en-  
23 tity was ranked among the top 25 percent of Job  
24 Corps campuses, excluding Civilian Conservation

1 Centers described in subsection (d), for the two most  
2 recent preceding program years.”;

3 (3) in subsection (d), by adding at the end the  
4 following:

5 “(4) DIRECT HIRE AUTHORITY.—The Secretary  
6 of Agriculture may appoint, without regard to the  
7 provisions of subchapter I of chapter 33 of title 5,  
8 United States Code (other than sections 3303 and  
9 3328 of such title), a graduate of a Civilian Con-  
10 servation Center who successfully completed a train-  
11 ing program focused on forestry, wildland fire-  
12 fighting, or another topic relating to the mission of  
13 the Forest Service directly to a position with the De-  
14 partment of Agriculture, Forest Service, for which  
15 the candidate meets Office of Personnel Manage-  
16 ment qualification standards.”;

17 (4) in subsection (f), by striking “2-year” and  
18 inserting “4-year”;

19 (5) in subsection (g)(1), by striking “the pre-  
20 ceding year for which information is available” and  
21 all that follows through the end and inserting “the  
22 preceding year for which information is available,  
23 such campus has been ranked in the lowest 10 per-  
24 cent of Job Corps campuses.”.

1 (e) PROGRAM ACTIVITIES.—Section 148(a) (29  
2 U.S.C. 3198(a)) is amended, in the subsection heading,  
3 by inserting “Academic” before “Activities”.

4 (f) SUPPORT.—Section 150 (29 U.S.C. 3200) is  
5 amended—

6 (1) in subsection (c), by striking “3 months”  
7 and inserting “12 months”; and

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

9 “(d) PERIOD OF TRANSITION.—Notwithstanding the  
10 requirements of section 146(b), Job Corps graduates may  
11 remain enrolled and a resident of a Job Corps campus  
12 for not more than 1 month after meeting initial placement  
13 requirements, subject to the director of the Job Corps  
14 Campus, in order to facilitate their transition into inde-  
15 pendent living and employment.”.

16 (g) OPERATIONS.—Section 151 (29 U.S.C. 3201) is  
17 amended to read as follows:

18 **“SEC. 151. OPERATIONS.**

19 “(a) OPERATING PLAN.—

20 “(1) IN GENERAL.—The provisions of the con-  
21 tract between the Secretary and an entity selected to  
22 operate a Job Corps center shall, including any sub-  
23 sequent modifications to such contract, serve as an  
24 operating plan for the Job Corps center.

1           “(2) FEDERAL CHANGES TO OPERATING  
2           PLAN.—The Secretary may require the operator to  
3           submit additional information, as the Secretary  
4           deems necessary for compliance with any relevant  
5           regulations, which shall be considered part of the op-  
6           erating plan.

7           “(3) AVAILABILITY.—The Secretary shall make  
8           the operating plan described in paragraphs (1) and  
9           (2), excluding any proprietary information, available  
10          to the public.

11          “(b) LOCAL AUTHORITIES.—Subject to the limita-  
12          tions of their approved budgets, the operators of Job  
13          Corps campuses shall have the authority to—

14                 “(1) hire staff and invest in staff professional  
15                 development;

16                 “(2) enter into agreements with local partners,  
17                 such as secondary and postsecondary schools or em-  
18                 ployers; and

19                 “(3) engage with and educate stakeholders  
20                 about Job Corps operations and activities.”.

21          (h) STANDARDS OF CONDUCT.—Section 152 (29  
22          U.S.C. 3202) is amended—

23                 (1) in subsection (a), by striking the second  
24                 sentence;

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

3 “(b) BEHAVIORAL MANAGEMENT PLAN.—

4 “(1) IN GENERAL.—As part of the operating  
5 plan defined in section 151(a), Job Corps operators  
6 shall outline a behavioral management plan, includ-  
7 ing student standards of conduct and positive behav-  
8 ioral interventions and supports.

9 “(2) ZERO TOLERANCE POLICY AND DRUG  
10 TESTING.—

11 “(A) IN GENERAL.—The Secretary shall  
12 adopt guidelines establishing a zero tolerance  
13 policy for an act of violence, for use, sale, or  
14 possession of a controlled substance, for abuse  
15 of alcohol, or for other illegal or disruptive ac-  
16 tivity. Each Job Corps operator shall incor-  
17 porate a zero tolerance policy in the behavioral  
18 management plan of the operator as described  
19 in paragraph (1). In developing such guidelines,  
20 the Secretary shall account for those States  
21 where the use and possession of marijuana is  
22 not deemed unlawful.

23 “(B) DRUG TESTING.—The Secretary shall  
24 require drug testing of all enrollees for con-  
25 trolled substances in accordance with proce-

1           dures prescribed by the Secretary under section  
2           145(a).

3           “(C) DEFINITIONS.—In this paragraph:

4                   “(i) CONTROLLED SUBSTANCE.—The  
5                   term ‘controlled substance’ has the mean-  
6                   ing given the term in section 102 of the  
7                   Controlled Substances Act (21 U.S.C.  
8                   802).

9                   “(ii) ZERO TOLERANCE POLICY.—The  
10                   term ‘zero tolerance policy’ means a policy  
11                   under which an enrollee shall be automati-  
12                   cally dismissed from the Job Corps after a  
13                   determination by the director that the en-  
14                   rollee has carried out an action described  
15                   in subparagraph (A).

16           “(3) ADVISORY GROUP.—The Secretary shall  
17           periodically convene an advisory group of Job Corps  
18           operators and service providers and subject matter  
19           experts to review the reporting data collected under  
20           paragraph (5) and provide recommendations for Job  
21           Corps behavioral management plans based on evi-  
22           dence-based research regarding effective and equi-  
23           table behavioral policies.

24           “(4) ENFORCEMENT OF STANDARDS OF CON-  
25           DUCT.—



1           “(A) DISCIPLINARY MEASURES.—The di-  
2           rectors of Job Corps campuses shall enforce  
3           such standards of conduct and shall have the  
4           authority to take disciplinary measures, includ-  
5           ing dismissing enrollees, to ensure the safety of  
6           students, staff, and the local community.

7           “(B) LAW ENFORCEMENT AGREEMENTS.—  
8           The directors of Job Corps campuses shall  
9           enter into agreements with the relevant local  
10          law enforcement agency of jurisdiction regard-  
11          ing the procedures for reporting and inves-  
12          tigating potentially illegal activity on Job Corps  
13          campuses.

14          “(5) INCIDENT REPORTING.—The Secretary  
15          shall establish procedures for—

16                  “(A) reporting significant health incidents,  
17                  including substance abuse, self-harm, and acci-  
18                  dents resulting in bodily harm; and

19                  “(B) reporting significant behavioral inci-  
20                  dents, defined as acts of violence or illegal ac-  
21                  tivity.

22          “(6) ACCOUNTABILITY.—The Secretary shall  
23          establish standards under which a Job Corps cam-  
24          pus shall be required to take performance improve-  
25          ment actions described in section 159(f), based on

1 an evaluation of such Job Corps campus taking into  
2 account reporting data collected under paragraph  
3 (5) and recommendations of the advisory group pur-  
4 suant to paragraph (3).”.

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

8 “(a) PROJECTS.—The Secretary may carry out ex-  
9 perimental, research, or demonstration projects relating to  
10 evidence-based strategies for improving the operations of  
11 a Job Corps campus that was ranked among the bottom  
12 10 percent of Job Corps campuses. The Secretary may  
13 waive any provisions of this subtitle that the Secretary  
14 finds would prevent the Secretary from carrying out the  
15 projects (other than sections 145, 147, and 159(c)) and  
16 provided that the project will not result in a reduction in  
17 the number of students served, if the Secretary informs  
18 the Committee on Education and Labor of the House of  
19 Representatives and the Committee on Health, Education,  
20 Labor, and Pensions of the Senate, in writing, not less  
21 than 90 days in advance of issuing such waiver.”.

22 [(j) APPLICATION OF PROVISIONS OF FEDERAL  
23 LAW.—]

1           **[(1) IN GENERAL.—**Section 157 (29 U.S.C.  
2           3207) is amended by adding at the end the fol-  
3           **lowing:]**

4           **["(d) SERVICE CONTRACT ACT.—**Operators and  
5           service providers, including subcontractors thereto, are  
6           subject to and shall be required to abide by chapter 67  
7           of title 41 (commonly known as the ‘McNamara-O’Hara  
8           Service Contract Act of 1965’).”.]

9           **[(2) EFFECTIVE DATE.—**

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

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

23           **(k) STAFFING.—**

24           **(1) IN GENERAL.—**To ensure compliance with  
25           chapter 67 of title 41, United States Code (com-

1 monly known as the ‘McNamara-O’Hara Service  
2 Contract Act of 1965’), the staffing plan and the as-  
3 sociated budget of an entity proposing to be an oper-  
4 ator or service provider for a Job Corps Campus  
5 shall incorporate wages and fringe benefit costs for  
6 occupational classifications consistent with the wage  
7 determination issued under such chapter within the  
8 local area of the Job Corps campus. Prior to the se-  
9 lection or extension of a contract for such entity to  
10 operate or be a service provider for such campus, the  
11 Secretary shall, in preparing such wage determina-  
12 tion, compare the specific job classifications at the  
13 campus with those occupations most closely cor-  
14 related with public education providers in the local-  
15 ity with the goal of ensuring equivalency to the max-  
16 imum extent feasible.

17 (2) CERTAIN OCCUPATIONS.—For those occupa-  
18 tions for which Job Corps academic and trade in-  
19 structors are not covered under chapter 67 of title  
20 41, the staffing plan and the associated budget of  
21 the entity proposing to be an operator or service pro-  
22 vider shall incorporate wages and fringe benefit costs  
23 equivalent to those paid by occupations most closely  
24 correlated with public education providers in the lo-  
25 cality. The Secretary shall develop the methodology

1 for wage and fringe benefit comparisons to be used  
2 in such contracts for such academic or trade instruc-  
3 tor occupations based on the methodology used for  
4 wage and fringe determinations under chapter 67 of  
5 title 41.

6 (l) MANAGEMENT INFORMATION.—Section 159 (29  
7 U.S.C. 3209) is amended—

8 (1) in subsection (a), by adding at the end the  
9 following:

10 “(4) ANNUAL RECONCILIATION.—Prior to the  
11 expiration of any appropriated Job Corps operations  
12 funds for any fiscal year, any anticipated unobli-  
13 gated funds may, subject to appropriations, be obli-  
14 gated to projects identified under subsection  
15 (h)(1).”;

16 (2) in subsection (c)—

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

19 “(1) LEVELS OF PERFORMANCE AND INDICA-  
20 TORS.—

21 “(A) IN GENERAL.—At the start of each  
22 contract period, and at least every two program  
23 years in the case of Civilian Conservation Cen-  
24 ters, the Secretary shall establish expected lev-  
25 els of performance for each Job Corps campus

1 relating to each of the primary indicators of  
2 performance for eligible youth described in sec-  
3 tion 116(b)(2)(A)(ii) using the model described  
4 in subparagraph (B).

5 “(B) PERFORMANCE MODEL.—At least  
6 every four years and no more than every two  
7 years, the Secretary shall develop a model for  
8 establishing the expected levels of performance  
9 for each campus, in accordance with the fol-  
10 lowing:

11 “(i) EQUITY.—The model shall ac-  
12 count for significant correlations between  
13 various factors and student outcomes, in-  
14 cluding:

15 “(I) Student demographics, in-  
16 cluding age, gender, race, ethnicity,  
17 documented disabilities, and education  
18 level on entry.

19 “(II) Employment conditions in  
20 students’ home communities.

21 “(ii) DEVELOPMENT.—The model  
22 shall be developed by subject matter ex-  
23 perts in the fields of Job Corps operations,  
24 program evaluation, statistical analysis,  
25 and related fields using available Job

1 Corps data as well as regional economic  
2 data.

3 “(iii) TRANSPARENCY.—The perform-  
4 ance model and the past effectiveness met-  
5 ric identified in section 147(a)(2)(B)(i), in-  
6 cluding the procedures outlined in section  
7 147(a)(2)(B)(iv), shall be published for  
8 comment.”; and

9 (B) in paragraph (2)—

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

12 (ii) by striking subparagraph (B) and  
13 inserting the following:

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

16 “(C) the measurement described in sub-  
17 paragraph (K) of subsection (d)(1).”.

18 (3) in subsection (d)(1)—

19 (A) by striking subparagraph (I); and

20 (B) by redesignating subparagraphs (J)  
21 through (O) as subparagraphs (I) through (N),  
22 respectively; and

23 (4) in subsection (f)—

24 (A) in paragraph (2)—

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

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

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

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

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

20 (m) TECHNICAL AMENDMENT.—Subtitle C of title I  
21 (29 U.S.C. 3191 et seq.) is amended by striking “Com-  
22 mittee on Education and the Workforce” each place it ap-  
23 pears and inserting “Committee on Education and  
24 Labor”.



1 (n) AUTHORIZATION OF APPROPRIATIONS.—Section  
2 162 (29 U.S.C. 3212) is amended to read as follows:

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

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

6 “(1) \$1,720,411,000 for fiscal year 2023;

7 “(2) \$1,763,400,000 for fiscal year 2024;

8 “(3) \$1,807,500,000 for fiscal year 2025;

9 “(4) \$1,852,700,000 for fiscal year 2026;

10 “(5) \$1,899,000,000 for fiscal year 2027; and

11 “(6) \$1,946,500,000 for fiscal year 2028.

12 “(b) CONSTRUCTION COSTS.—Of the amount author-  
13 ized in subsection (a) for each of fiscal years 2023 through  
14 2028, \$117,400,000 shall be for construction, rehabilita-  
15 tion, and acquisition of Job Corps Campuses.”.

16 **Subtitle D—National Programs**

17 **SEC. 271. NATIVE AMERICAN PROGRAMS.**

18 Section 166 (29 U.S.C. 3221) is amended—

19 (1) in subsection (c), by striking “, on a com-  
20 petitive basis,”;

21 (2) in subsection (d)—

22 (A) in paragraph (1)—

23 (i) in subparagraph (A), by striking

24 “and” at the end;

1 (ii) in subparagraph (B), by striking  
2 the period at the end and inserting “;  
3 and”; and

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

6 “(C) are evidence-based, to the extent  
7 practicable.”; and

8 (B) by amending paragraph (2) to read as  
9 follows:

10 “(2) WORKFORCE DEVELOPMENT ACTIVITIES  
11 AND SUPPLEMENTAL SERVICES.—Funds made avail-  
12 able under subsection (c) shall be used for—

13 “(A) comprehensive workforce development  
14 activities for Indians, Alaska Natives, or Native  
15 Hawaiians, including training on entrepre-  
16 neurial skills; or

17 “(B) supplemental services for Indian,  
18 Alaska Native, or Native Hawaiian youth on or  
19 near Indian reservations and in Oklahoma,  
20 Alaska, or Hawaii.”; and

21 (3) in subsection (i)—

22 (A) in paragraph (1)—

23 (i) in the heading, by striking “UNIT”  
24 and inserting “DIVISION”; and

1 (ii) by striking “unit” and inserting  
2 “division”;

3 (B) in paragraph (4)—

4 (i) by amending subparagraph (B) to  
5 read as follows:

6 “(B) COMPOSITION.—

7 “(i) IN GENERAL.—The Council shall  
8 be composed of individuals, appointed by  
9 the Secretary, who are representatives of  
10 the entities described in subsection (c).

11 “(ii) VACANCIES.—Any member ap-  
12 pointed to fill a vacancy occurring before  
13 the expiration of the term for which the  
14 member’s predecessor was appointed shall  
15 be appointed only for the remainder of that  
16 term. A member may serve after the expi-  
17 ration of that member’s term until a suc-  
18 cessor has taken office.”; and

19 (ii) in subparagraph (C), by striking  
20 “unit” and inserting “division”; and

21 (C) in paragraph (5), by striking “unit”  
22 and inserting “division”.

23 **SEC. 272. MIGRANT AND SEASONAL FARMWORKER PRO-**  
24 **GRAMS.**

25 Section 167 (29 U.S.C. 3222) is amended—

1 (1) in subsection (d), by inserting “be used for  
2 the 4-year period for which funds are provided under  
3 this section, and which may” after “which may;”;

4 (2) in subsection (h)—

5 (A) in the heading, by inserting “; FUND-  
6 ING OBLIGATION” after “FUNDING ALLOCA-  
7 TION”;

8 (B) by striking “From the” and inserting  
9 the following:

10 “(1) FUNDING ALLOCATION.—From the”; and

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

12 “(2) FUNDING OBLIGATION.—

13 “(A) IN GENERAL.—Funds appropriated  
14 and made available to carry out this section for  
15 any fiscal year may be obligated to any entity  
16 described in subsection (b) during the period  
17 beginning on April 1 of the calendar year that  
18 begins during such fiscal year, and ending on  
19 June 30 of the following calendar year.

20 “(B) OBLIGATED AMOUNT.—Funds made  
21 available under this section for a fiscal year to  
22 any entity described in subsection (b) shall be  
23 available for obligation and expenditure by such  
24 entity for the period beginning on July 1 of the  
25 calendar year that begins during such fiscal

1 year, and ending on June 30 of the following  
2 calendar year, except that the Secretary may  
3 extend such period if the Secretary determines  
4 that such extension is necessary to ensure the  
5 effective use of such funds by such entity.”; and  
6 (3) in subsection (i)(3)(A)(i), by striking “12”  
7 and inserting “8”.

8 **SEC. 273. TECHNICAL ASSISTANCE.**

9 Section 168(a)(1) (29 U.S.C. 3223(a)(1)) is amend-  
10 ed—

11 (1) in the matter preceding subparagraph (A),  
12 by striking “staff development” and inserting “pro-  
13 fessional development for staff”;

14 (2) in subparagraph (C), by inserting “profes-  
15 sional development and” after “the”;

16 (3) in subparagraph (D), by inserting “profes-  
17 sional development and” after “the”;

18 (4) in subparagraph (G), by striking “and” at  
19 the end;

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

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

23 “(I) the training of staff at one-stop cen-  
24 ters on trauma-informed approaches, gender  
25 and racial biases, and the unique safety chal-

1           lenges faced by survivors of gender-based vio-  
2           lence.”.

3 **SEC. 274. EVALUATIONS AND RESEARCH.**

4           Section 169 (29 U.S.C. 3224) is amended—

5           (1) in subsection (a)—

6                 (A) in paragraph (4), by striking “2019”  
7                 and inserting “2027”; and

8                 (B) in paragraph (6), by striking “the  
9                 Workforce” and inserting “Labor”;

10           (2) in subsection (b)—

11                 (A) in paragraph (1), by striking “the  
12                 Workforce” and inserting “Labor”; and

13                 (B) in paragraph (4)—

14                         (i) by striking subparagraphs (B)  
15                         through (J);

16                         (ii) by redesignating subparagraph  
17                         (K) as subparagraph (B); and

18                         (iii) in subparagraph (B), as so reded-  
19                         ignated, by striking “the Workforce” and  
20                         inserting “Labor”;

21           (3) by redesignating subsection (c) as sub-  
22           section (d); and

23           (4) by inserting the following after subsection  
24           (b):

1 “(c) WORKFORCE DEVELOPMENT INNOVATION

2 FUND.—

3 “(1) PROGRAM AUTHORIZED.—

4 “(A) IN GENERAL.—The Secretary may

5 award workforce development innovation

6 grants, on a competitive basis, to eligible enti-

7 ties to enable such entities to—

8 “(i) create, implement, replicate, or

9 take to scale entrepreneurial, evidence-

10 based, field-initiated innovation programs

11 and services for improving the design and

12 delivery of employment and training serv-

13 ices that generate long-term improvements

14 in the performance of the workforce devel-

15 opment system, in outcomes for job-seekers

16 and employers, and in the cost-effective-

17 ness of programs and services; and

18 “(ii) rigorously evaluate such pro-

19 grams and services in accordance with this

20 subsection.

21 “(B) DESCRIPTION OF GRANTS.—The

22 grants described in subparagraph (A) shall in-

23 clude—

24 “(i) early-phase grants to fund the de-

25 velopment, implementation, and feasibility

1 testing of an innovation program or serv-  
2 ice, which prior research suggests has  
3 promise, for the purpose of determining  
4 whether such program or service can suc-  
5 cessfully improve the design and delivery of  
6 employment and training services that gen-  
7 erate long-term improvements in the per-  
8 formance of the workforce development  
9 system, in outcomes for job-seekers, and in  
10 the cost-effectiveness of such programs and  
11 services;

12 “(ii) mid-phase grants to fund imple-  
13 mentation and a well-designed and well-im-  
14 plemented evaluation of such a program or  
15 service that has been successfully imple-  
16 mented under an early-phase grant de-  
17 scribed in clause (i) or other effort meeting  
18 similar criteria, for the purpose of meas-  
19 uring the impact and cost effectiveness of  
20 such programs or services, using data col-  
21 lected pursuant to the implementation of  
22 such program or service, if possible; and

23 “(iii) expansion grants to fund imple-  
24 mentation and a well-designed and well-im-  
25 plemented replication evaluation of such a



1 program or service that has been found to  
2 produce sizable, important impacts under a  
3 mid-phase grant described in clause (ii) or  
4 other effort meeting similar criteria, for  
5 the purposes of—

6 “(I) determining whether such  
7 impacts may be successfully repro-  
8 duced and sustained over time; and

9 “(II) identifying the conditions in  
10 which such a program or service is  
11 most effective.

12 “(2) TECHNICAL ASSISTANCE.—Of the funds  
13 made available to carry out this subsection for a fis-  
14 cal year, the Secretary shall reserve not more than  
15 5 percent of the funds to—

16 “(A) provide technical assistance to eligible  
17 entities, which may include preapplication work-  
18 shops, web-based seminars, and evaluation sup-  
19 port; and

20 “(B) disseminate evidence-based best prac-  
21 tices.

22 “(3) DEFINITIONS.—In this subsection:

23 “(A) ELIGIBLE ENTITY.—The term ‘eligi-  
24 ble entity’ means any of the following:

25 “(i) A State board.

1 “(ii) A local board.

2 “(iii) An Indian tribe, tribal organiza-  
3 tion, Alaska Native entity, Indian-con-  
4 trolled organization serving Indians, or Na-  
5 tive Hawaiian organization that is eligible  
6 to receive an award under section 166.

7 “(iv) A community-based, nonprofit,  
8 or nongovernmental organization serving  
9 an underserved population.

10 “(v) A consortium of such entities de-  
11 scribed under clause (i) through clause  
12 (iv).

13 “(B) WELL-DESIGNED AND WELL-IMPLE-  
14 MENTED.—The term ‘well-designed and well-  
15 implemented’, as applied to an evaluation study,  
16 means a study that is replicable, uses pro-  
17 grammatic and control groups that are rep-  
18 resentative of the type of population served by  
19 the program, uses controls for aggregate shifts  
20 that might affect baseline numbers, does not  
21 have problems with attrition from the program,  
22 and takes measures to avoid statistical cream-  
23 ing.

24 “(4) AUTHORIZATION OF APPROPRIATIONS.—  
25 There are authorized to be appropriated to carry out

1 this subsection, such sums as may be necessary for  
2 each of the fiscal years 2023 through 2028.”.

3 **SEC. 275. NATIONAL DISLOCATED WORKER GRANTS.**

4 Section 170(e)(1)(B) (29 U.S.C. 3225(e)(1)(B)) is  
5 amended by striking “and any other” and all that follows  
6 through “dislocations.” and inserting “which may include  
7 a national or regional intermediary that provides employ-  
8 ment and training activities to dislocated workers.”.

9 **SEC. 276. YOUTHBUILD PROGRAM.**

10 Section 171 (29 U.S.C. 3226) is amended—

11 (1) in subsection (c)—

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

14 “(1) RESERVATION, AMOUNT OF GRANTS.—

15 “(A) RESERVATION.—In any fiscal year in  
16 which the amount appropriated to carry out  
17 this section is greater than \$125,000,000, the  
18 Secretary shall reserve 20 percent of such  
19 amount that is greater than \$125,000,000  
20 for—

21 “(i) grants to applicants that are lo-  
22 cated in rural areas (as defined by the Sec-  
23 retary); and

24 “(ii) programs operated by an Indian  
25 tribe or for the benefit of the members of

1 an Indian Tribe for the purpose of car-  
2 rying out YouthBuild programs approved  
3 under this section.

4 “(B) AMOUNT OF GRANTS.—After making  
5 the reservation described under subparagraph  
6 (A), the Secretary may use the remaining  
7 amount appropriated to carry out this section  
8 to make grants to applicants for the purpose of  
9 carrying out YouthBuild programs approved  
10 under this section.”;

11 (B) in paragraph (2)—

12 (i) in subparagraph (A)(vii), by strik-  
13 ing “12” and inserting “24”; and

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

16 “(I) Provision of meals and other food as-  
17 sistance that is offered to participants in con-  
18 junction with another activity described in this  
19 paragraph.

20 “(J) Informing participants of their eligi-  
21 bility, and assisting participants in applying, for  
22 Federal and State means tested benefit pro-  
23 grams, such as the supplemental nutrition as-  
24 sistance program, and assistance provided by

1 the State through the Child Care Development  
2 Block Grant Act.

3 “(K) Supportive services for individuals  
4 with disabilities to ensure such individuals may  
5 fully participate in a YouthBuild program.”;  
6 and

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

8 “(6) USE OF FUNDS FOR MATCH.—Consistent  
9 with the requirements described under subsection  
10 (e)(3), an entity which receives a grant under this  
11 section may use a portion of such grant to meet all  
12 or a portion of the requirement to provide matching  
13 funds under section 121(e) of the National and  
14 Community Service Act of 1990 (42 U.S.C.  
15 12571(e)) or any other such requirements under  
16 such Act.”;

17 (2) in subsection (f), by adding at the end the  
18 following:

19 “(3) CONSULTATION.—In establishing expected  
20 levels of performance under paragraph (1), the Sec-  
21 retary shall consult, on not less than an annual  
22 basis, with YouthBuild programs to ensure such lev-  
23 els of performance account for the workforce and  
24 postsecondary experiences of youth served by such  
25 programs.”;

1 (3) in subsection (g), by adding at the end the  
2 following:

3 “(4) ANNUAL RELEASE OF FUNDING OPPOR-  
4 TUNITY ANNOUNCEMENT.—The Secretary shall, to  
5 the greatest extent practicable, announce new fund-  
6 ing opportunities for grants under this section dur-  
7 ing the same time period each year such grants are  
8 announced.

9 “(5) STATE WAGE DATA.—States receiving  
10 grants under this Act shall facilitate access to wage  
11 data of participants in YouthBuild programs for the  
12 purpose of meeting the requirements of this section.  
13 Such facilitation shall not reduce any protections af-  
14 forded by the State which protect the privacy of par-  
15 ticipant information.”; and

16 (4) by amending subsection (i) to read as fol-  
17 lows:

18 “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
19 are authorized to be appropriated to carry out this section-

20 —

21 “(1) \$159,500,000 for fiscal year 2023;

22 “(2) \$167,500,000 for fiscal year 2024;

23 “(3) \$175,900,000 for fiscal year 2025;

24 “(4) \$184,700,000 for fiscal year 2026;

25 “(5) \$193,000,000 for fiscal year 2027; and

1 “(6) \$203,600,000 for fiscal year 2028.”.

2 **SEC. 277. COMMUNITY COLLEGE AND INDUSTRY PARTNER-**  
3 **SHIP GRANTS.**

4 Subtitle D of title I (29 U.S.C. 3221 et seq.), as  
5 amended by this Act is further amended—

6 (1) by redesignating section 172 as section 174;

7 and

8 (2) by inserting after section 171 the following:

9 **“SEC. 172. COMMUNITY COLLEGE AND INDUSTRY PARTNER-**  
10 **SHIP GRANTS.**

11 “(a) PURPOSES.—The purposes of this section are—

12 “(1) to develop, offer, and improve educational  
13 or career training programs at community colleges;  
14 and

15 “(2) to expand opportunities for individuals to  
16 obtain recognized postsecondary credentials that are  
17 nationally or regionally portable and stackable for  
18 high-skill, high-wage, or in-demand industry sectors  
19 or occupations.

20 “(b) COMMUNITY COLLEGE AND INDUSTRY PART-  
21 NERSHIP GRANTS.—

22 “(1) IN GENERAL.—From the amounts appro-  
23 priated to carry out this section under subsection (j)

24 and not reserved under paragraph (2), the Secretary

25 shall, on a competitive basis, make grants to eligible

1 institutions to carry out the activities described in  
2 subsection (e).

3 “(2) RESERVATION.—Of the amounts appro-  
4 priated to carry out this section under subsection  
5 (j), the Secretary may reserve not more than two  
6 percent for the administration of grants awarded  
7 under this section, including—

8 “(A) providing technical assistance and  
9 oversight to support eligible institutions;

10 “(B) evaluating and reporting on the per-  
11 formance and impact of programs funded under  
12 this section in accordance with subsections (f)  
13 through (h); and

14 “(C) targeted outreach to eligible institu-  
15 tions serving a high number or high percentage  
16 of low-income individuals or individuals with  
17 barriers to employment, and rural-serving eligi-  
18 ble institutions, to provide guidance and assist-  
19 ance in process of applying for grants under  
20 this section.

21 “(c) AWARD PERIOD.—

22 “(1) INITIAL GRANT PERIOD.—Each grant  
23 under this section shall be awarded for an initial pe-  
24 riod of not more than 4 years.



1           “(2) RENEWAL.—An eligible institution that re-  
2           ceives an initial grant under this section may receive  
3           one or more additional grants under this section for  
4           additional periods of not more than 4 years each if  
5           the eligible institution demonstrates that the com-  
6           munity college and industry partnership supported  
7           with the initial grant was successful (as determined  
8           by the Secretary on the basis of the levels of per-  
9           formance achieved with respect to the performance  
10          indicators specified in subsection (f)).

11          “(d) APPLICATION.—

12           “(1) IN GENERAL.—To be eligible to receive a  
13           grant under this section, an eligible institution shall  
14           submit an application to the Secretary at such time,  
15           in such manner, and containing such information as  
16           the Secretary may require.

17           “(2) CONTENTS.—At a minimum, an applica-  
18           tion submitted by an eligible institution under para-  
19           graph (1) shall include a description of each the fol-  
20           lowing:

21           “(A) The extent to which any institution  
22           included in the partnership has prior experience  
23           in leading similar capacity building projects  
24           that demonstrates the institution’s ability to ac-  
25           complish multi-pronged, complex projects and

1 an explanation of the results of any such  
2 projects.

3 “(B) The needs that will be addressed by  
4 the community college and industry partnership  
5 supported by the grant.

6 “(C) The population and geographic area  
7 to be served by the partnership.

8 “(D) One or more industries that the part-  
9 nership will target and data demonstrating that  
10 those industries are aligned with employer de-  
11 mand in the geographic area to be served by  
12 the partnership.

13 “(E) The educational or career training  
14 programs to be supported by the grant.

15 “(F) The recognized postsecondary creden-  
16 tials that are expected to be earned by partici-  
17 pants in such programs and the related in-de-  
18 mand industry sectors or occupations for which  
19 such programs will prepare participants.

20 “(G) The evidence upon which the edu-  
21 cation and training strategies to be used in the  
22 programs are based and an explanation of how  
23 such evidence influenced the design of the pro-  
24 grams to improve education and employment  
25 outcomes.

1           “(H) The methods and strategies the part-  
2           nership will use to engage with employers in in-  
3           demand industry sectors or occupations.

4           “(I) The roles of the employer partner any  
5           regional industry representatives included in the  
6           partnership and the specific and quantifiable  
7           contributions such partner or representative will  
8           provide to support the goals of the partnership.

9           “(J) Whether, and to what extent, the ac-  
10          tivities of the partnership are expected to align  
11          with the workforce strategies identified in—

12                 “(i) any State plan or local plan sub-  
13                 mitted under this Act by the State, out-  
14                 lying area, or locality in which the partner-  
15                 ship is expected to operate;

16                 “(ii) any State plan submitted under  
17                 section 122 of the Carl D. Perkins Career  
18                 and Technical Education Act of 2006 (20  
19                 U.S.C. 2342) by such State or outlying  
20                 area; and

21                 “(iii) any economic development plan  
22                 of the chief executive of such State or out-  
23                 lying area.

24           “(K) The goals of the partnership with re-  
25          spect to—

1 “(i) capacity building (as described in  
2 subsection (f)(1)(B)); and

3 “(ii) the expected performance of indi-  
4 viduals participating in the programs to be  
5 offered by the partnership, including with  
6 respect to any performance indicators ap-  
7 plicable under section 116 or subsection (f)  
8 of this section.

9 “(3) CONSIDERATION OF PREVIOUS EXPERI-  
10 ENCE.—The Secretary may not disqualify an other-  
11 wise eligible institution from receiving a grant under  
12 this section solely because such institution lacks pre-  
13 vious experience in capacity building projects, as de-  
14 scribed in subparagraph (2)(A).

15 “(e) USES OF FUNDS.—

16 “(1) ESTABLISHMENT OF COMMUNITY COLLEGE  
17 AND INDUSTRY PARTNERSHIP.—An eligible institu-  
18 tion that receives a grant under this section shall es-  
19 tablish and maintain a partnership with one or more  
20 employers in an in-demand industry sector or occu-  
21 pation for the purpose of carrying out the activities  
22 specified in paragraphs (2) and (3). The eligible in-  
23 stitution shall ensure that the partnership—

24 “(A) is maintained for the duration of the  
25 grant period;

1 “(B) targets one or more specific high-  
2 skill, high-wage, or in-demand industries;

3 “(C) includes collaboration with the work-  
4 force development system;

5 “(D) serves adult and dislocated workers,  
6 incumbent workers, and new entrants to the  
7 workforce;

8 “(E) uses an evidence-based program de-  
9 sign that is appropriate for the activities carried  
10 out by the partnership; and

11 “(F) incorporates, to the extent appro-  
12 priate, virtual service delivery to facilitate tech-  
13 nology-enabled learning.

14 “(2) REQUIRED ACTIVITIES.—An eligible insti-  
15 tution that receives a grant under this section, act-  
16 ing through the partnership established under para-  
17 graph (1), shall—

18 “(A) establish, improve, or scale high qual-  
19 ity, evidence-based education or career training  
20 programs, career pathway programs, or work-  
21 based learning programs (including apprentice-  
22 ship programs or pre-apprenticeships that qual-  
23 ify an individual for participation in an appren-  
24 ticeship program); and

1           “(B) provide services to help individuals  
2           with barriers to employment prepare for, com-  
3           plete, and successfully transition out of pro-  
4           grams described in subparagraph (A), which  
5           shall include providing supportive services, ca-  
6           reer services, career guidance and academic  
7           counseling, or job placement assistance.

8           “(3) ADDITIONAL ACTIVITIES.—In addition to  
9           the activities required under paragraph (2), an eligi-  
10          ble institution that receives a grant under this sec-  
11          tion, acting through the partnership established  
12          under paragraph (1), shall carry out one or more of  
13          the following activities:

14                 “(A) Create, develop, or expand—

15                         “(i) articulation agreements (as de-  
16                         fined in section 486A(a) of the Higher  
17                         Education Act of 1965 (20 U.S.C.  
18                         1093a(a));

19                         “(ii) credit transfer agreements;

20                         “(iii) corequisite remediation pro-  
21                         grams that enable a student to receive re-  
22                         medial education services while enrolled in  
23                         a postsecondary course rather than requir-  
24                         ing the student to receive remedial edu-  
25                         cation before enrolling in a such a course;

1 “(iv) dual or concurrent enrollment  
2 programs; or

3 “(v) policies and processes to award  
4 academic credit for prior learning or for  
5 the programs described in paragraph (2).

6 “(B) Make available, in a format that is  
7 open, searchable, and easily comparable, infor-  
8 mation on—

9 “(i) curricula and recognized postsec-  
10 ondary credentials offered through pro-  
11 grams funded with the grant, including  
12 any curricula or credentials created or fur-  
13 ther developed using such grant;

14 “(ii) the skills or competencies devel-  
15 oped by individuals who participate in such  
16 programs; and

17 “(iii) related employment and earn-  
18 ings outcomes.

19 “(C) Establish or implement plans for pro-  
20 viders of the programs described in paragraph  
21 (2) to meet the criteria and carry out the proce-  
22 dures necessary to be included on the eligible  
23 training services provider list described in sec-  
24 tion 122(d).

1           “(D) Purchase, lease, or refurbish special-  
2           ized equipment as necessary to carry out such  
3           programs.

4           “(E) Reduce participants’ cost of attend-  
5           ance in such programs.

6           “(4) ADMINISTRATIVE COST LIMIT.—An eligible  
7           institution may use not more than 10 percent of the  
8           funds received under this section for administrative  
9           costs, including costs related to collecting informa-  
10          tion, analysis, and coordination for purposes of sub-  
11          section (f).

12          “(f) PERFORMANCE LEVELS AND PERFORMANCE  
13          REVIEWS.—

14                 “(1) IN GENERAL.—The Secretary shall develop  
15                 and implement guidance that establishes the levels  
16                 of performance that are expected to be achieved by  
17                 each community college and industry partnership  
18                 funded with a grant under this section. Such per-  
19                 formance levels shall be based on the following indi-  
20                 cators:

21                         “(A) Each of the primary indicators of  
22                         performance for adults described in section  
23                         116(b).

24                         “(B) The extent to which the partnership  
25                         built capacity by—



1 “(i) increasing the breadth and depth  
2 of employer engagement and investment in  
3 educational and training programs in the  
4 in-demand industry sectors and occupa-  
5 tions targeted by the partnership;

6 “(ii) designing or implementing new  
7 and accelerated instructional techniques or  
8 technologies, including the use of advanced  
9 online and technology-enabled learning;  
10 and

11 “(iii) increasing program and policy  
12 alignment across systems and decreasing  
13 duplicative services or service gaps.

14 “(C) With respect to individuals who par-  
15 ticipated in an education or training program  
16 funded with the grant—

17 “(i) the percentage of participants  
18 who successfully completed a program;

19 “(ii) of the participants who were in-  
20 cumbent workers at the time of enrollment  
21 in the program, the percentage who ad-  
22 vanced into higher-level positions during or  
23 after completing the program.

24 “(D) Such other indicators of performance  
25 as the Secretary determines appropriate.

1           “(2) CONSULTATION AND DETERMINATION OF  
2 PERFORMANCE LEVELS.—

3           “(A) CONSULTATION.—In developing the  
4 performance levels under paragraph (1), the  
5 Secretary shall consult with each partnership  
6 funded with a grant under this section.

7           “(B) DETERMINATION.—After completing  
8 the consultation required under subparagraph  
9 (A), the Secretary shall separately determine  
10 the performance levels that will apply to each  
11 partnership taking into account—

12           “(i) the expected performance levels of  
13 each eligible entity with respect to the  
14 goals described in subsection (d)(2)(K);

15           “(ii) local economic conditions in the  
16 geographic area to be served by the part-  
17 nership, including differences in unemploy-  
18 ment rates and job losses or gains in par-  
19 ticular industries; and

20           “(iii) the characteristics of the individ-  
21 uals who are expected to participate in the  
22 education and training programs carried  
23 out by the partnership, including consider-  
24 ation of whether the performance of such  
25 individuals may be affected by—

1 “(I) lack of work experience;

2 “(II) lack of educational or occu-  
3 pational skills attainment;

4 “(III) low levels of literacy or  
5 English proficiency;

6 “(IV) disability status;

7 “(V) homelessness; and

8 “(VI) receipt of public assistance.

9 “(C) NOTICE AND ACKNOWLEDGMENT.—

10 “(i) NOTICE.—The Secretary shall  
11 provide each partnership with a written no-  
12 tification that sets forth the performance  
13 levels that will apply to the partnership, as  
14 determined under subparagraph (B).

15 “(ii) ACKNOWLEDGMENT.—After re-  
16 ceiving the notification described in clause  
17 (i), each partnership shall submit to the  
18 Secretary written confirmation that the  
19 partnership—

20 “(I) received the notification; and

21 “(II) agrees to be evaluated in  
22 accordance with the performance lev-  
23 els set by the Secretary.

24 “(3) PERFORMANCE REVIEWS.—On an annual  
25 basis during each year of the grant period, the Sec-

1       retary shall evaluate the performance of each part-  
2       nership funded with a grant under this section in a  
3       manner consistent with paragraph (2).

4               “(4) FAILURE TO MEET PERFORMANCE LEV-  
5       ELS.—After conducting an evaluation under para-  
6       graph (3), if the Secretary determines that a part-  
7       nership did not achieve the performance levels appli-  
8       cable to the partnership under paragraph (2) the  
9       Secretary shall—

10               “(A) provide technical assistance to the  
11       partnership and

12               “(B) develop a performance improvement  
13       plan for the partnership.

14       “(g) EVALUATIONS AND REPORTS.—

15               “(1) IN GENERAL.—Not later than 5 years  
16       after the date on which the first grant is made  
17       under this section, the Secretary shall design and  
18       conduct an evaluation to determine the overall effec-  
19       tiveness of the community college and industry part-  
20       nerships funded under this section.

21               “(2) ELEMENTS.—The evaluation conducted  
22       under paragraph (1) shall include an assessment of  
23       each of the following:

24               “(A) The effectiveness of the partnerships  
25       funded with grants under this section in devel-

1           oping new or expanding existing successful in-  
2           dustry sector strategies, including the extent to  
3           which such partnerships deepened employer en-  
4           gagement and developed education and training  
5           programs that met industry skill needs.

6           “(B) The effectiveness of such partner-  
7           ships in enhancing existing, successful career  
8           pathways, including the extent to which the  
9           partnerships developed or improved com-  
10          petency-based education and assessment, credit  
11          for prior learning, modularized and self-paced  
12          curricula, integrated education and career  
13          training, dual enrollment in secondary and post-  
14          secondary career pathways, stacked and latticed  
15          credentials, and online and distance learning.

16          “(C) The effectiveness of such partnerships  
17          in strengthening the alignment between commu-  
18          nity colleges and the workforce development  
19          system, including the extent too which such  
20          projects removed silos and reduced duplication  
21          across programs.

22          “(D) The effectiveness of such projects in  
23          assisting individuals with finding, retaining, or  
24          advancing in employment.

1           “(E) The effectiveness of such projects in  
2 assisting individuals with earning recognized  
3 postsecondary credentials.

4           “(F) The effectiveness of the specific serv-  
5 ices and interventions provided by the partner-  
6 ships and of the overall design of the partner-  
7 ships and their programs.

8           “(G) The extent to which such partner-  
9 ships met the needs of various demographic  
10 groups, including people of different geographic  
11 locations, ages, races, national origins, and sex.

12           “(H) The quality and effectiveness of tech-  
13 nical assistance provided by the Secretary for  
14 implementing such partnerships.

15           “(3) DESIGN REQUIREMENTS.—The evaluation  
16 under this subsection—

17           “(A) shall—

18           “(i) be designed by the Secretary (act-  
19 ing through the Chief Evaluation Officer)  
20 in conjunction with the partnerships being  
21 evaluated;

22           “(ii) include analysis of participant  
23 feedback and outcome and process meas-  
24 ures; and

1 “(iii) use designs that employ the  
2 most rigorous analytical and statistical  
3 methods that are reasonably feasible, such  
4 as the use of control groups; and

5 “(B) may not—

6 “(i) collect personally identifiable in-  
7 formation, except to the extent such infor-  
8 mation is necessary to conduct the evalua-  
9 tion; or

10 “(ii) reveal or share personally identi-  
11 fiable information.

12 “(4) DATA ACCESSIBILITY.—The Secretary  
13 shall make available on a publicly accessible website  
14 of the Department of Labor any data collected as  
15 part of the evaluation under this subsection. Such  
16 data shall be made available in an aggregated for-  
17 mat that does not reveal personally identifiable in-  
18 formation.

19 “(5) PUBLICATION AND REPORTING OF EVAL-  
20 UATION FINDINGS.—The Secretary (acting through  
21 the Chief Evaluation Officer) shall—

22 “(A) not later than one year after the ini-  
23 tial award of grants under this section, publish  
24 an interim report on the preliminary results of  
25 the evaluation conducted under this subsection;

1           “(B) not later than 60 days after the date  
2           on which the evaluation is completed under this  
3           subsection, submit to the Committee on Edu-  
4           cation and Labor of the House of Representa-  
5           tives and the Committee on Health, Education,  
6           Labor, and Pensions of the Senate a report on  
7           such evaluation; and

8           “(C) not later than 90 days after such  
9           completion date, publish and make the results  
10          of the evaluation available on a publicly acces-  
11          sible website of the Department of Labor.

12          “(h) ANNUAL REPORTS.—The Secretary shall make  
13          available on a publicly accessible website of the Depart-  
14          ment of Labor, in transparent, linked, open, and inter-  
15          operable data formats, the following information:

16               “(1) The performance of partnerships on the  
17               capacity-building performance indicator set forth  
18               under subsection (f)(1)(B).

19               “(2) The performance of partnerships on the  
20               participant outcome performance indicators set forth  
21               under subsection (f)(1)(C)).

22               “(3) The number of individuals enrolled in em-  
23               ployment and training activities funded with a grant  
24               under this section.

25          “(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) AUTHORIZATION OF APPROPRIATIONS.—There  
16 are authorized to be appropriated to carry out this sec-  
17 tion—

18 “(1) \$100,000,000 for fiscal year 2023;

19 “(2) \$110,000,000 for fiscal year 2024;

20 “(3) \$121,000,000 for fiscal year 2025;

21 “(4) \$133,000,000 for fiscal year 2026;

22 “(5) \$146,000,000 for fiscal year 2027; and

23 “(6) \$161,000,000 for fiscal year 2028.”.

1 **SEC. 278. REENTRY EMPLOYMENT OPPORTUNITIES.**

2 Subtitle D of title I (29 U.S.C. 3221 et seq.), as  
3 amended by this Act, is further amended by inserting after  
4 section 172, as added by the preceding section, the fol-  
5 lowing:

6 **“SEC. 173. REENTRY EMPLOYMENT OPPORTUNITIES.**

7 “(a) PURPOSES.—The purposes of this section are—

8 “(1) to improve the employment, earnings, and  
9 skill attainment, and reduce recidivism, of adults  
10 and youth who have been involved with the justice  
11 system;

12 “(2) to prompt innovation and improvement in  
13 the reentry of justice-involved individuals into the  
14 workforce so that successful initiatives can be estab-  
15 lished or continued and replicated; and

16 “(3) to further develop the evidence on how to  
17 improve employment, earnings, and skill attainment,  
18 and reduce recidivism of justice-involved individuals,  
19 through rigorous evaluations of specific services pro-  
20 vided, including how they affect different popu-  
21 lations and how they are best combined and  
22 sequenced.

23 “(b) REENTRY EMPLOYMENT COMPETITIVE GRANTS,  
24 CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHOR-  
25 IZED.—

1           “(1) IN GENERAL.—From the amounts appro-  
2           priated under subsection (h)(1) and not reserved  
3           under subsection (h)(2), the Secretary—

4                   “(A) shall, on a competitive basis, make  
5                   grants to, or enter into contracts or cooperative  
6                   agreements with, eligible entities to implement  
7                   reentry projects that serve eligible adults or eli-  
8                   gible youth; and

9                   “(B) may use not more than 25 percent of  
10                  such amounts to award funds under subpara-  
11                  graph (A) to eligible entities that are national  
12                  or regional intermediaries to—

13                          “(i) implement the reentry projects  
14                          described in subparagraph (A); or

15                          “(ii) provide such funds to other eligi-  
16                          ble entities to implement such reentry  
17                          projects, and monitor and support such en-  
18                          tities.

19           “(2) AWARD PERIODS.—The Secretary shall  
20           award funds under this section for an initial period  
21           of not more than 4 years, and may renew such  
22           awards for additional 4-year periods if the Secretary  
23           determines that the eligible entity demonstrates that  
24           the reentry project supported with the initial award  
25           of funds under this section to such eligible entity

1 was successful (as determined on the basis of the  
2 levels of performance achieved with respect to the  
3 performance indicators under subsection (e)) in as-  
4 sisting participants of the reentry project to reenter  
5 the workforce and avoid recidivism.

6 “(3) PRIORITY.—In awarding funds under this  
7 section, the Secretary shall give priority to eligible  
8 entities whose applications submitted under sub-  
9 section (c) demonstrate a commitment to use such  
10 funds to implement reentry projects—

11 “(A) that will serve high-crime or high-  
12 poverty areas;

13 “(B) that will enroll in such reentry  
14 projects eligible youth or eligible adults—

15 “(i) prior to the release of such indi-  
16 viduals from incarceration in a correctional  
17 institution; or

18 “(ii) not later than 90 days after such  
19 release;

20 “(C) whose strategy and design are evi-  
21 dence-based;

22 “(D) that establish partnerships with—

23 “(i) business; or

24 “(ii) institutions of higher education  
25 to provide a project participants with pro-

1           gram of study leading to recognized post-  
2           secondary credentials in in-demand occupa-  
3           tions; or

4           “(E) that provide training services that are  
5           designed to meet the specific requirements of  
6           an employer (including a group of employers)  
7           and are conducted with a commitment by the  
8           employer to employ an individual upon success-  
9           ful completion of the training.

10          “(c) APPLICATION.—

11           “(1) FORM AND PROCEDURE.—To be qualified  
12           to receive funds under this section, an eligible entity  
13           shall submit an application at such time, in such  
14           manner, and containing the information described in  
15           paragraph (2).

16           “(2) CONTENTS.—An application submitted by  
17           an eligible entity under paragraph (1) shall contain  
18           the following:

19           “(A) A description of the eligible entity, in-  
20           cluding the experience of the eligible entity in  
21           providing employment and training services for  
22           justice-involved individuals.

23           “(B) A description of the needs that will  
24           be addressed by the reentry project supported  
25           by the funds received under this section, and

1 the target participant population and the geo-  
2 graphic area to be served.

3 “(C) A description of the proposed employ-  
4 ment and training activities and supportive  
5 services, if applicable, to be provided under  
6 such reentry project, and how such activities  
7 and services will prepare participants for em-  
8 ployment in in-demand industry sectors and oc-  
9 cupations within the geographic area to be  
10 served by such reentry project.

11 “(D) The anticipated schedule for carrying  
12 out the activities proposed under the reentry  
13 project.

14 “(E) A description of—

15 “(i) the partnerships the eligible enti-  
16 ty will establish with agencies and entities  
17 within the criminal justice system, local  
18 boards and one-stops, community-based or-  
19 ganizations, and employers (including local  
20 businesses) to provide participants of the  
21 reentry project with work-based learning,  
22 job placement, and recruitment (if applica-  
23 ble); and

24 “(ii) how the eligible entity will co-  
25 ordinate its activities with other services

1 and benefits available to justice-involved  
2 individuals in the geographic area to be  
3 served by the reentry project.

4 “(F) A description of partnerships the eli-  
5 gible entity will establish with institutions of  
6 higher education to provide participants of the  
7 reentry project with a program of study leading  
8 to recognized postsecondary credentials in in-  
9 demand occupations (if applicable).

10 “(G) A description of the manner in which  
11 eligible youth or eligible adults will be recruited  
12 and selected for participation for the reentry  
13 project.

14 “(H) A detailed budget and a description  
15 of the system of fiscal controls, and auditing  
16 and accountability procedures, that will be used  
17 to ensure fiscal soundness for the reentry  
18 project.

19 “(I) A description of the expected levels of  
20 performance to be achieved with respect to the  
21 performance measures described in subsection  
22 (e).

23 “(J) A description of the evidence-based  
24 practices the eligible entity will use in adminis-  
25 tration of the reentry project.



1           “(K) An assurance that the eligible entity  
2 will collect and report to the Secretary the data  
3 required with respect to the reentry project car-  
4 ried out by the eligible entity for purposes of  
5 the evaluation under subsection (f).

6           “(L) Any other information required by  
7 the Secretary.

8           “(d) USES OF FUNDS.—

9           “(1) IN GENERAL.—An eligible entity that re-  
10 ceives funds under this section shall use such funds  
11 to implement a reentry project for eligible adults or  
12 eligible youth that provides one or more of the fol-  
13 lowing services:

14           “(A) Supportive services.

15           “(B) For participants who are eligible  
16 youth, one or more of the program elements  
17 listed in subparagraphs (A) through (N) of sec-  
18 tion 129(c)(2).

19           “(C) One or more of the individualized ca-  
20 reer services listed in subclause (I) through  
21 (X)(I) of section 134(c)(2)(A)(xii).

22           “(D) Follow-up services after placement in  
23 unsubsidized employment as described in sec-  
24 tion 134(c)(2)(A)(xiii).

1           “(E) One or more of the training services  
2 listed in clauses (i) through (x)(i) in section  
3 134(c)(3)(D), including subsidized employment  
4 opportunities through transitional jobs.

5           “(F) Apprenticeship programs.

6           “(G) Education in digital literacy skills.

7           “(H) Mentoring.

8           “(I) Provision of or referral to evidence-  
9 based mental health treatment by licensed prac-  
10 tioners.

11           “(J) Assistance in obtaining employment  
12 as a result of the establishment and develop-  
13 ment by the eligible entity of relationships and  
14 networks with large and small employers and  
15 their intermediaries.

16           “(K) Assistance with driver’s license rein-  
17 statement and fees for driver’s licenses and  
18 other necessary documents for employment.

19           “(L) Provision of or referral to substance  
20 abuse treatment services, provided that funds  
21 awarded under this section are only used to  
22 provide such services to participants who are  
23 unable to obtain such services through other  
24 programs providing such services.

1           “(M) Assistance in obtaining employment  
2           as a result of the coordination by the eligible  
3           entity with employers to develop customized  
4           training programs and on-the-job training.

5           “(2) ADMINISTRATIVE COST LIMIT.—An eligible  
6           entity may not use more than 10 percent of the  
7           funds received under this section for administrative  
8           costs, including for costs related to collecting infor-  
9           mation, analysis, and coordination for purposes of  
10          subsection (e) or (f).

11          “(e) LEVELS OF PERFORMANCE.—

12           “(1) ESTABLISHMENT OF LEVELS.—

13           “(A) IN GENERAL.—The Secretary shall  
14           establish expected levels of performance for re-  
15           entry projects funded this section for—

16           “(i) each of the primary indicators of  
17           performance for adults and youth de-  
18           scribed in section 116(b); and

19           “(ii) the additional performance indi-  
20           cators described in paragraph (2).

21           “(B) UPDATES.—The levels established  
22           under subparagraph (A) shall be updated for  
23           each 4-year award period.

1           “(2) ADDITIONAL INDICATORS OF PERFORM-  
2 ANCE.—In addition to the indicators described in  
3 paragraph (1)(A)(i), the Secretary—

4           “(A) shall establish an indicator of per-  
5 formance for projects funded under this section  
6 with respect participant recidivism; and

7           “(B) may establish other performance indi-  
8 cators for such projects as the Secretary deter-  
9 mines appropriate.

10          “(3) 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 factors including—

16          “(A) the expected performance levels of  
17 each such eligible entity described in the appli-  
18 cation submitted under subsection (c)(2)(I);

19          “(B) local economic conditions of the geo-  
20 graphic area to be served by each such eligible  
21 entity, including differences in unemployment  
22 rates and job losses or gains in particular in-  
23 dustries; and

1           “(C) the characteristics of the participants  
2           of the projects when the participants enter the  
3           project involved, including—

4                   “(i) criminal records and indicators of  
5                   poor work history;

6                   “(ii) lack of work experience;

7                   “(iii) lack of educational or occupa-  
8                   tional skills attainment;

9                   “(iv) low levels of literacy or English  
10                  proficiency;

11                  “(v) disability status;

12                  “(vi) homelessness; and

13                  “(vii) receipt of public assistance.

14                  “(4) 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) for the reentry project involved for any  
18                  award year, the Secretary shall provide technical as-  
19                  sistance to the eligible entity, including the develop-  
20                  ment of a performance improvement plan.

21                  “(f) EVALUATION OF REENTRY PROJECTS.—

22                   “(1) IN GENERAL.—Not later than 5 years  
23                   after the first award of funds under this section is  
24                   made, the Secretary (acting through the Chief Eval-

1 uation Officer) shall meet the following require-  
2 ments:

3 “(A) DESIGN AND CONDUCT OF EVALUA-  
4 TION.—Design and conduct an evaluation to  
5 evaluate the effectiveness of the reentry projects  
6 funded under this section, which meets the re-  
7 quirements of paragraph (2), and includes an  
8 evaluation of each of the following:

9 “(i) The effectiveness of such projects  
10 in assisting individuals with finding em-  
11 ployment and maintaining employment at  
12 the second quarter and fourth quarter  
13 after unsubsidized employment is obtained.

14 “(ii) The effectiveness of such projects  
15 in assisting individuals with earning recog-  
16 nized postsecondary credentials.

17 “(iii) The effectiveness of such  
18 projects in relation to their cost, including  
19 the extent to which the projects improve  
20 reentry outcomes, including in wages  
21 earned, benefits provided by employers, ca-  
22 reer advancement, measurable skills gains,  
23 credentials earned, housing, and recidivism  
24 of participants in comparison to com-

1 parably situated individuals who did not  
2 participate in such projects.

3 “(iv) The effectiveness of specific  
4 services and interventions provided and of  
5 the overall project design.

6 “(v) The extent to which such projects  
7 meet the needs of various demographic  
8 groups, including people of different geo-  
9 graphic locations, ages, races, national ori-  
10 gins, and sex, and with different criminal  
11 records.

12 “(vi) The appropriate sequencing of  
13 services for each subpopulation of individ-  
14 uals who are participants of such projects,  
15 such as the order in which transitional jobs  
16 and occupational skills training are pro-  
17 vided, to ensure that such participants are  
18 prepared to fully benefit from employment  
19 and training services provided under the  
20 project.

21 “(vii) The quality and effectiveness of  
22 technical assistance provided by the Sec-  
23 retary for implementing such projects.

24 “(B) DATA ACCESSIBILITY.—Make avail-  
25 able, on the publicly accessible website of the

1 Department of Labor, data collected during the  
2 course of evaluation under this subsection, in  
3 an aggregated format that does not provide per-  
4 sonally identifiable information.

5 “(2) DESIGN REQUIREMENTS.—An evaluation  
6 under this subsection—

7 “(A) shall—

8 “(i) be designed by the Secretary (act-  
9 ing through the Chief Evaluation Officer)  
10 in conjunction with the eligible entities car-  
11 rying out the reentry projects being evalu-  
12 ated;

13 “(ii) include analysis of participant  
14 feedback and outcome and process meas-  
15 ures;

16 “(iii) shall use designs that employ  
17 the most rigorous analytical and statistical  
18 methods that are reasonably feasible, such  
19 as the use of control groups; and

20 “(B) may not—

21 “(i) collect personally identifiable in-  
22 formation, except to the extent such infor-  
23 mation is necessary to conduct the evalua-  
24 tion; or



1 “(ii) reveal or share personally identi-  
2 fiable information.

3 “(3) PUBLICATION AND REPORTING OF EVAL-  
4 UATION FINDINGS.—The Secretary (acting through  
5 the Chief Evaluation Officer) shall—

6 “(A) not later than 1 year and 90 days  
7 after the date of enrollment in each project as-  
8 sisted under this section that is being evaluated  
9 under this subsection, publish an interim report  
10 on such evaluation;

11 “(B) not later than 90 days after the date  
12 on which any evaluation is completed under this  
13 subsection, publish and make publicly available  
14 such evaluation; and

15 “(C) not later than 60 days after the com-  
16 pletion date described in subparagraph (B),  
17 submit to the Committee on Education and  
18 Labor of the House of Representatives and the  
19 Committee on Health, Education, Labor, and  
20 Pensions of the Senate a report on such evalua-  
21 tion.

22 “(g) ANNUAL REPORT.—The Secretary shall post,  
23 using transparent, linked, open, and interoperable data  
24 formats, on its publicly accessible website an annual re-  
25 port, an annual report on—

1           “(1) the number of individuals who participated  
2           in projects assisted under this section for the pre-  
3           ceding year;

4           “(2) the percentage of individuals participating  
5           in a projects assisted under this section for the pre-  
6           ceding year that successfully completed the require-  
7           ments of the project; and

8           “(3) the performance of eligible entities on such  
9           projects as measured by the performance indicators  
10          set forth in subsection (e).

11          “(h) AUTHORIZATION OF APPROPRIATIONS; RES-  
12          ERVATIONS.—

13           “(1) AUTHORIZATION OF APPROPRIATIONS.—  
14          There are authorized to be appropriated to carry out  
15          this section—

16                   “(A) \$250,000,000 for fiscal year 2023;

17                   “(B) \$300,000,000 for fiscal year 2024;

18                   “(C) \$350,000,000 for fiscal year 2025;

19                   “(D) \$400,000,000 for fiscal year 2026;

20                   “(E) \$450,000,000 for fiscal year 2027;

21           and

22                   “(F) \$500,000,000 for fiscal year 2028.

23           “(2) RESERVATION OF FUNDS.—Of the funds  
24          appropriated under paragraph (1) for a fiscal year,  
25          the Secretary—

1           “(A) may reserve not more than 5 percent  
2           for the administration of grants, contracts, and  
3           cooperative agreements awarded under this sec-  
4           tion, of which not more than 2 percent may be  
5           reserved for the provision of—

6                   “(i) technical assistance to eligible en-  
7                   tities that receive funds under this section;  
8                   and

9                   “(ii) outreach and technical assistance  
10                  to eligible entities desiring to receive such  
11                  funds, including assistance with application  
12                  development and submission; and

13                  “(B) shall reserve not less than 1 percent  
14                  and not more than 2.5 percent for the evalua-  
15                  tion activities under subsection (f) or to support  
16                  eligible entities with any required data collec-  
17                  tion, analysis, and coordination related to such  
18                  evaluation activities.

19           “(i) DEFINITIONS.—In this section:

20                   “(1) CHIEF EVALUATION OFFICER.—The term  
21                   ‘Chief Evaluation Officer’ means the head of the  
22                   independent evaluation office located organization-  
23                   ally in the Office of the Assistant Secretary for Pol-  
24                   icy of the Department of Labor.

1           “(2) COMMUNITY SUPERVISION.—The term  
2           ‘community supervision’ means mandatory oversight  
3           of a formerly incarcerated person who was convicted  
4           of a crime by a judge or parole board outside a se-  
5           cure facility, including probation and parole.

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; or

19           “(E) a consortium of the entities described  
20           in subparagraphs (A) through (D).

21          “(5) ELIGIBLE ADULT.—The term ‘eligible  
22          adult’ means a justice-involved individual who—

23           “(A) is age 25 or older;

24           “(B) is residing in the geographic area  
25           served by a grant under this section, or has

1 demonstrated intent to reside in such area after  
2 release from incarceration; and

3 “(C) in the case of an individual that was  
4 previously incarcerated, was released from in-  
5 carceration not more than 3 years prior to en-  
6 rollment in a project funded under this section.

7 “(6) ELIGIBLE YOUTH.—The term ‘eligible  
8 youth’ means a justice-involved individual who is—

9 “(A) not younger than age 14 or older  
10 than age 24; and

11 “(B) residing in the geographic area served  
12 by a grant under this section, or has dem-  
13 onstrated intent to reside in such area after re-  
14 lease from incarceration.

15 “(7) HIGH-CRIME.—The term ‘high-crime’,  
16 when used with respect to a geographic area, means  
17 an area with crime rates that are higher than the  
18 rate for the overall city (for urban areas) or of non-  
19 metropolitan area in the State (for rural areas), as  
20 such terms are used by the Bureau of Labor Statis-  
21 tics.

22 “(8) HIGH-POVERTY.—The term ‘high-poverty’,  
23 when used with respect to a geographic area, means  
24 an area with a poverty rate of at least 25 percent  
25 as determined based on the most recently available

1 data from the American Community Survey con-  
2 ducted by the Bureau of the Census.”.

3 **SEC. 279. AUTHORIZATION OF APPROPRIATIONS.**

4 Section 174 (as redesignated by section 277), is  
5 amended to read as follows:

6 **“SEC. 174. AUTHORIZATION OF APPROPRIATIONS.**

7 “(a) NATIVE AMERICAN PROGRAMS.—There are au-  
8 thorized to be appropriated to carry out section 166 (not  
9 including subsection (k) of such section)—

10 “(1) \$66,400,000 for fiscal year 2023;

11 “(2) \$73,000,000 for fiscal year 2024;

12 “(3) \$80,300,000 for fiscal year 2025;

13 “(4) \$88,300,000 for fiscal year 2026;

14 “(5) \$97,100,000 for fiscal year 2027; and

15 “(6) \$106,800,000 for fiscal year 2028.

16 “(b) MIGRANT AND SEASONAL FARMWORKER PRO-  
17 GRAMS.—There are authorized to be appropriated to carry  
18 out section 167—

19 “(1) \$109,100,000 for fiscal year 2023;

20 “(2) \$114,600,000 for fiscal year 2024;

21 “(3) \$120,300,000 for fiscal year 2025;

22 “(4) \$126,300,000 for fiscal year 2026;

23 “(5) \$132,600,000 for fiscal year 2027; and

24 “(6) \$139,200,000 for fiscal year 2028.

1 “(c) TECHNICAL ASSISTANCE.—There are authorized  
2 to be appropriated to carry out section 168—

3 “(1) \$3,600,000 for fiscal year 2023;

4 “(2) \$3,800,000 for fiscal year 2024;

5 “(3) \$4,000,000 for fiscal year 2025;

6 “(4) \$4,200,000 for fiscal year 2026;

7 “(5) \$4,400,000 for fiscal year 2027; and

8 “(6) \$4,600,000 for fiscal year 2028.

9 “(d) EVALUATIONS AND RESEARCH.—There are au-  
10 thorized to be appropriated to carry out section 169—

11 “(1) \$116,700,000 for fiscal year 2023;

12 “(2) \$122,500,000 for fiscal year 2024;

13 “(3) \$128,600,000 for fiscal year 2025;

14 “(4) \$135,000,000 for fiscal year 2026;

15 “(5) \$141,800,000 for fiscal year 2027; and

16 “(6) \$148,900,000 for fiscal year 2028.”.

## 17 **Subtitle E—Administration**

### 18 **SEC. 281. NONDISCRIMINATION.**

19 Section 188(e) (29 U.S.C. 3248(e)) is amended by  
20 striking “Workforce Innovation and Opportunity Act” and  
21 inserting “Workforce Innovation and Opportunity Act of  
22 2022”.

### 23 **SEC. 282. SECRETARIAL ADMINISTRATIVE AUTHORITIES** 24 **AND RESPONSIBILITIES.**

25 Section 189 (29 U.S.C. 3249) is amended—

1 (1) in subsection (d), by striking “the Work-  
2 force” and inserting “Labor”;

3 (2) in subsection (g)(2)(B)(ii), by striking “or  
4 (b)” and inserting “, (b), or (c)”;

5 (3) by striking subsection (h); and

6 (4) by redesignating subsection (i) as subsection  
7 (h).

## 8 **TITLE III—ADULT EDUCATION** 9 **AND FAMILY LITERACY**

### 10 **SEC. 301. FAMILY LITERACY.**

11 The heading of title II of the Workforce Innovation  
12 and Opportunity Act (29 U.S.C. 3271 et seq.) is amended  
13 by inserting “**FAMILY**” before “**LITERACY**”.

### 14 **SEC. 302. PURPOSE.**

15 Section 202 (29 U.S.C. 3271) is amended—

16 (1) in the matter preceding paragraph (1), by  
17 inserting “family” before “literacy activities”;

18 (2) in paragraph (1), by striking “and economic  
19 self-sufficiency” and inserting “, economic self-suffi-  
20 ciency, and full participation in all aspects of adult  
21 life”; and

22 (3) in paragraph (4)(A)—

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



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

3 “(iii) digital skills; and”;

4 **SEC. 303. DEFINITIONS.**

5 Section 203 (29 U.S.C. 3272) is amended—

6 (1) in paragraph (1)—

7 (A) in the matter preceding subparagraph  
8 (A), by striking “postsecondary” and inserting  
9 “college placement”;

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

12 (C) by redesignating subparagraph (C) as  
13 subparagraph (D); and

14 (D) by inserting after subparagraph (B)  
15 the following:

16 “(C) develop and use digital technology  
17 skills; and”;

18 (2) in paragraph (2), by inserting “, digital  
19 skills activities” after “family literacy activities”;

20 (3) in paragraph (3), by inserting “family” be-  
21 fore “literacy activities”;

22 (4) in paragraph (4)(C)(i), by striking “is basic  
23 skills deficient” and inserting “has foundational  
24 skills”;

25 (5) in paragraph (9)—

1 (A) in the matter preceding subparagraph  
2 (A), by striking “economic prospects” and in-  
3 serting “economic and educational prospects”;  
4 and

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

6 “(E) Digital literacy activities to enable  
7 parents or family members to develop and use  
8 digital literacy skills to support their children’s  
9 learning.”;

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

12 “(11) INTEGRATED EDUCATION AND TRAIN-  
13 ING.—The term ‘integrated education and training’  
14 means a service approach that provides adult edu-  
15 cation and literacy activities concurrently and con-  
16 textually with workforce preparation activities and  
17 workforce training for a specific occupation or occu-  
18 pational cluster for the purpose of educational and  
19 career advancement.”;

20 (7) by amending paragraph (12) to read as fol-  
21 lows:

22 “(12) INTEGRATED ENGLISH LITERACY AND  
23 CIVICS EDUCATION.—The term ‘integrated English  
24 literacy and civics education’ means instruction in  
25 literacy and the English language and other edu-

1 cation services provided to English language learners  
2 who are adults, including professionals with degrees  
3 and credentials in their native countries—

4 “(A) that enables such adults—

5 “(i) to achieve competency in the  
6 English language;

7 “(iii) to build knowledge of United  
8 States history and civics;

9 “(iv) to prepare for United States citi-  
10 zenship and the naturalization process;

11 “(v) to achieve digital literacy; and

12 “(vi) to apply for Federal and other  
13 student financial aid and enroll in postsec-  
14 ondary education or other further learning;  
15 and

16 “(B) which may include—

17 “(i) preparation for a high school  
18 equivalency diploma or postsecondary  
19 training or education;

20 “(ii) preparation for employment; or

21 “(iii) instruction in—

22 “(I) navigating the early child-  
23 hood, elementary and secondary, and  
24 postsecondary education systems;

25 “(II) financial literacy;

1 “(III) the housing market and  
2 systems in the United States; or

3 “(IV) accessing Federal, State,  
4 and local health care systems.”; and

5 (8) in paragraph (13) by striking “and solve  
6 problems,” and all that follows through the period at  
7 the end and inserting “solve problems, and use dig-  
8 ital technology at levels of proficiency necessary to  
9 function effectively as an employee, a parent or a  
10 family member, and a member of society.”; and

11 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS.**

12 Section 206 (29 U.S.C. 3275) is amended by striking  
13 “\$577,667,000 for fiscal year 2015” and all that follows  
14 through period at the end and inserting “\$785,100,000  
15 for fiscal year 2023, \$824,400,000 for fiscal year 2024,  
16 \$865,600,000 for fiscal year 2025, \$908,900,000 for fis-  
17 cal year 2026, \$954,300,000 for fiscal year 2027, and  
18 \$1,002,000,000 for fiscal year 2028.”.

19 **SEC. 305. PERFORMANCE ACCOUNTABILITY SYSTEM.**

20 Section 212 (29 U.S.C. 3292) is amended to read as  
21 follows:

22 **“SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.**

23 “(a) IN GENERAL.—Programs and activities author-  
24 ized in this title are subject to the performance account-  
25 ability provisions described in section 116.

1           “(b) INNOVATIVE PERFORMANCE ACCOUNTABILITY  
2 SYSTEM DEMONSTRATION PROGRAM.—

3           “(1) IN GENERAL.—The Secretary may author-  
4 ize one or more eligible entities to implement an in-  
5 novative performance accountability system that  
6 uses alternative primary indicators of performance  
7 that reflect the objectives and activities of the enti-  
8 ty’s adult education and literacy programs and  
9 measure the attainment of the education and em-  
10 ployment goals of the participants in such programs.  
11 The innovative performance accountability system  
12 may include—

13           “(A) performance indicators attained while  
14 an individual is enrolled in an adult education  
15 and literacy program; and

16           “(B) performance indicators attained after  
17 an individual exits such a program.

18           “(2) DEMONSTRATION PERIOD.—

19           “(A) IN GENERAL.—Except as provided in  
20 subparagraph (B), the period during which an  
21 eligible entity may carry out an innovative ac-  
22 countability system authorized under this sub-  
23 section shall be a period determined by the Sec-  
24 retary that does not exceed five years.

1           “(B) EXTENSION.—The Secretary may ex-  
2           tend, by up to one year, the demonstration pe-  
3           riod determined under subparagraph (A) for an  
4           eligible entity if—

5                   “(i) the Secretary determines that the  
6                   innovative accountability system imple-  
7                   mented by the entity is successfully meet-  
8                   ing the objectives of this subsection; and

9                   “(ii) the total period during which the  
10                  entity implements such system under the  
11                  demonstration program, inclusive of such  
12                  extension, does not exceed six years.

13          “(3) APPLICATION.—

14                  “(A) IN GENERAL.—Subject to subpara-  
15                  graph (C), an eligible entity that seeks author-  
16                  ization to implement an innovative performance  
17                  accountability system under this subsection  
18                  shall submit to the Secretary an application at  
19                  such time, in such manner, and containing such  
20                  information as the Secretary may require.

21                  “(B) CONTENTS.—At a minimum, each  
22                  application under this paragraph shall in-  
23                  clude—

- 1 “(i) a description of the objectives of  
2 the innovative performance accountability  
3 system proposed by the eligible entity;
- 4 “(ii) a description of such account-  
5 ability system, including a description of  
6 the performance indicators to be used;
- 7 “(iii) the duration of the period over  
8 which the entity intends to carry out the  
9 proposed accountability system;
- 10 “(iv) an explanation of why the entity  
11 believes the alternative indicators of per-  
12 formance proposed by the entity would  
13 more accurately measure the attainment of  
14 the objectives of the entity’s adult edu-  
15 cation and literacy programs compared to  
16 the indicators of performance described in  
17 section 116(b)(2)(A)(i);
- 18 “(v) an explanation of how the pro-  
19 posed performance indicators are expected  
20 to provide a valid and reliable measure-  
21 ment of the effectiveness of the entity’s  
22 adult education and literacy programs with  
23 respect to the individuals served by such  
24 programs;

1 “(vi) a description of how the entity  
2 will report to the Secretary and make pub-  
3 licly available the proposed indicators of  
4 performance on a timely basis;

5 “(vii) an assurance that the entity will  
6 prepare and submit the final report re-  
7 quired under paragraph (4); and

8 “(viii) a description of how the inno-  
9 vative accountability system may be rel-  
10 evant to and replicated by all States and  
11 outlying areas.

12 “(C) REVIEW OF CERTAIN APPLICA-  
13 TIONS.—In a case in which an eligible entity  
14 that is a consortium of eligible providers seeks  
15 authorization to implement an innovative per-  
16 formance accountability system under this sub-  
17 section—

18 “(i) the consortium shall submit the  
19 application described in subparagraph (A)  
20 to the eligible agency of the State or out-  
21 lying area in which the consortium intends  
22 to implement the system;

23 “(ii) the eligible agency shall review  
24 the application; and



1           “(iii) if the eligible agency approves  
2           the application, the agency shall forward  
3           the application to the Secretary together  
4           with any comments of the agency regard-  
5           ing the content of the application.

6           “(D) SECRETARIAL REVIEW AND AP-  
7           PROVAL.—

8           “(i) IN GENERAL.—Not later than 90  
9           days after receiving an application under  
10          this paragraph, the Secretary shall—

11           “(I) determine whether to ap-  
12           prove or disapprove such application;  
13           and

14           “(II) transmit notice of such ap-  
15           proval or disapproval (as the case may  
16           be) to the eligible entity that sub-  
17           mitted the application.

18           “(ii) DISAPPROVAL.—In a case in  
19           which the Secretary disapproves an appli-  
20           cation under clause (i)—

21           “(I) the eligible entity that sub-  
22           mitted the application may revise and  
23           resubmit the application at any time  
24           during the period of 60 days following  
25           the date of such disapproval; and

1                   “(II) the Secretary shall recon-  
2                   sider the revised application in accord-  
3                   ance with this paragraph.

4                   “(4) FINAL REPORT.—Not later than one year  
5                   after the conclusion of the demonstration period ap-  
6                   plicable to an eligible entity under paragraph (2),  
7                   the entity shall submit to the Secretary a report on  
8                   the results of the innovative performance account-  
9                   ability system implemented by the entity under this  
10                  subsection. Each such report shall include the enti-  
11                  ty’s assessment of whether, and to what extent, the  
12                  performance accountability system achieved its ob-  
13                  jectives.

14                  “(5) DEVELOPMENT AND DISSEMINATION OF  
15                  BEST PRACTICES.—The Secretary shall—

16                  “(A) based on the results of the dem-  
17                  onstration programs authorized under this sub-  
18                  section and in consultation with the Director of  
19                  the Institute of Education Sciences and the  
20                  Secretary of Labor, identify best practices for  
21                  the development and implementation of innova-  
22                  tive performance accountability systems; and

23                  “(B) disseminate information on those  
24                  practices, including by making such information

1 available on publicly accessible website of the  
2 Department of Education.

3 “(6) RELATIONSHIP TO OTHER REQUIRE-  
4 MENTS.—Nothing in this subsection shall be con-  
5 strued to supersede the requirements of section 116  
6 or to authorize the Secretary to modify or replace  
7 the performance accountability measures required  
8 under section 116. An eligible entity participating in  
9 a demonstration program under this subsection shall  
10 be subject to the applicable requirements of section  
11 116 while participating in such program.

12 “(7) ELIGIBLE ENTITY DEFINED.—In this sub-  
13 section, the term ‘eligible entity’ means—

14 “(A) an eligible agency;

15 “(B) a consortium of eligible agencies; or

16 “(C) a consortium eligible providers within  
17 a State or outlying area.”;

18 **SEC. 306. STATE DISTRIBUTION OF FUNDS; MATCHING RE-**  
19 **QUIREMENT.**

20 Section 222(b) (29 U.S.C. 3302(b)) is amended by  
21 adding at the end the following:

22 “(3) PUBLIC AVAILABILITY OF INFORMATION  
23 ON MATCHING FUNDS.—Each eligible agency shall  
24 maintain, on a publicly accessible website of such  
25 agency and in an easily accessible format, informa-

1       tion documenting the non-Federal contributions  
2       made available to adult education and literacy pro-  
3       grams pursuant to this subsection, including—

4               “(A) the sources of such contributions; and

5               “(B) in the case of funds made available  
6       by a State or outlying area, an explanation of  
7       how such funds are distributed to eligible pro-  
8       viders.”

9       **SEC. 307. STATE LEADERSHIP ACTIVITIES.**

10       Section 223(a)(2) (29 U.S.C. 3303(a)(2)) is amend-  
11       ed—

12               (1) in subparagraph (J), by striking the period  
13       at the end and inserting “, such as the development  
14       and maintenance of policies for credentialing of  
15       adult educators who demonstrate effectiveness.”;

16               (2) by redesignating subparagraph (M) as sub-  
17       paragraph (N); and

18               (3) by inserting after subparagraph (L) the fol-  
19       lowing:

20               “(M) Strengthening the quality of adult  
21       education and literacy programs in the State  
22       through support for improved credentials, pro-  
23       gram quality standards, and certification and  
24       accreditation requirements.”;

1 **SEC. 308. LOCAL ADMINISTRATIVE COST LIMITS.**

2 Section 233(a) (29 U.S.C. 3323(a)) is amended—

3 (1) in paragraph (1), by striking “95 percent”  
4 and inserting “90 percent”; and

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

7 “(2) of the remaining amount—

8 “(A) not more than 5 percent may be used  
9 for professional development for adult edu-  
10 cators; and

11 “(B) not more than 5 percent may be used  
12 for planning, administration (including carrying  
13 out the requirements of section 116), and the  
14 activities described in paragraphs (3) and (5) of  
15 section 232.”.

16 **SEC. 309. NATIONAL LEADERSHIP ACTIVITIES.**

17 Section 242 (29 U.S.C. 3332) is amended—

18 (1) by amending paragraph (1) of subsection  
19 (b) to read as follows:

20 “(1) assistance to help States meet the require-  
21 ments of section 116, including assistance to ensure  
22 that—

23 “(A) the outcomes and other data required  
24 pursuant to that section are collected and re-  
25 ported in a timely and accessible manner; and

1 “(B) such data are reported consistently  
2 across States and eligible providers and are re-  
3 viewed for quality and consistency by the De-  
4 partment of Education;”; and  
5 (2) in subsection (c)(2)—

6 (A) in subparagraph (F), by striking  
7 “and” at the end;

8 (B) by redesignating subparagraph (G) as  
9 paragraph (J); and

10 (C) by inserting after subparagraph (F)  
11 the following:

12 “(G) developing and rigorously evaluating  
13 model programs for the preparation of effective  
14 adult educators;

15 “(H) carrying out initiatives to support the  
16 professionalization of adult education through  
17 the creation and implementation of full-time  
18 staffing models;

19 “(I) providing professional development  
20 and technical assistance to adult educators;  
21 and”.

22 **SEC. 310. TECHNICAL CORRECTIONS TO OTHER LAWS.**

23 Section 9215(e) of the Every Student Succeeds Act  
24 (Public Law 114–95) is amended by striking “the Adult

1 Education and Literacy Act” and inserting “the Adult  
2 Education and Family Literacy Act”.

3 **TITLE IV—AMENDMENT TO THE**  
4 **WAGNER-PEYSER ACT**

5 **SEC. 401. WORKFORCE AND LABOR MARKET INFORMATION**  
6 **SYSTEM.**

7 Section 15(g) of the Wagner-Peyser Act (29 U.S.C.  
8 491–2(g)) is amended to read as follows:

9 “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
10 are authorized to be appropriated to carry out this section  
11 \$74,400,000 for fiscal year 2023, \$78,100,000 for fiscal  
12 year 2024, \$82,000,000 for fiscal year 2025, \$86,100,000  
13 for fiscal year 2026, \$90,400,000 for fiscal year 2027, and  
14 \$94,900,000 for fiscal year 2028.”.